

Exhibit M

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PLANNING REVIEW BY _____ DATE _____
TRAFFIC ENG. _____ DATE _____
APPROVED BY _____ DATE _____
CITY OF FRESNO DARM DEPT



Embarc Fresno D2 #C-20-21

Odor Management and Control Plan

Odor Mitigation Practices

Embarc is committed to mitigating and controlling any odors associated with our facility and will be responsive to the odor control requirements set forth in the applicable state and local regulations. Specifically, Embarc will exceed the requirements set forth in Fresno Municipal Code pertaining to odor management.

- Embarc utilizes odor control devices and techniques to ensure that odors from cannabis are not detectable off-site.
- Embarc provides 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 areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the commercial cannabis business.
- Embarc will install and maintain the following equipment, or any other equipment which the City Manager determines is a more effective method or technology:
 - An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;
 - An air system that creates negative air pressure between the commercial cannabis business's interior and exterior, so that the odors generated inside the commercial cannabis business are not detectable on the outside of the commercial cannabis business.

Embarc's odor mitigation practices are intended to serve the following purposes:

- To ensure that air circulation resulting from Embarc retail operations does not impact our employees' health and welfare;
- To ensure that air circulation resulting from Embarc retail operations does not impact surrounding businesses and outdoor areas; and
- To ensure thoughtful operations that demonstrate a true commitment to the health and welfare of the City and its residents.

Through our leadership team's years of operating cannabis facilities across the country, and the lessons learned at Embarc Tahoe, we have developed industry-leading protocols and procedures to mitigate and eliminate any potentially offensive odors that could be detectable by the surrounding community.

Many of Embarc's odor mitigation practices overlap with its hygiene protocols. Embarc will train all employees to maintain a sanitary facility reinforced by anti-contamination standard operating procedures. Per Fresno regulations, Embarc prohibits employees from consuming cannabis within or outside our licensed facility, and odor control devices such as carbon filtration technology will be utilized to minimize the chances of off-site detection of odors emanating from our facility. To



further minimize or eliminate odors emitted to the surrounding community, no cannabis will be stored or displayed in an area accessible to the general public or stored overnight outside of the building.

Our Odor Mitigation Plan will be approved by the applicable City authorities prior to operation. The system will consist of an exhaust air filtration system utilizing multiple fans and active carbon filters to prevent internal odors from escaping the facility. Generally, this means exhaust air will be filtered through active carbon filtration and, where applicable, HEPA filters prior to exterior release. Carbon filters will be regularly inspected and recharged and/or replaced in accordance with usage and manufacturer specifications. Embarc will also perform self-inspections, encourage employee observation and reporting, and create response protocols to effectively address any odor complaints that may arise. It is our intention to resolve any complaints received from neighbors in a timely and satisfactory manner.

Our administrative controls have been field-tested and proven effective. They have been designed to ensure that no odors will be detectable outside of our facility. Our General Manager will ensure all odor-producing activities are isolated and mitigated and will perform routine audits to ensure that odor mitigation equipment, filters, and ventilation are working effectively and in good order. Each employee will be trained to ensure that all doors remain closed and odor-emitting activities are isolated. If an employee notices any equipment malfunction, he or she is required to immediately report the situation to the General Manager, who will develop a plan of action to repair or replace the equipment.

Please see Section 3.1 – Odor Mitigation as well as subsequent responses for more detail on all the odor control devices and techniques employed by Embarc to mitigate odors.

Odor mitigation practices are only as good as their implementation. Toward that end, Embarc's Odor Mitigation Plan seeks to be all-encompassing, focused not only on the mitigation of odors but also on the ongoing maintenance of best practices with clearly defined process ownership, community engagement and communications protocols. It is this level of detail that ensures effective ongoing odor management is achieved.

Embarc's odor management is broken down into the following components:

1. Physical infrastructure
2. Best practices
3. Community engagement and responsiveness
4. Internal process ownership

Physical Infrastructure

Embarc's approach to retail design contemplates the importance of physical infrastructure necessary to mitigating odors.

Best Practices

Embarc will employ industry-leading best practices to prevent odors from being generated and/or detected inside or outside the facility. Embarc will provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the business that is distinctive to its operation is not detected anywhere outside of the facility.



Community Engagement & Responsiveness

In addition to physical infrastructure designed to mitigate odors, an important component of our odor control plan is community engagement and responsiveness. While our facility is designed to eliminate odors, we recognize that any new cannabis use, even if that use is not odor-generating, can result in questions and concerns from community leaders, residents and businesses. Thus, a critical component of our Odor Management Plan is a robust community responsiveness protocol designed to be proactive in addressing community questions and diligent in responding to concerns.

Internal Process Ownership

Embarc's retail management structure ensures that there is at least one Manager on-site during all working hours. All Managers and staff are trained extensively on standard operating procedures, including the odor management protocols outlined in this proposal. Managers are responsible for ensuring any odor issues are resolved promptly and that the resolution is communicated effectively both internally and externally.

As part of operational training, the General Manager will train all employees on odor detection, mitigation, and reporting. Additionally, each new hire must complete an odor control training curriculum including both odor detection and de-escalation techniques for use in discussion with a community member that may raise a concern. The General Manager will organize a retraining on administrative and engineering activities for odor mitigation at least once a year or following any material change in odor mitigation equipment or policy.

Trainings will be conducted in person, using real world examples and hands-on learning activities. All employees will be trained on Embarc's specific activities for odor mitigation, including but not limited to:

- Employee responsibilities
- The importance of closing doors and windows
- Recordkeeping
- Employee observation and reporting

Additionally, the General Manager and other Managers will remain apprised of:

- System design
- Equipment cleaning
- Ensuring exhaust and filtration systems are running as required
- Equipment maintenance
- Equipment audits and checks

As part of the quarterly all-hands meetings, Embarc will engage in refresher courses to remind employees of best practices for odor mitigation. These refresher courses will be mandatory for all employees. During these trainings, the General Manager will stress that odor mitigation is each employee's responsibility.

Embarc will also emphasize the fact that we are members of the Fresno community, and that each employee therefore has an obligation to mitigate odors and make a positive impact on the neighborhood. Embarc's employee training practices have been proven to be successful in our Tahoe store. Our hands-on experience operating this type of facility has taken the guesswork out of developing training protocols and allows us to utilize evidence-based training that has proven effective in various regulatory environments.



Potential Sources of Odor

As cannabis is increasingly legalized in states across the country, significant research is being undertaken to better understand odor intensity at each point in the cannabis supply chain. These findings are integral to ensuring thoughtful air quality management best practices are in place specific to each location along the chain.

One example of the research driving the development of best practices can be seen in the City of Denver's Public Health and Environment Guide to reducing the impact of cannabis operations on air quality. According to this Guide, odor generation is typically associated with the cultivation and manufacturing of cannabis, as both processes are odor intensive:

"The cannabis industry directly impacts air quality in two predominant operations; plant growth cultivation and Marijuana Infused Product (MIP) facilities. At cultivation facilities, the natural growth of cannabis plants and other processes emit terpenes which are VOCs known for their strong odors. At MIP [manufacturing] facilities, the evaporation of solvents and other processes in the production cycle result in Volatile Organic Compound (VOC) emissions. VOC's alone do not typically pose a direct threat to human health or the environment. However, they do contribute to ground-level ozone by chemically reacting with other types of pollution, specifically, nitrogen oxides (NOx) in the presence of sunlight. Ozone is an air pollutant that is harmful to human health and negatively impacts the environment, therefore it is important that the cannabis industry mitigate VOCs in their processes."

— CITY OF DENVER, PUBLIC HEALTH AND ENVIRONMENT GUIDE

During cultivation, the growth of cannabis plants generates terpene emissions which are associated with a strong odor. After cannabis is cultivated, manufacturing facilities transform the raw plant into various products, including concentrating the oil and plant material. This process is also associated with a strong odor given it requires manipulation of the plant.

In California, state law requires that all products arrive at a retail establishment fully processed, tested, packaged and sealed in child resistant packaging. Because all products arrive at Embarc retail facilities in their final packaged form, there are virtually no odors associated with this license type.

Specifically, per state law, all packaging shall:

- Protect the product from contamination;
- Be tamper evident and sealed so the contents cannot be opened without destruction of the seal; and
- Be child resistant as stipulated by the California Department of Public Health Code Section 40415.

Our proposed dispensary will receive, store and sell packaged products in their final form. Consequently, it is highly improbable that any on-site product will emit a strong odor. Nevertheless, this section contains a comprehensive odor management plan designed to ensure odors are undetectable.

Odor Control Devices

Odor control devices and techniques will be incorporated in all aspects of our facility to ensure cannabis odors are not detectable off-site. Embarc will provide a sufficient odor absorbing

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ventilation and exhaust system so that odor generated inside the property will not be detected anywhere outside the facility, including the 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 area available for use by common tenants or the visiting public, or within any other unit located inside the same building as Embarc Fresno.

Physical Infrastructure

Examples of the physical infrastructure that has been contemplated in the development of a proposed odor plan for Embarc include, but are not limited to, the following:

- A reduced path of travel for distributors to transport bulk cannabis goods from the distributor's vehicle to the inventory room;
- Installation of weather stripping on all doors and windows to prevent odor leakage; and,
- A sufficiently sized inventory room to allow for all (appropriately packaged and self-contained) products to be unpacked from bulk boxes within the inventory room to ensure that interaction with high volume cannabis products are self-contained.

Odor Mitigation Techniques

- *No Odor-Producing Activities On-Site*
Embarc will not be conducting any cultivation, testing, packaging, extraction or distribution of cannabis and no noxious fumes or gases will be released.
- *Carbon Charcoal Scrubber*
Embarc will use a carbon charcoal scrubber to remove contaminants and impurities using chemical absorption which will prevent odor from escaping the facility. Carbon charcoal scrubbers are an industry best practice for effectively neutralizing and mitigating odor from cannabis and other industries. Again, the City of Denver best practices report provides:

"Carbon filtration is currently the best control technology for reducing VOC emissions from cannabis [facilities]... These filters work by using an absorption process where porous carbon surfaces chemically attract and trap VOCs along with other gas phase contaminants. Depending on the filter system, carbon filtration can remove 50—98% of VOCs... This improves public health and the environmental impacts of the facility."

- *Air Filtration and Negative Air Pressure*
Our HVAC consultant will design our air system to maintain negative air pressure between the interior and exterior of the building. The HVAC consultant will follow industry standard procedures.
- *Ventilation System*
Our facility will be equipped with a ventilation system to maintain air quality and prevent any cannabis odor from leaving the premises. The ventilation system is designed to control the facility's environment, taking into consideration the square footage, quantity of cannabis products on site, and any odor-emitting activities that occur. Every occupied space will be ventilated by natural or mechanical means in accordance with the International Mechanical Code, International Building Code, and National Fire Protection Association Code. As previously stated, odor control equipment utilized at the facility will include responsible ventilation design and activated carbon filtration technology.



Ultimately, we commit to utilizing the best available technology, devices, and techniques to eliminate odors and to effectively maintaining these systems to maximize their efficacy.

Staff Training Related to Odor

The General Manager will train all employees on odor detection, mitigation, reporting, and general system maintenance as part of the pre-store opening training and on an ongoing basis throughout the lifetime of the business.

Additionally, each new hire must complete an odor control training curriculum prior to reporting to work. The General Manager will organize re-training on administrative and engineering activities for odor mitigation at least once a year or following any material change in odor mitigation equipment or policy.

Trainings will be conducted in person, using real world examples and hands-on learning activities. All Embarc employees will be trained on the company's specific administrative and engineering activities for odor mitigation, including but not limited to:

- Employee responsibilities
- The importance of closing doors and windows
- Recordkeeping
- System design
- Employee observation and reporting
- Equipment cleaning
- Ensuring exhaust and filtration systems are running as required
- Equipment maintenance
- Equipment audits and checks

Embarc will also hold refresher courses throughout the year to remind employees of best practices for odor mitigation. These refresher courses will be mandatory for all employees. During these trainings, Embarc will stress that odor mitigation is each employee's responsibility.

All employees will be trained to report any odors emitted from the facility or any discrepancies between our operations and our odor control SOP. Embarc will also emphasize the fact that we are members of the Fresno community, and that each employee therefore has an obligation to reduce odors and make a positive impact on the neighborhood.

Embarc employee training practices have been proven successful at our dispensary in South Lake Tahoe. Our hands-on experience operating cannabis facilities has taken the guesswork out of developing training protocols, and to date we have experienced no issues with odor management.

System Maintenance Plan for Odor Control

Because each location is different, there is no one-size-fits-all maintenance schedule for retail operations. Rather, a customized plan is created for each location by the Chief Operating Officer, Vice President of Retail Operations, onsite General Manager, and construction team, encapsulating odor control as well as general facilities maintenance and management.

Embarc's Chief Operating Officer, Terri Gilles, oversees system maintenance, bringing years of operational experience gained at some of the premier cannabis retailers and technology companies in the country. The operational excellence, including precise system maintenance protocols, exhibited at Embarc Tahoe is a testament to our team's ability to approach system maintenance proactively and efficiently.