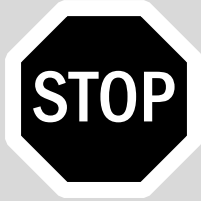




Marijuana Producer Application

Form Instructions



With the passage of House Bill 4016 (2022), the Commission is required to inactivate applications for new recreational marijuana Producer, Processor, Retailer, or Wholesaler licenses submitted on or after January 2, 2022 and until March 31, 2024. Unless you are submitting this application as part of a Change of Ownership, other change to an existing licensed premises, or as requested specifically by OLCC staff, your application will be inactivated and a refund may not be issued for your application fee.

olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/HB4016/Enrolled

What is this form?

This document collects information that is required for an OLCC Producer license application. Read each page carefully. If you have already submitted your application in the online licensing system, send this completed form to OLCC staff when requested. If you have not yet submitted an application, upload the completed packet as a supporting document to your recreational marijuana application online at: <https://apps.oregon.gov/OLCC/Marijuana/elicense/>

You will also be required to provide the following documents as uploads into the online licensing system:

- A **completed** [Land Use Compatibility Statement](#) from the city or county that authorizes land use in the city or county in which your proposed premises is located.
- A map or sketch of the premises proposed for licensure, including the defined boundaries of the premises, location of any primary residence on the same tax lot, and a scaled floor or plot plan sketch of all enclosed areas. See the [Premises Map Instructions](#) for detailed information about what to include.
- Information on the structure of the business proposed to be licensed:
 - A [Marijuana Applicant Questionnaire](#) containing a complete list of individuals and legal entities who qualify as applicants for the license.
 - An [Individual History form](#) for each individual.
- A [Producer Property Owner Informed Consent](#) form.

If I am applying for a Mixed Producer license, how do I know what my canopy limits are?

The Commission has established a 4:1 ratio for outdoor and indoor canopy areas, so one square foot of indoor mature canopy is equivalent to four square feet of outdoor mature canopy.

Example: A Tier II Producer who designates 1,000 sqft of indoor mature canopy area may also designate up to 36,000 sqft of outdoor mature canopy area. This is because:

- A Tier II Producer may designate up to the equivalent of 40,000 sqft of outdoor mature canopy.
- Using the 4:1 ratio, 1,000 sqft of indoor mature canopy is equivalent to 4,000 sqft of outdoor mature canopy:
 $1,000 \text{ sqft} \times 4 = 4,000 \text{ sqft}$.
- $40,000 \text{ sqft} - 4,000 \text{ sqft} = 36,000 \text{ sqft}$

What if I am buying an existing licensed business?

If you are buying an existing licensed business, you will still submit all the information listed above. Once you have submitted your application, the current licensee will need to submit a [Change of Ownership](#) request.

Remember, you cannot begin operating the business until your license has been approved and issued by OLCC.



OREGON LIQUOR & CANNABIS COMMISSION

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Section 1 – Business Information

Licensee Name:
Premises Address:
City: State: OR ZIP:

Section 2 – Premises Information

Yes No

Is the proposed premises on any federal or public land?
Is the proposed premises at the same address or physical location as a business with a liquor license or pending application for a liquor license?
Is the proposed premises on any reservation or tribal trust land of a federally recognized Indian tribe?
Are there any recreational marijuana licenses at this premises or other license applications pending for this premises?
Is the proposed premises at the same address or physical location as a medical marijuana grow site, medical marijuana processing site, or medical marijuana dispensary?

Section 3 – License Type and Tier

Please select your Producer Type and Production Tier; see OAR 845-025-2040 for definitions and details. If this differs from the information you submitted in the online licensing system, OLCC staff may update your application in the online licensing system.

If you are applying for a Mixed production license: You must also fill in the section identifying how many square feet of indoor mature canopy and outdoor mature canopy you intend to designate at the time of licensure. If the areas you enter are below the total mature canopy allowed for your Production Tier, you may request to designate additional canopy after you receive your license. Bear in mind that you may only request to decrease your designated mature canopy of one production method in order to increase your designated mature canopy of the other production method once per license year in accordance with OAR 845-025-2040. See the Instruction page for examples of how to calculate Mixed production canopy area limits.

Producer Type
Indoor
Outdoor
Mixed

Production Tier
Micro Tier I Tier I
Micro Tier II Tier II

Mixed Producers Only
Initial Designated Square Feet of Mature Canopy
Sq. Ft. Indoor Mature Canopy
Sq. Ft. Outdoor Mature Canopy

Section 4 – Additional Privileges

A Producer may request the following additional privileges. Licensees are responsible for knowing and following all rules applicable to their license, including the rules for any additional privileges they are granted. Please answer the following:

Yes No

I am seeking a Propagation Endorsement (OAR 845-025-2045) in order to grow additional immature marijuana plant canopy beyond the limits specified in OAR 845-025-2040(2) for the purpose of producing immature plants for sale to other licensees.
I am seeking the privilege to produce a Medically Designated Canopy (OAR 845-025-2500) to produce usable marijuana for registered OMMP patients, providing at least 75% of the annual yield of usable marijuana from their medically designated mature canopy to patients or to patients' designated primary caregivers for no consideration. I understand I will not receive this privilege unless I submit a Producer Medically Designated Canopy Registration form and the \$100 fee. (Do not submit the \$100 fee until your investigator instructs you to do so)
I am applying for the Micro Tier Processing endorsement (OAR 845-025-2025) to process certain types of cannabinoid concentrates. I understand I will not receive this privilege if I am not applying for a Micro Tier I or Micro Tier II license or if I fail to submit a Land Use Compatibility Statement (LUCS) showing this is not a prohibited land use (list either "Concentrate Processing" or "Micro Tier Processing" in the "Details of Proposed Use" field). I understand this does not allow the processing of concentrates using solvents other than water.



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Section 5 – Attestations

By signing this form, you attest that each of the following statements are true. The Commission may require a licensee to provide proof of any of the below or below referenced documents at any time.

Section 5.1 – Right to Occupy the Premises

I have a legal right to occupy the premises. I understand that at all times I must retain control of, or the right of access to, all or any part of the licensed premises. Except as provided in OAR [845-025-1160](#)(6), failure to retain such control or right of access is a Category I violation and may be grounds for immediate suspension or cancellation of the license.

If there is no direct access to the property where the premises is located from a public right-of-way, this means that I must have an easement to allow licensee representatives and Commission staff to access the property. I understand that without such an easement, the property owner who is entitled to control access to the premises has an ownership interest as described in OAR [845-025-1045](#) and must be an applicant for the license.

Section 5.2 – Cannabis Tracking System (CTS)

As required by OAR [845-025-7500](#), prior to licensure, at least one licensee or licensee representative has completed or will complete required CTS training through <https://www.metr.com/oregon> using their true, legal name. Once licensed and for as long as the license remains active, at least one licensee will keep an active CTS administrator account in their name for the premises. If the licensee designates a licensee representative to complete training on their behalf, that representative must also keep an active CTS administrator account in their name for the premises.

Section 5.3 – Legal Source of Water

All water to be used to produce marijuana under this Producer license will be obtained from a legal source allowable for commercial use by the licensee and for the property where the premises is located. I will retain a copy of at least one of the following demonstrating a legal source of water for commercial agriculture: A.) a water right permit or certificate; B.) a water use authorization form from the Oregon Water Resources Department; C.) documentation such as a billing statement or contract from a public or private water supplier that includes the name and contact information of that supplier; or D.) other proof from the Oregon Water Resources Department that the water to be used is from a lawful source for commercial use that does not require a water right.

Section 5.4 – Premises Map

By signing this form, I attest that I have provided OLCC with maps or sketches of the premises that clearly show:

- The location of my proposed premises on the property;
- The boundaries of my proposed premises;
- The boundaries of my limited access area(s);
- For each indoor area, a scaled floor plan that identifies all walls and all areas of ingress and egress; and
- The location of any primary residences on the tax lot, if applicable.

I understand that, if the Commission approves my license, the Commission's approval relies in part upon the completeness and accuracy of the information that I provide. If I have not completely and accurately identified my licensed premises, or if my premises is not located at the address identified in Section 1 of this form and on my signed Land Use Compatibility Statement, that may constitute grounds to revoke my license.

I understand that I will only be entitled to exercise my license privileges within the boundaries of my licensed premises. I understand that marijuana may never enter any part of my premises that is not designated as a limited access area, and that if I have failed to designate my limited access area I will not have the privilege to allow marijuana to enter the premises.

I attest that my proposed premises does not include a primary residence.



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Section 5.5 – Canopy Designation

I understand that the Commission is not requesting a copy of my canopy designation at this time, and that if I submit any documentation showing my proposed canopy designation, the Commission will not consider it to be properly submitted and will not evaluate my proposed canopy designation as part of the license investigation process. I understand it is the licensee's responsibility to designate no more than 20 separate canopy areas, including any areas designated exclusively for immature marijuana plants, and that the total area for mature marijuana plants must be no more than the maximum allowed by my specified production tier size.

Section 6 – Electricity and Water Use Estimate

Record your electrical use estimates in kilowatt-hours (kWh). Specify a unit of measurement for your water use estimates.

To determine how many kWh a piece of equipment uses, follow these steps:

- Determine the wattage of the device by checking manufacturer specifications.
- Multiply this by the number of hours each month the device will be in use to determine watt-hours.
- Divide each month's watt-hours by 1,000 to determine kWh. Round to three decimal places.
- Repeat this for each piece of equipment and total the amounts for each month.

You may also use the energy estimate worksheet provided by the Oregon Department of Energy:

<https://energy.odeo.state.or.us/cannabis>

Month	Electricity used <i>(by kilowatt-hour (kWh))</i>	Water used <i>(include unit of measurement)</i>
JANUARY		
FEBRUARY		
MARCH		
APRIL		
MAY		
JUNE		
JULY		
AUGUST		
SEPTEMBER		
OCTOBER		
NOVEMBER		
DECEMBER		
Total:		

Section 7 – Operating and Security Plan

An Operating Plan and Security Plan are required for all license types. The Commission has set minimum standards for the security of a licensed recreational marijuana premises. Licensees are responsible for the security of all marijuana items on the premises and those in transit on behalf of the licensee. Adherence to the minimum requirements does not release a licensee from this responsibility.

OAR [845-025-1405](#) allows any licensee or applicant to request a waiver of any of the security requirements described in OAR 845-025-1400 to 845-025-1470. A request for a security waiver must document the specific rule to be waived and document a proposed alternative method to meet the objective of the rule. Waiver requests are subject to approval by the Commission. Broad requests to waive all of the security requests will be refused.

By signing this form, you agree to comply with all security and operational requirements specified in rule for which you do not have a waiver specifically approved by the Commission. You can find the full text of the OLCC's recreational marijuana administrative rules in the Oregon Secretary of State Oregon Administrative Rule Database: [Oregon Administrative Rules Chapter 845 Division 25](#).



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Section 7.1 – Hemp on the Tax Lot

I attest that the licensee will operate in compliance with the following control measures:

- Industrial hemp and hemp items will never enter any part of the licensed premises, except that a Processor, Retailer, or Wholesaler licensed in the same location and under identical ownership may receive industrial hemp and hemp items as described in OAR [845-025-2785](#).
- An ODA hemp grower registration will not be obtained for any space that is part of the Producer licensed premises.
- Industrial hemp and hemp items that are not tracked in CTS as described in OAR [845-025-2785](#) will not be present in any vehicle transporting recreational marijuana as part of the licensed marijuana operations.

If a site is registered with Oregon Department of Agriculture for the production of industrial hemp on the same tax lot as the licensed premises, this constitutes a Commission-approved control plan for the purposes of OAR [845-025-1115\(1\)\(e\)](#).

Section 7.2 – Other Producer Licenses on the Tax Lot

I attest that no person who is an applicant for this license has or will obtain an ownership or financial interest in any other Producer on the same tax lot. If there are other Producers on the tax lot, this premises will operate independently of those other Producers. Licensees or facility managers of this license will not act as a facility manager, employee, agent, or other representative of any other Producer licenses located on the same tax lot. If any employees, excluding facility managers or licensees, also perform work for any other Producer licenses located on this tax lot, they will be recorded and compensated separately for the work they do on behalf of each separate licensee.

Access to the licensed premises listed above does not require passing through any portion of another Producer licensed premises, including unenclosed portions of a licensed premises. I am aware that marijuana from any other licensed premises may only enter my licensed premises, including unenclosed portions of my licensed premises, pursuant to a valid manifest in the CTS (Metrc) and in accordance with the OAR [845-025-2020](#).

Section 7.3 – Minor Control Plan

A minor control plan is required for all operations. By signing this form, you agree to comply with the following plan unless you have an alternate plan explicitly approved by the Commission as part of this application:

All doors and gates will be locked at all times. Prior to allowing any person access to the licensed premises, age will be verified by checking ID. Employee identification will be checked prior to hiring and no person will be employed who does not have a valid marijuana worker permit. Signs will be clearly posted at all entry points indicating that minors are not permitted on any portion of the premises. As described in OAR [845-025-1230](#), except for minors with a legitimate business purpose unrelated to the licensed activity; minors passing through an area of an outdoor Producer that does not contain marijuana items in order to reach an unlicensed area; or a minor of 18 years of age or older who is an Oregon Medical Marijuana Program registry identification cardholder or designated primary caregiver, minors will not be permitted on the premises. At no time will any person under the age of 21 be permitted to engage in any licensed activity. If a prohibited minor attempts to gain access to the premises, they will be immediately told to leave and if they do not, law enforcement will be contacted.



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Section 7.4 – Producer Public Access

In addition to the security requirements of all recreational licensed premises, a producer licensee must effectively prevent public access to all areas of the licensed premises. The licensed premises includes indoor areas used in the production of marijuana, outdoor areas used for cultivation, and **any outdoor areas where product may be temporarily while moving between other areas of the premises.**

Select one of the following options:

Fully fenced premises

All portions of the premises are enclosed by a fence or wall at least 6 feet high, including all exterior pathways to any indoor areas and any non-rigid structures such as hoop houses; AND

The fence or wall is constructed of a series of rigid wooden or metal posts securely anchored to the ground and a woven or welded wire mesh such as “chain-link” fencing or by a solid, rigid barrier, such as wooden fencing planks or similar material.

Fully indoor premises

All portions of the premises are enclosed within a solid, permanent structure.

Partially enclosed premises

All areas where live marijuana plants will be cultivated are located within an area enclosed by a fence or wall at least 6 feet high or within a solid, permanent structure; AND

Any fence or wall is constructed of a series of rigid wooden or metal posts securely anchored to the ground and a woven or welded wire mesh such as “chain-link” fencing or by a solid, rigid barrier, such as wooden fencing planks or similar material; AND

Marijuana items present in any area of the premises that is not enclosed by a fence or structure will only be in those areas while being moved between enclosed secure areas and will at all times be in the possession of a licensee representative.

If you are applying for an indoor producer license, but have multiple unconnected buildings that you will move marijuana between, you may select this option. Your premises boundary documentation will need to clearly define the licensed outdoor areas through which you will move marijuana. Your premises must be one contiguous area and include all indoor and outdoor areas where you will exercise the privileges of your producer license.

Other methods

I am proposing to utilize methods other than fencing or a solid, permanent structure to prevent access to all areas of production. I have attached a detailed security plan that includes the specific actions and methods I will use to prevent public access to the premises and I am requesting the approval of this plan by the OLCC. I recognize that this plan is subject to approval and this request may add additional processing time to my license application.

NOTE: Stating that the proposed premises is “remote” is not on its own a specific action or method to prevent access.

Section 8 – Acknowledgement

I understand that if my answers are not true and complete, OLCC may deny my license application.

Signature: _____

Date: _____

Name: _____

Title: _____