



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

CAL  CalCannabis  
Cultivation Licensing

# Cannabis Cultivation License Application Overview

Richard Parrott, Director  
CalCannabis Cultivation Licensing Division  
California Department of Food and Agriculture

# Topics to Cover

- **Who does what?**
- **Quick overview of laws and regulations**
- **Cannabis cultivation application guide A-Z**

# Who Does What?

California Department of Food and Agriculture (CDFA): CalCannabis Cultivation Licensing (CalCannabis)

California Department of Public Health (CDPH): Manufactured Cannabis Safety Branch (MCSB)

California Department of Consumer Affairs (DCA): Bureau of Cannabis Control (Bureau)



# Collaborative Effort



California Department of Tax  
and Fee Administration



California Department of Fish  
and Wildlife



California Department of  
Insurance



Division of Occupational  
Safety and Health



California Water Boards



Secretary of State Office



California Department of  
Pesticide Regulation



California Highway Patrol

# California Cannabis Laws

**Trailer Bill (Senate Bill 94) combined two acts:**

- 1) Medical Cannabis Regulation and Safety Act (MCRSA)
- 2) Proposition 64 (Adult Use of Marijuana Act)

**And established one new act:**

Medicinal and Adult-Use of Cannabis Regulation and Safety Act (MAUCRSA)

# Regulations

**Apr 2017** Issued proposed medical regulations

**Jun 2017** MAUCRSA was adopted

**Oct 2017** Withdrew proposed medical regulations based on the repeal of MCRSA

**Jun-Nov 2017** Analyzed the proposed medical regulations to see what could be recycled; reviewed input from stakeholders on the proposed medical regulations; and drafted language for the emergency regulations

**Nov 16, 2017** Released emergency regulations

**Nov 17, 2017** Regulations posted by the Office of Administrative Law (OAL)

**Nov 27, 2017** Submitted emergency regulations to OAL

# Emergency Regulations: Articles

- Definitions
- Application
- Licensing
- Site Specific Requirements
- Records & Track and Trace
- Inspections
- Enforcement

# Key Definitions

- Canopy
- Indoor
- Outdoor
- Mixed-Light

# License Categories

Category	Outdoor	Indoor	Mixed-Light
Specialty Cottage	Up to 25 mature plants	Up to 500 sq ft	Up to 2,500 sq ft
Specialty	Up to 5,000 sq ft or up to 50 mature plants	Up to 5,000 sq ft	Up to 5,000 sq ft
Small	5,001-10,000 sq ft	5,001-10,000 sq ft	5,001-10,000 sq ft
Medium (limited)	10,001 sq ft to 1 acre	10,001- 22,000 sq ft	10,001- 22,000 sq ft
Large (not issued until 2023)	Greater than 1 acre	Greater than 22,000 sq ft	Greater than 22,000 sq ft
Nursery	No size limit defined in statute (no canopy)		
Processor	Conducts only trimming, drying, curing, grading, or packaging of cannabis and nonmanufactured cannabis products		

# Temporary Licenses

- Legislative effort to bring existing industry into a regulatory structure
- **Must have local license, permit, or other authorization**
- Good for 120 days
- May be extended for additional 90-day periods; requires the submission of a complete annual application
- **FREE!!!!!!**
- Sunsets January 1, 2019

# Annual License: Local Authorization

- Applicant may—but does not have to—provide local license, permit, or other written documentation
- Regardless, CDFFA will notify the local jurisdiction to determine whether applicant is in compliance with all local laws and ordinances

# Annual License Application Fees

Specialty Cottage Outdoor	\$135
Specialty Outdoor	\$270
Small Outdoor	\$535
Medium Outdoor	\$1,555
Specialty Cottage Indoor	\$205
Specialty Indoor	\$2,170
Small Indoor	\$3,935
Medium Indoor	\$8,655
Specialty Cottage Mixed-Light Tier 1	\$340
Specialty Mixed-Light Tier 1	\$655
Small Mixed-Light Tier 1	\$1,310
Medium Mixed-Light Tier 1	\$2,885
Specialty Cottage Mixed-Light Tier 2	\$580
Specialty Mixed-Light Tier 2	\$1,125
Small Mixed-Light Tier 2	\$2,250
Medium Mixed-Light Tier 2	\$4,945
Nursery	\$520
Processor	\$1,040



# Annual License Fees

Specialty Cottage Outdoor	\$1,205
Specialty Outdoor	\$2,410
Small Outdoor	\$4,820
Medium Outdoor	\$13,990
Specialty Cottage Indoor	\$1,830
Specialty Indoor	\$19,540
Small Indoor	\$35,410
Medium Indoor	\$77,905
Specialty Cottage Mixed-Light Tier 1	\$3,035
Specialty Mixed-Light Tier 1	\$5,900
Small Mixed-Light Tier 1	\$11,800
Medium Mixed-Light Tier 1	\$25,970
Specialty Cottage Mixed-Light Tier 2	\$5,200
Specialty Mixed-Light Tier 2	\$10,120
Small Mixed-Light Tier 2	\$20,235
Medium Mixed-Light Tier 2	\$44,517
Nursery	\$4,685
Processor	\$9,370

# Application Requirements A-Z

- a) Business name
- b) License type (such as Small Outdoor) and whether it is for A (adult use) or M (medicinal)
- c) A list of any other valid state-issued cannabis licenses
- d) Physical address
- e) Mailing address

# Application Requirements A-Z

- f) Determine the Designated Responsible Party and provide required information (name, title, address, phone, email, and a copy of your government-issued ID)
- Must be an owner
  - Legal authority to bind applicant entity
  - Primary contact for the application

# Application Requirements A-Z

## g) List of all owners

### **An owner is:**

- ✓ A person with an aggregate ownership of 20 percent or more
- ✓ A CEO of a nonprofit or other entity
- ✓ A member of a nonprofit's board of directors
- ✓ An individual participating in the direction, control, or management of the commercial cannabis business, including any of the following:
  1. a partner of a commercial cannabis business organized as a partnership;
  2. a member of a limited liability company of a commercial cannabis business organized as a limited-liability company;
  3. an officer or director of a commercial cannabis business organized as a corporation.

# Application Requirements A-Z

g) *Continued* - owner requirements:

- Personal information
- Date ownership interest was acquired
- A list of valid licenses where applicant is listed as an owner or financial-interest holder
- Detailed description of criminal convictions, if applicable
- Copy of “Live Scan” fingerprints

h) A list of Financial-Interest Holders: Any individual or business that holds a financial interest, but is not qualified as an owner as indicated in the previous section

# Application Requirements A-Z

i) **Copies of documents filed with the California Secretary of State**

*Applicants will need to contact the Secretary of State's office to find out which required documents are required for their business structure.*

# Application Requirements A-Z

- j) Valid seller's permit number from the California Department of Tax and Fee Administration (CDTFA) - or evidence that you do not need one.

*Applicants will need to contact CDTFA to determine what is required for their business type.*

- k) If an applicant is a cannabis cooperative business entity, provide a list of all licensed members.

# Application Requirements A-Z

## I) Legal Right to Occupy:

- **If the applicant is the owner** of the property, provide a copy of the title or deed to the property.
- **If the applicant is not the owner** of the property, provide the following:
  1. a document from the property owner (or property owner's agent) where the commercial cannabis activity will occur that states the applicant has the right to occupy the property and acknowledges that the applicant may use the property for commercial cannabis cultivation;
  2. the property owner's mailing address and phone number; and
  3. a copy of the lease or rental agreement, or other contractual documentation.

## Application Requirements A-Z

- m) **Evidence of a surety bond\*** for no less than \$5,000, payable to the California Department of Food and Agriculture (or CDFA).

*\*Must be issued by a corporate surety that is licensed to transact business in California.*

- n) Evidence of enrollment—or that enrollment is not necessary—with the **applicable regional or state water board** for water-quality protection.

*Applicants will need to work with the Water Board to determine what documentation is appropriate for their licensed premises.*

# Application Requirements A-Z

- o) Evidence that the applicant has conducted a hazardous-materials record search of the **EnviroStor** database for the proposed premises.

If hazardous sites were encountered, the applicant shall provide documentation of protocols implemented to protect employee health and safety.

# Application Requirements A-Z

- p) Evidence of exemption from, or compliance with, Division 13 of the Public Resources Code: **California Environmental Quality Act (CEQA)**. The evidence provided shall be one of the following:
1. a copy of the applicant's license, permit, or other authorization from the local jurisdiction if the local jurisdiction has adopted an ordinance, rule, or regulation that requires discretionary review and approval of the applicant's license, permits or other authorization.
  2. a copy of the Notice of Determination or Notice of Exemption and a copy of the CEQA document, or reference to where it can be located online; or
  3. if an applicant does not have the evidence specified in subsections (1.) or (2.) of this section, or if the local jurisdiction did not prepare a CEQA document, the applicant will be responsible for preparing an environmental document that is in compliance with CEQA and can be approved or certified by CDFA.

# Application Requirements A-Z

- q) For indoor and mixed-light license types, identify all **power sources** for cultivation activities, including but not limited to: illumination, heating, cooling, and ventilation
- r) A **property diagram**
- s) A **proposed cultivation plan**:
- Detailed premises diagram
  - Pest-management plan
  - Cannabis waste-management plan
  - Lighting diagram (indoor and mixed-light license types)

# Application Requirements A-Z

- t) Identification of all of the **water sources** used for cultivation activities and the applicable supplemental information for each source:
1. a retail water supplier
  2. a groundwater well
  3. a rainwater-catchment system
  4. a diversion from a surface water body or an underground stream flowing in a known and definite channel

# Application Requirements A-Z

- u) A copy of any final **lake or streambed alteration** agreement issued by the California Department of Fish and Wildlife (CDFW), pursuant to Sections 1602 and 1617 of the Fish and Game Code, or written verification from CDFW that a lake-and streambed-alteration agreement is not required.
- v) An attestation that the proposed location is at least a **600-foot radius** from sensitive sites.
- w) If the applicant has 20 or more employees on the payroll at any time, the applicant must attest that the entity will enter into, (or has already entered into) and will abide by the terms of a **labor peace agreement**.

# Application Requirements A-Z

- x) The applicant must attest that the entity is an **"agricultural employer,"** as defined by the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975; Part 3.5 (commencing with Section 1140) Div. 2 Labor Code.
- y) If the applicant entity is applying for an indoor license type, the applicant must attest that the **local fire department** has been notified of the cultivation site.
- z) The **limited waiver of sovereign immunity:**
  - Any applicant who is within the scope of sovereign immunity—that may be asserted by a federally recognizable tribe or other sovereign entity—shall waive any sovereign immunity defense. The applicant will have to provide documentation that establishes that the applicant has the lawful authority to enter into the waiver described above.

# Site Requirements

- **No alcohol or tobacco sales allowed on premises**

# Application Options

- Online Application
- Paper Application

For information regarding the application process, please visit [calcannabis.cdfa.ca.gov](https://calcannabis.cdfa.ca.gov)

# Contact Us!



Visit our website and join our email list:  
[calcannabis.cdfa.ca.gov](http://calcannabis.cdfa.ca.gov)



1-833-CAL-GROW



[calcannabis@cdfa.ca.gov](mailto:calcannabis@cdfa.ca.gov)



Facebook.com/CACultivationLicensing



Instagram.com/calcannabis.cdfa



Twitter.com/cal\_cannabis