

California Department of Food & Agriculture's Cannabis Cultivation Program



**California State Association of Counties
Agriculture, Environment and Natural Resources Policy Committee
Amber Morris, Branch Chief
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License Cultivators



Protect Human Health & Environment



Track and Trace

Category	Outdoor	Indoor	Mixed-light
Specialty Cottage	Type 1C Up to 25 mature plants	Type 1C Up to 500 sq ft	Type 1C Up to 2,500 sq ft
Specialty Cultivator	Type 1 Up to 5,000 sq ft, or up to 50 mature plants	Type 1a Up to 5,000 sq ft	Type 1b Up to 5,000 sq ft
Small Cultivator	Type 2 5,001-10,000 sq ft	Type 2a 5,001-10,000 sq ft	Type 2b 5,001-10,000 sq ft
Medium Cultivator	Type 3 10,001 sq ft- 1 acre	Type 3a 10,001- 22,000 sq ft	Type 3b 10,001- 22,000 sq ft
Nursery	Type 4 (size not limited by statute)		
Large Cultivator	Type 5 Greater than 1 acre	Type 5a Greater than 22,000 sq ft	Type 5b Greater than 22,000 sq ft



Develop Regulations

Regulation Outline

- **Definitions**
- **Application**
- **Licensing**
- **Cultivator Requirements**
- **Track and Trace**
- **Inspection**
- **Enforcement**



Programmatic Environmental Impact Report (PEIR)

Potential environmental issues to be addressed in the PEIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Cumulative Impacts
- Irreversible Impacts



Collaboration


- **Licensing Authorities**
 - CDFA, BMCR and DPH
- **Natural Resource Protection**
 - Fish and Wildlife
 - State Water Resources Control Board
- **Pesticides**
 - Pesticide Regulations
- **Local Licensing**
 - Cities/Counties



Track and Trace

- **Stand up a system to be used by all three licensing authorities**
- **Track cannabis from cultivation to sale using a unique ID**
- **Prevent diversion and inversion**
- **Protect human health through tracking if necessary**


Other Considerations



of
licensees?




Resource
Planning



Federal
Status

Dual
Licensing



Enforcement



Balance





Adult Use- CDFA Impacts

- **Creates the Marijuana Cultivation Program within CDFA, licensing to begin January 1, 2018 for adult use cultivators**
- **Adds three additional license types effective January 1, 2023 (Type 5, 5a, 5b) with no size limit**



Adult Use- CDFA Impacts

- In addition to **15% sales tax**, requires a **cultivation tax** due after harvest to be paid by the cultivator:
 - **\$9.25/ounce of flower**
 - **\$2.75/ounce of leaves**



Adult Use- CDFA Impacts

- **Removes the limit on Type 3 licenses (largest in medical)**
- **Changes the license combination restrictions**



Adult Use- CDFA Impacts

- **Adds requirements that retail labels include: all nutrient information, nonorganic pesticides, herbicides and fertilizers used in cultivation**
- **Creates an Industrial Hemp program under CDFA, which must be operative on January 1, 2017**



Industrial Hemp



- SB 566 (Leno, Chapter 398, Statutes of 2013)
- Federal Farm Bill 2014--Section 7606
- Proposition 64—Section 9
- CDFA's obligations:
 - Convene industrial hemp advisory board
 - Establish registration fee
 - Establish list of approved cultivars
- County obligations:
 - Register seed breeders and cultivators
- Next Steps: CDFA List Serve

Contacts

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