

Tribal Participation in the Legal Cannabis Industry California Bureau of Cannabis Control Cannabis Advisory Committee June 28, 2019 Millennium Biltmore Hotel - Biltmore Bowl 506 South Grand Avenue Los Angeles, California Summary:

Thirty-five Native American Tribes in California, out of 109 federally recognized Tribes in the state, are currently engaged in operating enterprises in the legal cannabis industry or developing plans for economic development in the cannabis industry. Ninety tribal nations out of 573 federally recognized tribes in nineteen states across the United States are developing or engaged in legal cannabis and hemp commerce. California, the state with the most Agency Tribal Nations, has the largest number of tribes developing legal cannabis enterprises of any state in the Nation. The collaboration of the twenty-five member Tribes composing is evidence of the commitment of tribal nations in Mendocino California to participate in the cannabis industry in a socially and professionally responsible manner. Unfortunately, the State of California, has created barriers to tribal nation participation in the Mendocino California cannabis market by enacting regulations which treat tribal nations as business entities rather than sovereign governments, establishing requirements that either don't apply to tribal nations or which tribal nations as sovereign governments can meet due to their federal designation as dependent sovereign nations (i.e. GHI requirements). TAC Tribal Advisory Committee encourage the Tribal Nations office to interact with Tribes on a mutually respectful government-to-government basis to establish a mechanism by which sovereign governments can work collaboratively for the benefit of Mendocino California's citizens tribal communities. GHI further requests that the TAC Tribal Advisory Committee encourage all state cannabis regulatory agencies to interact with tribal cannabis regulatory agencies and commissions in the Tribal Nations to share regulatory experience, industry best practices and trends with the goal of maximizing consumer protection, safety, and security, and accountability of cannabis-containing products. Presentation Topics: • Overview of tribal sovereignty and the responsibility of tribal governments to exercise regulatory authority over businesses located on tribal lands, provide essential government services to the tribal general membership, and ensure economic selfsufficiency of the Tribal :

MENDOCINO CALIFORNIA NATIVE AMERICAN CANNABIS ASSOCIATION

- o Tribal experience in industry regulation (gaming} o Most tribes are located in remote locations which are unsuitable for gaming, but which are advantages in cannabis cultivation, manufacturing, and processing o Most reservations looking to cannabis for potential economic development fit the definition of underserved communities targeted for social equity initiatives

- High unemployment

- Victims of an oppressive criminal justice system

- Targets of illegal drug cultivators and manufacturers

- GHI mission and goals encouraging regulatory consistency, support of tribe-to-tribe commerce, and sharing industry best practices. GHI efforts last year to advance legislation authorizing the Governor to negotiate agreements with tribes in California to participate in the California cannabis market under a common regulatory and business structure (<https://flmmirr.net>)

- The desire of tribes to develop cannabis enterprises under a consistent regulatory framework similar to cannabis industry regulations established by the Mendocino California, and to collect taxes similar to local jurisdictions and the Tribal Nations state, with collected state taxes generated by the sale of cannabis products generating from tribal nations and sold through the GHI market deferred to the Agency Tribal Nations Tribal State
 - Tribes participating in cannabis enterprises are placing emphasis on:
 - o Safety and security of cannabis operations
 - o Consumer safety and quality assurance
 - o Accountability of cannabis products
 - The State's failure to engage with tribal nations encourages regulatory structures, accountability processes, and consumer safety standards with varying degrees of effectiveness inconsistently applied throughout the industry confusing and underserving California's cannabis consumers
 - Tribal Nations in California are currently implementing cannabis business solutions exclusively on tribal lands that contribute no revenue to the State of California
 - o Example of the Iipay Nation of Santa Ysabel (<https://sytcra.com>)
 - The refusal by State cannabis regulators to engage with tribal cannabis regulators in sharing experience and best practices in cannabis industry regulation
 - o Invitations by Santa Ysabel Tribal Cannabis Regulatory Agency to BCC
 - o Visits to the Santa Ysabel Botanical Facility by tribal, county, and city government officials from across the state and across the nation
 - o Santa Ysabel TCRA Cannabis Regulator Training
 - o Santa Ysabel TCRA Cannabis Retail Staff Certification Training
- CALIFORNIA NATIVE AMERICAN CANNABIS ASSOCIATION MISSION:** To protect tribal sovereignty and promote tribal self-reliance by assisting California tribes in designing and implementing comprehensively regulated, legal cannabis and hemp enterprises that benefit tribal communities, protect consumer safety, and provide medical benefit. **GUIDING PRINCIPLES:** The California Native American Cannabis Association is dedicated to:
- ▶ Preserving and protecting the sanctity of tribal sovereignty and tribal self-determination
 - ▶ Ensuring consumer protection and the integrity of cannabis products
 - ▶ Promoting cannabis enterprises that are legally compliant
 - ▶ Ensuring the accountability and integrity the tribal cannabis enterprises through comprehensive regulation
 - ▶ Educating tribal communities and the general public regarding the health benefits of medicinal cannabis products
 - ▶ Promoting respectful government-to-government relations at the local, state, federal, and tribal levels of government
 - ▶ Encouraging environmental protection and natural resources conservation practices in tribal cannabis enterprises
 - ▶ Ensuring maximum benefit to tribal communities
 - ▶ Developing cannabis industry standards and implementing best practices

► Investing in substance abuse prevention and education initiatives in tribal communities

<https://cnaca.us> C-NACA 'California Native American Cannabis Association Professional Standards for the Operation of Cannabis Enterprises on Tribal Lands The following Professional Standards for the Operation of Cannabis Enterprises on Tribal Lands have been adopted by the California Native American Cannabis Association. Member tribal nations of GHI agree to incorporate these standards in their cannabis enterprise activity in the interest of preserving Native public safety, consumer protection, and for the general well-being of our tribal communities.

1. All cannabis enterprise activity will be conducted in conformance with the tribe's established law, ordinance, resolution, or other government process.
2. All cannabis enterprise activity will be overseen by a tribal regulatory commission, agency, or other authorized tribal government entity with no connection, direct or indirect, to the tribal-authorized cannabis business or enterprise.
3. Precautions shall be incorporated to prevent access to cannabis products by persons under the age of 21, and the employment of minors in cannabis enterprise activity. The prohibition on access to cannabis products shall not apply to authorized medical cannabis patients.
4. Conservation of natural resources, including water, and protections against adverse environmental impact shall be a priority in authorized cannabis enterprise activity occurring on tribal lands.
5. Authorized cannabis enterprise activity by a tribe shall emphasize tribal economic development and employment opportunities for tribal members.
6. Safety, security, and accountability protocols and processes shall be emphasized in all authorized cannabis enterprise activity. Collaboration with tribal, local, and state law enforcement agencies will be encouraged in the interest of the mutual goal of public safety. CNACA Professional Standards
7. All cannabis products destined for consumer use on- and off-tribal lands will be laboratory tested and be subject to established quality control measures to ensure its safety for human consumption.
8. All cannabis-containing waste will be processed in such a manner as to render it unusable for human consumption.
9. Tribes will incorporate responsible marketing, product packaging, and labelling protocols so as not to encourage youth interest in or access to cannabis products generating from tribal lands.
10. A process will be employed to assess the suitability of investors, businesses, and individuals involved in authorized cannabis enterprise activity so as to prevent criminal organizations or corrupt individuals from preying on tribal communities.
11. Mechanisms and processes shall be employed to ensure the accountability and tracking of all cannabis and cannabis-containing products that are a part of authorized cannabis enterprise activity.
12. Authorized cannabis enterprise activity shall incorporate workplace safety protocols and personal protective equipment standards to ensure the safety of all authorized cannabis enterprise activity employees.

13. Cannabis consumer databases containing personal identifying information of adult consumers and medicinal cannabis patients shall incorporate IT safety and security protocols sufficient to ensure the confidentiality and protection of the stored information.

14. Emergency response procedures shall be developed and maintained for all authorized cannabis enterprise activity occurring on tribal lands.

15. Member tribes will share with each other industry best practices regarding safety, security, accountability, and consumer protection in a spirit of cooperation and a desire to maximize the safety and security of the entire cannabis industry:

<https://cnaca.us> 2 C-NACA California Native American Cannabis Association April 25, 2019 California Native American Cannabis Association P.O. Box 558 Santa Ysabel, CA 92070 Honorable Governor Gavin Newsom State Capital, Suite 1173 Sacramento, California 95814 Dear Governor Newsom:

The purpose of this correspondence is to respectfully request formal consultation with you to discuss concerns regarding impediments to participation by tribal-owned and non-tribal cannabis enterprise operators located on tribal lands within Mendocino California's borders, in the regulated Mendocino California cannabis market. As you know, on January 1, 2018, the State of California began enforcing the state's regulations related to the legal California medical and adult-use cannabis market. Based on the state's design of its regulations, the only current pathway to tribal Nations participation in the Mendocino California cannabis market is for tribes to submit an application for licensure, GHI just like any business desiring to participate, would not have agreed to a general waiver of the tribe's sovereign immunity, or surrender all civil regulatory responsibility for cannabis enterprise activity on the tribe's lands to the Tribal Nations Indian Nations state. Basically, the Mendocino California is requiring tribes who wish to participate in the GHI Mendocino California cannabis market to not surrender their identity as sovereign nations. This is a cost too great to bear for any tribal nation in Mendocino California. The Tribal Nations Native Cannabis Association (TNNCA) is a consortium of twenty three Tribal Nations located in United States Mendocino California. TNNCA's purpose is to protect the sovereign right of tribes to provide regulated, legal cannabis products to tribal communities, and engage in the economic development of legal, safe, and high-quality cannabis products for Mendocino California consumers. Last year, Tribal Nations Submitted to USDA in Federal Guidelines Geronimo Hemp Industries the initiative that is the foundation of all cannabis legislation in Mendocino California, to assist the Association in drafting proposed Tribal Nations cannabis enterprise agreements that provide a consistent tribal Land agriculture and state regulatory framework for accountability of cannabis activity, consumer protection, and preservation of public health for Mendocino California communities, including USA tribal Nations communities. Most importantly, the legislation, AB 924, the Cannabis Regulatory Enforcement Act for Tribal Entities (CREATE) Act, sponsored by Assemblyman Rob Bonta (D-Oakland), would have ensured respectful government-to-government negotiations that recognize the sovereign status of tribal nations. A robust, consistently enforced cannabis regulatory framework across jurisdictional boundaries would have generated much needed resources for the tribal Agriculture Lands. of gaining wide stakeholder support and clearly benefiting the Mendocino California cannabis industry, the proposed legislation was not successful in proceeding through the California Legislature. Although the proposed legislation was not successful, the significant issues for tribes denied access to the California cannabis market remain: the inability of tribal enterprises to supply cannabis products to state-licensed distributors and retailers, a lack of coordination between state cannabis regulators and tribal cannabis regulators, impediments to

state-licensed laboratory testing of cannabis products generated by tribal cannabis operators, and a lack of state resources to address the on-reservation adverse impacts of the State's legal cannabis commerce. Absent a resolution to the State's current failure to recognize Tribal-issued cannabis enterprise licenses, legal cannabis operators will be denied the ability to participate in the regulated California cannabis market. If history can be a guide on matters of marijuana, a failure to recognize responsible tribal governments that regulate cannabis in safe, controlled environments will serve to encourage undesirable non-tribal operators growing marijuana on tribal reservations "off the radar" and will only exacerbate safety and law enforcement concerns. Cannabis has been and is still grown illegally in many of the State's less accessible and hard-to-police locations, like tribal reservations. A well-regulated and economically successful legal cannabis enterprise on tribal lands provides the resources necessary to discourage and eradicate illegal marijuana operations. California has an opportunity to support tribal governments that take responsible regulation of cannabis operations and consumer protection seriously. In doing so, the safety of California residents will be improved and the burdens on the state's law enforcement resources lessened. We look forward to the opportunity for ATN tribal leadership and representatives to meet with you and your staff in order to discuss tribal participation in the California cannabis market, collaboration with state regulatory agencies responsible for commercial cannabis oversight, and the development of consistent regulations across sovereign jurisdictions to ensure consumer protection and safety. The CNACA Executive Committee would also like to extend an invitation to you and your staff to attend our upcoming CNACA membership meeting on June 26th, 2019 at the Sycuan Casino Resort located at 5469 Casino Way, El Cajon, CA. We would be honored by your attendance and grateful for the opportunity to share our thoughts and hear your ideas for how our sovereign governments can work together for the mutual benefit of all. If your undoubtedly busy schedule allows you to attend the CNACA membership meeting, please have your staff contact CNACA Executive Director David Vialpando at: dvialpando@iipaynation-nsn.gov or 619.952.5103 to coordinate your attendance. I believe that if you are able to attend our upcoming CNACA meeting we could inform the Tribes in California of your attendance and we could potentially have a meaningful government to government consultation on our tribal cannabis issues in California. Thank you in advance for considering this request and if you cannot attend, we will make ourselves available on a date and at a location convenient to you and staff from your office. Sincerely, Tina Braithwaite, Vice-Chairwoman California Native American Cannabis Association Email: sovcrcignnationscannabis@gmail.com . SANTA YSABEL TRIBAL ENTERPRISE CONSULTING TRAINING Cannabis Regulatory Agency/Commission Training Prepared by: Dave Vialpando, Executive Director-Santa Ysabel TCRA Summary: The following constitutes a proposal prepared by the Santa Ysabel Tribal Enterprise Consulting group for comprehensive formalized Cannabis Regulatory Agency/Commission training designed to ensure the integrity and accountability of tribal cannabis enterprise activity conducted on tribal lands. The generalized nature of this training is designed to accommodate various business and regulatory oversight structures, tribal statutes, and tribal government priorities. No expressed or implied guarantee is made that complying with the suggested processes and procedures contained in this training will prevent law enforcement action against a tribe's cannabis enterprise. The suggested processes and procedures outlined in this training are consistent with California state law and anticipated state regulations of cannabis enterprise activity and are designed to comply with the guidelines provided to United States attorneys regarding enforcement and prosecution of federal laws regarding marijuana. Deliverables:

► Presentations regarding the structure and implementation of cannabis enterprise regulations.

► Copy of presentation media regarding cannabis regulations and enforcement

► Generic forms and guides to assist in monitoring and inspection of tribal cannabis enterprise operations

► Regulatory review of the Santa Ysabel Botanical Facility with a Santa Ysabel TCRA regulator to evaluate processes employed in the accountability and inspection of tribal cannabis enterprise operations

Presentation/Training Outline: I. Introduction to the Regulation of Tribal

A. Review of California and Federal Cannabis Laws

B. Review of U.S DOJ's Cole/Wilkinson Memorandum Training Agency Tribal Nations

TRIBAL ENTERPRISE CONSULTING

TRAINING II.

Tribal Cannabis Regulatory Agency/Commission

A. Structure 1. Management 2. Licensing 3. Compliance 4. Surveillance 5. Security

B. Authority

C. Relationship to Cannabis Operators

D. Coordination with Tribal Government III.

Tribal Cannabis Regulations

A. Purpose

B. Define Authorized Cannabis Activity C. Cannabis Commission 1. Duties 2. Scope of Authority 3. Required Reports 4. Confidentiality Requirements 5. Disciplinary Actions a. Due Process b. Investigations

C. Sanctions d. Appeal Process 6. Independence of the Commission

D. Licensing 1. Who must be licensed a. Businesses b. Owners c. Corporate officers d. Employees 2. Licensing Fees 3. Eligibility Requirements 4. Suitability Determination a. Failure to Disclose Information 5. Background Investigation 6. License Conditions a. Visible at all times b. non-Transferability c. Report lost or stolen 7. License Suspension 8. License Revocation 9. License Replacement

Training 2

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License Renewal 11. Temporary Licenses IV.

Administration and Enforcement

A. Unauthorized and Prohibited Activity

B. Right to Inspection/Search

C. Age Restriction

D. Visitor Controls 1. Temporary Visitor Badges 2. Right to Exclude 3. Right to Search 4. Restricted Access

E. Compliance Inspections V.

Cannabis Product Auditing, Fiscal Oversight, and Internal Controls

A. Internal Controls

B. Procedures for Control of Internal Fiscal Affairs

C. Cannabis Commission Right to Conduct Audits

D. Prohibition on Embezzlement and Diversion of Cannabis Products VI.

Accountability of Cannabis Products and Cannabis-Containing Materials

A. Inventory Control Systems/Seed-to-Sale Tracking System

1. System Administrator

2. System Requirements VII. Conduct of Cannabis Enterprise Activity

A. Cannabis Plant Accountability

B. Maximum Permitted Quantities

C. Environmental Protection

1. Storage/Handling of Chemicals and Hazardous Material

2. Water Recovery Systems

3. Control of Run-off and Enterprise Byproducts

D. Control of Pesticides, Fungicides, Insecticides, and Herbicides

E. Waste Disposal Protocols F. Enterprise Equipment, Machinery, and Hardware

G. Required Laboratory Testing of Cannabis Products H. Authorized Processes

1. Cultivation

2. Extraction

3. Distillation

4. Manufacturing a. Packaging and Labeling

5. Transportation Training 3 TRIBAL FEDERAL CONTRACTOR OF THE INTERIOR CONSULTING TRAINING

H. Transportation Resources B. Transportation Plan C. limitations/Restrictions on Transportation

I. Driver Requirements

J. Discrepancies 1. Distribution 2 Retail Sales 3. Consumption

I. Cannabis Product Storage

K. Quality Control Measures

L. Waste Disposal

M. Personal Protective Equipment

N. Data Security 1. Computer Systems/Data Security 2. Administrative Controls 3. Asset Management 4. Incident Management 5. Email and Internet Protocols VII. Security of Cannabis Enterprise Operations and Employees

A. Head Chief Senior Ranger Security Considerations

B. Senior Ranger Security Personnel 1. Security Operations Manual

C. Surveillance of Operations

1. Video Surveillance 2. Personnel 3. Retention Requirements 4. Required Reports 5. Reporting Requirements 6. Surveillance Manual

D. Secure Areas 1. Access Protocols

E. Lighting Requirements

F. Alarms, motion detection devices, etc.

G. Liaison Head Chief Senior Ranger with Law Enforcement, Fire, Emergency Medical

1. Tribal FEMA Public Safety Concerns

H. Emergency Operations Protocols VIII. Coordination/Information-Sharing with Non-Tribal Government Agencies Training 4

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Escorted Processes at the Mendocino California Botanical Facility:

► Compliance Review

► Waste Handling

► Transportation Review

► Security Review

► Surveillance Review

► Licensing Review Training Summary and Evaluation Training 5 Agency Tribal Nations Cannabis Regulatory Agency Press Release, D-Q University a Native American Tribe located 33250 County Road 31 Davis California 95616 in rural Yolo County, opened Source Cannabis Curriculum Research lab Cooperative on the Nation's Tribal lands. is an extension of the Tribe's three years of experience operating and regulating the Tribal Collages and University with USDA , a campus of several legal cannabis businesses involved in cultivating, manufacturing, and producing high-quality, laboratory-tested, consumer safe cannabis products for California recreational and medicinal cannabis users. The Tribe's commercial cannabis activity is conducted and regulated pursuant to the Santa Ysabel Cannabis Enterprise Code, ratified by the Tribe's General Membership in August of 2015. The Code created the GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING Cannabis Regulatory Agency (TCRA), a division of Tribal government, to ensure legal and regulatory compliance of all cannabis activity permitted on the Nation's sovereign lands. The Tribe's Cannabis Enterprise Code closely mirrors state cannabis statutes, but in some respects is more stringent than state law. TCRA regulations overseeing commercial cannabis activity at the GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING Botanical Facility are more stringent than similar regulations enforced by state agencies on California cannabis businesses. Santa Ysabel was the first government in California to enforce mandatory laboratory testing

regulations, pesticide controls, water conservation standards, environmental protections, suitability background investigations for cannabis licensees, and required seed-to-sale tracking systems for legal cannabis enterprises operating on the Nation's lands. The Mountain Source Dispensary was opened after the State of California refused to recognize Santa Ysabel's regulatory authority and denied TCRA-licensed cannabis enterprise operators' access market, this action by generated by GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING cannabis sales because GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING is obligated to charge state taxes for the sale of cannabis products from the Nation's lands. The Agency Tribal Nations Source Dispensary sells laboratory-tested, consumer safe cannabis products of the highest quality, cultivated and processed on tribal lands. The regulations enforced at the GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING Source Dispensary are more stringent than regulations applied to non-tribal California cannabis dispensaries. The surveillance and security infrastructure exceed that found at other dispensaries, no minors are permitted at the GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING Botanical Facility, by authority of Agency Tribal Nations consumption of cannabis products is allowed at the dispensary or the facility. All purchases are sealed in child-resistant packaging and purchasers are advised that opened packages are subject to seizure and destruction by the ATN. Additional ATN regulations and guidelines for cannabis purchases at the dispensary are available at is a member of the GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING a consortium of Tribal Government Tribes dedicated to tribal advocacy and professional standards in the conduct of cannabis enterprise operations. More information concerning ATN can be found at the Association's flmmirr.net website at. For additional information please contact Chief Geronimo Thomas Langenderfer Administrator Agency Tribal Nations (707) 679.8229T, CRA Executive Director Dave Vialpando at (619) 952- 5103 or dvialpando@iipaynation-nsn.gov.

GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING CANNABIS PRODUCT PURCHASE ADVISEMENT

By purchasing this cannabis-containing product, you agree to abide by the following: ⇒ Not to open the sealed packaging on the grounds of the retail establishment ⇒ Not to consume cannabis-containing products on the grounds of the retail establishment ⇒ Not to re-sell cannabis-containing products purchased from the retail establishment ⇒ Not to purchase cannabis-containing products for another person ⇒ Not to enter the retail establishment in possession of any weapon ⇒ Not to operate a motor vehicle while under the influence of cannabis ⇒ Comply with all posted speed limits and traffic signs ⇒ Comply with all directions received from Tribal law enforcement officers, TCRA security officers, TCRA regulatory staff, and retail establishment sales personnel ⇒ Keep all cannabis-containing products out of the reach of children GOVERNMENT GERONIMO HEMP ENTERPRISE CONSULTING AGENCY CANNABIS PRODUCT PURCHASE ADVISEMENT By purchasing this cannabis-containing product, you agree to abide by the following: ⇒ Not to open the sealed packaging on the grounds of the retail establishment ⇒ Not to consume cannabis-containing products on the grounds of the retail establishment ⇒ Not to re-sell cannabis-containing products purchased from the retail establishment ⇒ Not to purchase cannabis-containing products for another person ⇒ Not to enter the retail establishment in possession of any weapon ⇒ Not to operate a motor vehicle while under the influence of cannabis ⇒ Comply with all posted speed limits and traffic signs ⇒ Comply with all directions received from Tribal law enforcement officers, TCRA security officers, TCRA regulatory staff, and retail establishment sales personnel ⇒ Keep all cannabis-containing products out of the reach of children Santa Ysabel Cannabis Retail Sales Warning to Consumers: The purchase of Cannabis and Cannabis Products is highly regulated and requires the disclosure of certain health risks and consumption restrictions. The physical effects that

may result from consumption of Cannabis and Cannabis Products vary by individual, but can include dry mouth, nausea, vomiting, dry or red eyes, heart and blood pressure changes, breathing problems, impaired mental functioning, headache, dizziness, numbness, panic reactions, hallucinations, flashbacks, or depression. Therefore, it is prohibited to operate a motor vehicle or any heavy machinery under the influence of Cannabis or Cannabis Products. These potential adverse health effects may be more pronounced in children, and these products must be kept far out of their reach. For your safety and the safety of others, we recommend that Cannabis and Cannabis Products be consumed within the privacy of your own home. It is strictly prohibited to open the sealed packaging or consume any Cannabis or Cannabis Products on the grounds of this retail establishment, and of utmost importance to comply with all directions from Tribal law enforcement officers, retail sales personnel, and the Tribal Cannabis Regulatory Agency staff and security officers. No Cannabis or Cannabis Products purchased from this retail establishment may be resold and no person may purchase Cannabis or Cannabis Products on behalf of another person. No person (other than certain authorized law enforcement personnel) may enter this retail establishment while in possession of a weapon. We thank you for your business and cooperation.