

Boulder County Energy Impact Offset Fund Participation Agreement

As a Boulder County Energy Impact Offset Fund participant, I understand that I am required to permit the installation of an energy monitoring device at my marijuana cultivation.

I understand that I may utilize the data collected from this system for my purposes without limitation, but the ownership of all collected data will remain with Boulder County. This data may be published in a variety of forums and formats but will not be directly identifiable to any single business without prior expressed written consent of the cultivation facility owner.

I understand that Boulder County and their agents may enter my premises for the purpose of installing, inspecting, and maintaining these devices with reasonable advance notification.

Initial Installation Scheduling: Marijuana cultivation operator must make the site accessible for Boulder County staff and their agents for at least a one-day period within 3 days of request. Cancelled visit access will incur a \$250 change fee. Access to main electrical switch, distribution center and access to networking ports and network will be required.

I authorize the device to communicate with the internet using my internet connection¹.

I agree to release my utility data to Boulder County and to sign the appropriate authorization forms that may be required by my utility company.

I understand that tampering with the installed device is not allowed in any manner.

I understand that the device and all related accessories are owned by Boulder County.

I understand that Boulder County must be notified within 10 days of any additions or alternations to the electrical service are made.

I understand that if my cultivation facility expands, moves, or is altered in any manner that requires modification of the energy monitoring devices it is the responsibility of the cultivation establishment to pay Boulder County for any costs associated with these changes. If a facility closes, it is the responsibility of the cultivation facility owner to return this equipment to Boulder County.

I understand that if my cultivation facility begins to utilize a local renewable energy source approved by Boulder County, I will provide data from that renewable energy source annually to Boulder County confirming energy production and credits.

I understand that failure to meet these requirements will be sufficient cause to revoke my Marijuana Cultivation license.

¹ Data connection: the system will be using a networked device with 1 available Ethernet port. The device will connect to a LAN provided by the site host. A direct hard wire Ethernet connection to the LAN is required.. LAN access must be provided by the host. The device can use either DHCP or a static IP address can be set. The device will need to have the ability to make an outgoing TCP connection to port 8082. The device also utilizes port 80 for firmware upgrades but this is not required for regular functionality just the firmware upgrades.

I further acknowledge and agree to the following:

RIGHT OF ENTRY: I certify that I am the owner or the owner's authorized agent of the below described property, and that I have the legal authority to enter into this Agreement. I grant freely and without coercion the right of access and entry to my property to Boulder County, its agents and authorized Contractors at a mutually agreed upon date and time to install energy monitoring devices.

HOLD HARMLESS: I understand that this Agreement/Permit is not an obligation upon Boulder County to perform any work at my property. I agree to hold harmless Boulder County, its agents and Contractors for damages of any type whatsoever, either to the above-described property and/or any improvements on, or a part of the property, or to persons situated thereon. I release, discharge, and waive any action, either legal or equitable, that might arise by reason of any action of the above entities while performing Work.

DISCLOSURE OF ENERGY INFORMATION: I understand that Boulder County will collect data regarding my property in order to allow for participation in the Energy Impact Offset Fund. I further understand that to the extent the data is public information, disclosure may be subject to the Colorado Open Records Act (C.R.S. 24-72-201 et seq.) and other legal requirements.

SIGNATURE:

Name of Licensee: _____

Property Address/Description: _____

Authorized Agent Title: _____

Printed Name: _____

Signature: _____

Date: _____

Telephone Number: _____

Email Address: _____

If you have any questions about this form, please call Boulder County Marijuana Licensing at 303-441-3829 or email your questions to: marijuanalicensing@bouldercounty.gov.

Once signed, please return this form by email: marijuanalicensing@bouldercounty.gov.