



CANNABIS CONTROL BOARD (CCB) – MEETING (#64) AGENDA

Date and Time: Friday, August 28, 2026 at 10:00am

Zoom Meeting Link: <https://us06web.zoom.us/j/89791165862>

- I. Call to Order
- II. Roll Call of Members/Quorum
- III. Secretary's Report
 - A. CCB Mtg #61 Minutes – May 27, 2026 (Pending)
 - B. CCB Mtg #62 Minutes – June 24, 2026 (Pending)
 - C. CCB Mtg #63 Minutes – July 22, 2020 (Pending)
- IV. Old Business
 - A. DRT-CEL-2023-001: Greenland Farms, Inc. (Tabled)
 - B. DRT-CEL-2023-002: Bue Wave, Inc. (Tabled)
 - C. Annual Cannabis Summit
 - D. Board Secretary Vacancy
- V. New Business

Cannabis Identification Card Application

 - A. DRT-CICA-2026-019: Pacific Gateway LLC
- VI. Cannabis Application & Licensee Status
- VII. Other Discussion
 - A. Retail Cannabis Store Delivery to Consumer – Request for Board
- VIII. Next CC Board Meeting
- IX. Open Forum / Public Comment
- X. Meeting Adjourned

RAZZANO WALSH & TORRES

A PROFESSIONAL CORPORATION

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139 Murray Blvd Suite 100
Hagåtña, Guam 96910

August 6, 2026

VIA EMAIL

Vanessa L. Williams Cruz, Esq.
Chairperson
Cannabis Control Board
c/o Department of Revenue and Taxation
P.O. Box 23607
Barrigada, Guam 96921

Re: Retail Cannabis Store Delivery to Consumers — Request for Board
Authorization Under 11 GCA § 8108(a)(6)

Dear Chairperson Williams Cruz:

This firm represents Pacific Gateway LLC (“Pacific Gateway”) in connection with its retail cannabis dispensary licensure. I write to ask the Board to authorize, by rule or written guidance, the delivery of cannabis and cannabis products by licensed retail cannabis stores to consumers — at private residences and at such other locations as the Board may designate. The request rests on three points: first, the Legislature has already made delivery lawful, in words it chose deliberately — “delivering, distributing, or selling . . . to consumers,” 11 GCA § 8108(a)(6); second, the Board’s rules neither prohibit nor implement that authority, and the one provision that could be misread as a bar governs a different subject entirely; and third, delivery requires no new regulatory machinery, because every safeguard it needs already exists in the Board’s own rules. To be clear, Pacific Gateway does not ask the Board to create authority. It asks the Board to implement authority the Legislature has already granted.

First, the statute. Title 11 GCA § 8108(a) provides that the enumerated acts, “when performed by a retail cannabis store with a current, valid registration or a person twenty-one (21) years of age or older who is acting in his or her capacity as an owner, employee, or agent of a retail cannabis store, are lawful and shall not be an offense under Guam law or be a basis for seizure or forfeiture of assets under Guam law.” Sixth on that list: “delivering, distributing, or selling cannabis, cannabis

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Letter, Page 1 of 3

products, or cannabis accessories to consumers.” 11 GCA § 8108(a)(6). The Legislature used three verbs, not one. If “delivering” meant nothing more than handing a bag across a counter, it would add nothing to “selling” — and the Legislature does not legislate in surplusage. Put another way — the Act authorizes a retail store to bring the product to the consumer, not merely to wait for the consumer to come to the product.

Second, the rules. The Board’s operation standards for retail stores, 3 GAR § 9602, regulate the in-store transaction — identity verification, quantity limits, secured premises — and say nothing about delivery either way. The strongest reading against delivery comes from the transport rules: § 9307(e)(1)(F) requires that a transporting vehicle “travel directly from the originating licensee to the receiving licensee and must not make any unnecessary stops in between except to other facilities receiving product.” But a rule about wholesale shipments cannot repeal a statute about retail delivery. The Act instructs that the Board’s regulations “shall not prohibit the operation of cannabis establishments either expressly or through regulations that make their operation unreasonably impracticable.” 11 GCA § 8110(a). A transport rule read to silently extinguish an operation the Act expressly makes lawful would do exactly that.

Third, the safeguards. Delivery needs no new machinery; the Board’s rules already contain every control a delivery program requires. Pacific Gateway proposes that the Board authorize delivery subject to the following conditions, each drawn from the existing rules:

- (1) Deliveries made only by a responsible official or authorized employee of the licensed retail store, twenty-one (21) years of age or older, carrying a valid cannabis identification card and producing it on request to the Department or law enforcement. See 3 GAR § 9308(b).
- (2) Identity verification at the point of delivery, exactly as § 9602(e)(1) requires at the counter, before any product changes hands.
- (3) No transaction exceeding the allowable amount defined in § 9101(c), per § 9602(e)(2)–(3).
- (4) Product carried in airtight, tamper-proof packaging, not visible or recognizable from outside the vehicle, in a vehicle bearing no markings, per § 9308(b)(3)–(5).

(5) Every delivery documented.

(6) The delivery vehicle treated as an extension of the licensed premises and subject to inspection, per § 9307(e)(2)–(3).

(7) Delivery only to a private residence or a hotel or motel room rented to a guest — the two places the rules expressly exclude from the definition of “public place,” 3 GAR § 9101(nnn)(3) — or to a location the Board designates; and no delivery to any “public place” as defined in § 9101(nnn)(2).

The list is the point. Every condition above already exists in the Board’s rules; delivery merely extends them the short distance from the counter to the consumer’s door. And the seventh condition answers the policy concern before it is raised: product would be delivered only where it may lawfully be possessed and consumed. A consumer who cannot lawfully use cannabis in a park cannot receive a delivery there.

Accordingly, Pacific Gateway respectfully asks that the Board: (1) confirm in writing that 11 GCA § 8108(a)(6) authorizes licensed retail cannabis stores to deliver cannabis and cannabis products to consumers; (2) adopt implementing rules — or, pending rulemaking, issue interim written guidance — under 11 GCA § 8110 incorporating the conditions set out above; and (3) clarify that 3 GAR § 9307(e)(1)(F) governs transfers between licensees and does not restrict consumer delivery authorized by the Act.

I am available to discuss this request, including at the Board’s next regular meeting. The Legislature has authorized delivery. The Board need only implement it.

Sincerely,

A handwritten signature in black ink, appearing to read "Braddock J. Huesman", written over a horizontal line.

Braddock J. Huesman

Counsel for Pacific Gateway LLC



CANNABIS CONTROL BOARD (CCB) – MEETING (#64) MINUTES

Date and Time: Friday, August 28, 2026 at 10:00am

Zoom Meeting Link: <https://us06web.zoom.us/j/89791165862>

ATTENDANCE OF BOARD MEMBERS:

Vanessa Williams Cruz – Williams Law Firm, Attorney / Chair
Marie Lizama – Department of Revenue and Taxation, Deputy Director / Vice Chair
Catherine Angcao – Department of Public Health & Social Services, Representative
Athena Marie Duenas – Guam Behavioral Health and Wellness Center, Representative
Edward G. Santos – General Public Medical Cannabis Card, Representative

ATTENDANCE FROM THE DEPARTMENT:

Meiko Cepeda – Compliance Branch, Compliance Inspector II
Edward Anthony N. Cruz – Compliance Branch, Compliance Inspector II

ATTENDANCE FROM GENERAL PUBLIC:

Mark Duenas
Attorney Braddock Huesman
N. Roberto

- I. **Call to Order** – Chair Vanessa Williams-Cruz called the CCB #64 meeting to order at 10:04am. CCB Meeting was rescheduled from Wednesday, August 26, 2026 to Friday, August 28, 2026 by order of adjournment due to lack of quorum.
- II. **Roll Call of Members/Quorum** – In attendance were Chair Williams-Cruz; Director of the Department of Revenue and Taxation, Marie Lizama; Representative of the Department of Public Health and Social Services Catherine Angcao; and Representative of the Guam Behavioral Health and Wellness Center, Athena Duenas. Quorum requirement was met and meeting continued.
- III. **Secretary's Report**
 - A. CCB Mtg #61 Minutes – May 27, 2026 (Pending)
 - B. CCB Mtg #62 Minutes – June 24, 2026 (Pending)
 - C. CCB Mtg #63 Minutes – July 22, 2026 (Pending)

Chair Williams-Cruz reported that the minutes for CCB meetings #61 to #63 are still pending and that the Secretary position is still vacant.

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DEPARTMENT OF
REVENUE AND TAXATION
GOVERNMENT OF GUAM *Gubetnamenton Guahan*

MARIE P. LIZAMA, Director
Direktot
DENISE M. MENDIOLA, Acting Deputy
Director
Aktot Sigundo Direktot

IV. Old Business

- A. DRT-CEL-2023-001: Greenland Farms, Inc. (Tabled)** – Compliance Inspector Meiko Cepeda reported as of last meeting, they are pending the letter of action by the Board.
- B. DRT-CEL-2023-002: Blue Wave, Inc. (Tabled)** – Compliance Inspector Cepeda reported that the applicant's Responsible Official (RO) card is current. The applicant is continuing to work on obtaining the required clearances, and the Compliance Branch is working closely with the applicant to assist with the process. Chair Williams-Cruz noted that the application has also been pending since 2023 and requested clarification regarding the specific clearances the applicant had obtained. Compliance Inspector Cepeda stated that the applicant had not provided documentation identifying or verifying the clearances obtained. Chair Williams-Cruz expressed concern regarding the length of time the application has remained pending and questioned whether any clearances previously obtained were still valid.

Chair Williams-Cruz requested input from the Board regarding the application. Vice Chair Lizama noted that the applicant's renewal of the Responsible Official (RO) card demonstrated the applicant's continued interest in proceeding with the application. Board Representative Angcao recommended tabling the application while establishing a deadline for the applicant. Board Representative Duenas agreed with the recommendation to table the application.

Vice-Chair Lizama recommended a letter be sent to the applicant Blue Wave, Inc. dba: Pacific Analytical Services outlining the status and progress of the application due 30 days after receipt of the letter. Vice-Chair Lizama made a motion to this regard to which Board Representative Angcao seconded it. The motion passed unanimously.

- C. Annual Cannabis Summit** – Chair Williams-Cruz mentioned in the last meeting the Board discussed setting up committees for the Annual Cannabis Summit. She was asking if there was any progress in that respect. Vice Chair Lizama who was unable to attend the last meeting brought up a letter regarding a Non-Profit Organization (NPO) potentially spearheading the Summit given that one of the Members has a stake in NPO. She inquired whether the matter had been previously discussed to which Chair Williams-Cruz was not aware of the letter and requested that it be shared with the Board for review and transparency. She reiterated that the Board does not intend to outsource the Summit to private stakeholders, noting that a similar concern had been raised by the only PTO (Permit to Operate) licensee. Chair Williams-Cruz recommended that the matter be revisited at the next meeting to clarify how the Summit will be organized and address any concerns from the public.
- D. Board Secretary Vacancy** – Chair Williams-Cruz reiterated that it has been too long without having a permanent Board Secretary and that it is important that we have someone take minutes for transparency, institutional memory, for reference and tracking, and for reporting as it is the Board's obligation to do so. She asked if anyone was interested in stepping up to the plate. Vice Chair Lizama volunteered to be the Interim Secretary.

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DEPARTMENT OF
REVENUE AND TAXATION
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➔ *During this time Board Member Edward Santos joined the Zoom meeting and was briefed by Chair Williams-Cruz.*

Member Santos made a motion to nominate Vice Chair Lizama as the Interim Secretary and seconded by DPHSS Representative Angcao. Motion passed unanimously.

V. New Business

Cannabis Identification Card Application

A. DRT-CICA-2026-019: Pacific Gateway LLC – Chair Williams-Cruz reported this is a new RO card application for Nina Acosta Roberto who is 100% owner and manager of the company intending to apply for a Cannabis Retail Establishment License if approved as RO. The Compliance Branch reviewed and recommended approval. Regulatory Programs Administrator Alice Sebastian-Cruz reported that all application requirements have been fulfilled. Member Santos made a motion to approve the RO card license application and was seconded by Vice Chair Lizama. Motion was approved unanimously.

VI. Cannabis Application & Licensee Status – Compliance Inspector Cepeda reported that as of August 12, 2026, there are 18 approved Responsible Officials (ROs), consisting of 8 current, 8 expired, and 2 cancelled. Two (2) RO applications remained pending Board action.

Proposed Cannabis Establishment Licenses: Type I Cultivator = 1; Type 2 Cultivator = 2, Type 3 Cultivator = 2, Type 4 Cultivator = 2, Testing Laboratory = 1; and Retail Establishments = 8. No manufacturing licenses were proposed.

Approved Cannabis Licenses: Two (2) approved Cannabis Establishment Licenses, one (1) Type 3 Cultivator and one (1) Type 4 Cultivator. One (1) approved PTO (Permit to Operate) Type 4.

VII. Other Discussion

A. Retail Cannabis Store Delivery to Consumer – Request for Board

The Board discussed an August 6, 2026 letter submitted by Attorney Braddock Huesman on behalf of Pacific Gateway, LLC, requesting interpretation and guidance regarding cannabis delivery to consumers.

The letter requested that the Board: (1) Confirm in writing that existing law permits licensed retail cannabis establishments to deliver cannabis directly to consumers; (2) Adopt implementing rules or, pending rulemaking, issue interim written guidance establishing conditions for cannabis delivery; and (3) Clarify that the existing transportation rule requiring direct travel between licensees was not intended to prohibit delivery to consumers.



DEPARTMENT OF
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Chair Williams-Cruz stated that, as the request was submitted by a licensed cannabis establishment, the matter warranted a full and fair discussion by the Board. She also suggested the following: treating the letter as a petition for rulemaking, seeking a legal opinion from the Attorney General, or requesting that Pacific Gateway formally submit a petition for rulemaking. Member Santos requested that we research more and get guidance from current rules of Guam and other jurisdictions as some of those rules and safeguards may have been implemented. Vice Chair Lizama expressed support for treating the matter as a petition for rulemaking, noting that obtaining a legal opinion could take time and that the Board could discuss the matter further in the interim. Board Representative Angcao agreed with Member Santos and Vice Chair Lizama. Board Representative Athena Duenas agreed to seek legal opinion as this is the Board's first experience with such request.

Chair Williams-Cruz expressed support for conducting a detailed review of the applicable statute and rules, seeking a recommendation from the Compliance Branch, and issuing written guidance to provide clarity to the industry. The Chair also proposed determining whether to treat Pacific Gateway, LLC's request as a formal petition for rulemaking or invite the licensee to submit a petition under the Administrative Adjudication Act. Vice Chair Lizama made a motion to hold a discussion and review among the Board Members and take into account Compliance Branch's recommendation at the next CCB meeting. Member Santos seconded the motion. The motion was unanimously approved.

- VIII. Next CC Board Meeting** – Chair Williams-Cruz mentioned to mark calendar for Wednesday, September 23, 2026 for next CCB meeting.
- IX. Open Forum / Public Comment** – Chair Williams-Cruz opened the floor for public comment. Attorney Braddock Huesman, Counsel for Pacific Gateway, LLC, stated that a formal petition for rulemaking would be submitted under the Administrative Adjudication Law to clarify the client's request and obtain guidance from the Board.
- X. Meeting Adjourned** – A motion was made by Member Santos to adjourn the meeting and seconded by Vice Chair Lizama. Motion was approved unanimously and the meeting was adjourned at approximately 10:56am.

Prepared by:

Michele Marie R. Rabago
Regulatory Examiner II
Regulatory Division

Approved by:

Alice P. Sebastian-Cruz
Regulatory Programs Administrator
Regulatory Division