

State of California
Department of Food and Agriculture
CalCannabis Cultivation Licensing Division

Cannabis Cultivation
Annual License
Application

CalCannabis Cultivation Licensing (CalCannabis), a Division of the California Department of Food and Agriculture (CDFA), is responsible for issuing licenses for commercial cultivation of cannabis in the State of California. Any person or entity who wishes to engage in commercial cannabis cultivation must submit an application package, which includes a completed application form, all required documentation and a non-refundable application fee. Once your application is approved, you will need to submit payment for your annual license fee in order for your license to be issued.

This document is intended to provide instructions for applying for commercial cannabis cultivation licenses in the State of California and does not provide information on industrial hemp production or non-commercial cultivation.

Completion of this application does not grant rights or impose obligations. Please reference California statutes and regulations for all licensing requirements.

Cannabis is a Schedule I drug according to the federal Controlled Substances Act. Cannabis related activity is subject to federal prosecution, regardless of the protections provided by state law.

Information provided on this application will be entered into the CalCannabis Licensing System and may be subject to disclosure as required by any federal, state, or local laws, rules, or regulations, including, but not limited to, the California Public Records Act (Government Code section 6250 et seq.).

For more information on CDFA's CalCannabis Cultivation Licensing program, please visit: cannabis.cdfa.ca.gov.

For California Legislative Information, please visit: leginfo.legislature.ca.gov.

SECTION A – APPLICATION TYPE (Check Only One Per Application)	
<input type="checkbox"/> Medicinal Cannabis Cultivation	TEMPORARY LICENSE ID NUMBER (IF APPLICABLE):
<input type="checkbox"/> Adult-Use Cannabis Cultivation	TEMPORARY LICENSE ID NUMBER (IF APPLICABLE):
<input type="checkbox"/> Renewal (Not available until January 2019)	CURRENT CULTIVATION LICENSE NUMBER:
	CURRENT LICENSE EXPIRATION DATE:
<input type="checkbox"/> Update to License Information	CURRENT CULTIVATION LICENSE NUMBER:
	CURRENT LICENSE EXPIRATION DATE:
SECTION B – LICENSE TYPES AND APPLICATION FEES (Check Only One Per Application)	
License Types	Current Application Fees
<input type="checkbox"/> Specialty Cottage Outdoor	\$135
<input type="checkbox"/> Specialty Cottage Indoor	\$205
<input type="checkbox"/> Specialty Cottage Mixed-Light Tier 1	\$340
<input type="checkbox"/> Specialty Cottage Mixed-Light Tier 2	\$580
<input type="checkbox"/> Specialty Outdoor	\$270
<input type="checkbox"/> Specialty Indoor	\$2,170
<input type="checkbox"/> Specialty Mixed-Light Tier 1	\$655
<input type="checkbox"/> Specialty Mixed-Light Tier 2	\$1,125
<input type="checkbox"/> Small Outdoor	\$535
<input type="checkbox"/> Small Indoor	\$3,935
<input type="checkbox"/> Small Mixed-Light Tier 1	\$1,310
<input type="checkbox"/> Small Mixed-Light Tier 2	\$2,250
<input type="checkbox"/> Medium Outdoor	\$1,555
<input type="checkbox"/> Medium Indoor	\$8,655
<input type="checkbox"/> Medium Mixed-Light Tier 1	\$2,885
<input type="checkbox"/> Medium Mixed-Light Tier 2	\$4,945
<input type="checkbox"/> Nursery	\$520
<input type="checkbox"/> Processor	\$1,040

SECTION C		
C.1 – BUSINESS ENTITY STRUCTURE (Check Only One Per Application)		
<input type="checkbox"/> Corporation	<input type="checkbox"/> Limited Liability Company (LLC)	<input type="checkbox"/> Sovereign Entity
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Liability Partnership (LLP)	<input type="checkbox"/> Sole Proprietorship (Individual)
<input type="checkbox"/> Joint Venture	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Trust
<input type="checkbox"/> Other (Specify Entity Structure):		
Is this applicant business entity a foreign corporation?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
		REQUIRED ATTACHMENT:
		Foreign Corporation's certificate of qualification issued by the California Secretary of State pursuant to section 2105 of the Corporations Code.
Is this applicant business entity a cannabis cooperative association as defined in Chapter 22 of the Business and Professions Code?	<input type="checkbox"/> No	<input type="checkbox"/> Yes (If yes, please provide the information below)
		NAME OF CANNABIS COOPERATIVE ASSOCIATION:
		REQUIRED ATTACHMENT:
		List of members of the cannabis cooperative association
C.2 – BUSINESS INFORMATION		
LEGAL BUSINESS NAME:		
LAST NAME (SOLE PROPRIETORSHIP ONLY):	FIRST NAME (SOLE PROPRIETORSHIP ONLY):	
BUSINESS TITLE (SOLE PROPRIETORSHIP ONLY):	TAXPAYER IDENTIFICATION NUMBER: <input type="checkbox"/> SSN/ITIN <input type="checkbox"/> EIN <input type="checkbox"/> NIN	
MAILING ADDRESS:	CITY:	STATE:
ZIP CODE:	COUNTY:	COUNTRY:
PHONE NUMBER:	EMAIL ADDRESS:	
CDTFA SELLER'S PERMIT NUMBER:	SECRETARY OF STATE REGISTRATION ENTITY ID:	

C.3 – STATE ISSUED CANNABIS LICENSES

NOTE: The applicant entity must identify all other state-issued commercial cannabis licenses already held by the applicant entity. If more space is needed, please attach additional pages.

LEGAL BUSINESS NAME	TYPE OF LICENSE	LICENSE NUMBER	ISSUED BY	DATE INTEREST OBTAINED

C.4 – DESIGNATED RESPONSIBLE PARTY INFORMATION

NOTE: The Designated Responsible Party must be an owner with legal authority to bind the entity.

LEGAL LAST NAME:		LEGAL FIRST NAME:		BUSINESS TITLE:	
MAILING ADDRESS:			CITY:		STATE:
ZIP CODE:			COUNTY:		
PHONE NUMBER:		E-MAIL ADDRESS:		PREFERRED METHOD OF CONTACT:	
				<input type="checkbox"/> Standard Mail <input type="checkbox"/> E-mail	

C.5 – AGENT FOR SERVICE OF PROCESS

NOTE: An individual who resides in California or a corporation designated to accept service of process (court papers) on behalf of the licensee.

LEGAL LAST NAME:		LEGAL FIRST NAME:			
MAILING ADDRESS:		CITY:		STATE:	ZIP CODE:
PHONE NUMBER:		EMAIL ADDRESS:			

SECTION D

D.1 – OWNER(S) INFORMATION

NOTE: List the names of all owners/associated businesses below. If there are multiple owners, please attach additional pages of Section D.

OWNER'S LEGAL LAST NAME:	OWNER'S LEGAL FIRST NAME:
LEGAL BUSINESS NAME (IF APPLICABLE):	EIN (FOR BUSINESS AGGREGATE OWNERSHIP INTEREST):
BUSINESS TITLE:	DATE OF BIRTH:
LIVE SCAN ATI NUMBER:	GOVERNMENT ISSUED ID NUMBER: <input type="checkbox"/> CA STATE <input type="checkbox"/> OTHER
TAXPAYER IDENTIFICATION NUMBER: <input type="checkbox"/> SSN <input type="checkbox"/> ITIN <input type="checkbox"/> NIN	DATE OWNER ACQUIRED INTEREST:
HOME ADDRESS:	CITY:
ZIP CODE:	STATE:
PHONE NUMBER:	COUNTY:
PERCENTAGE OF OWNERSHIP (%):	E-MAIL ADDRESS:

D.2 – OWNER CANNABIS FINANCIAL INTERESTS

NOTE: All state issued cannabis license(s) the owner holds an ownership or financial interest in must be disclosed to the Department. If more space is needed, please attach additional pages.

TYPE OF LICENSE	LICENSE NUMBER	ISSUED BY

D.3 – OWNER DISCLOSURES	Yes	No
1. Have you ever been convicted of or entered a plea of guilty or nolo contendere to any misdemeanor or felony in the United States or a foreign country? If yes, please complete the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004).	<input type="checkbox"/>	<input type="checkbox"/>
2. Have you had a license sanctioned, suspended, or revoked in the past three years by a licensing authority, a city, county, or city and county for unauthorized commercial cannabis activities?	<input type="checkbox"/>	<input type="checkbox"/>
3. Have you been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to section 26057 of the Business and Professions Code?	<input type="checkbox"/>	<input type="checkbox"/>
4. Have you ever had a commercial cannabis license or other professional license suspended, revoked, or denied, or otherwise subject to discipline or fine by this state or elsewhere (i.e., other U.S. state, U.S. territory, agency of the federal government, or other country)?	<input type="checkbox"/>	<input type="checkbox"/>
D.4 – OWNER REQUIRED ATTACHMENTS		
<p><input type="checkbox"/> Copy of each owner’s government-issued identification.</p> <p><input type="checkbox"/> Copy of each owner’s completed application for electronic fingerprint images submitted to the Department of Justice.</p> <p>If applicable:</p> <p><input type="checkbox"/> History of convictions if indicated in Section D.3.</p> <p><input type="checkbox"/> Evidence of dismissal under section 1203.4, 1203.4a, and 1203.41 of the Penal Code or another state’s similar law.</p> <p><input type="checkbox"/> Certificate of rehabilitation under section 4852.01 of the Penal Code and dated letters of reference.</p> <p><input type="checkbox"/> A statement of rehabilitation for each conviction, including any documentation to support rehabilitation.</p>		
D.5 – OWNER DECLARATIONS		
1. I am responsible for knowing and complying with all California state laws and regulations applicable to commercial cannabis cultivation, including but not limited to Medicinal and Adult Use Cannabis Regulation and Safety Act and Title 3, Division 8, Chapter 1 of the California Code of Regulations. I understand I am responsible for compliance with subsequent updates to cannabis cultivation laws and regulations.		
2. I hereby declare the information contained within and attached to this application is complete, true, and accurate. I understand a misrepresentation of fact is cause for rejection of this application, denial of the license, or revocation of an issued license.		
Print Name:		
Owner Signature:	Date:	

SECTION E		
E.1 – PREMISES INFORMATION		
NOTE: If multiple Premises Addresses, APNs, and/or property ownership types are used, please attach additional pages.		
PREMISES PHYSICAL ADDRESS:	CITY:	STATE:
ZIP CODE:	COUNTY:	
ASSESSOR PARCEL NUMBER (APN):	DATE OF INITIAL OPERATION:	
<input type="checkbox"/> By checking this box, the business acknowledges all required records identified by the licensing authorities shall be kept on the premises of the location seeking licensure.		
PROPERTY OWNERSHIP TYPE:		
<input type="checkbox"/> Own	REQUIRED ATTACHMENT:	
	A copy of the title or deed to the property.	
<input type="checkbox"/> Rent/Lease	REQUIRED ATTACHMENT:	
	(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) A copy of the lease or rental agreement, or other contractual documentation.	
	PROPERTY OWNER'S MAILING ADDRESS:	
<input type="checkbox"/> Other	PROPERTY OWNER'S MAILING ADDRESS:	
	PROPERTY OWNER'S PHONE NUMBER:	
<input type="checkbox"/> Other	REQUIRED ATTACHMENT:	
	(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) A copy of the lease or rental agreement, or other contractual documentation.	
	PLEASE DESCRIBE IN DETAIL:	
<input type="checkbox"/> Other	PROPERTY OWNER'S MAILING ADDRESS:	
	PROPERTY OWNER'S PHONE NUMBER:	
<input type="checkbox"/> Other	PROPERTY OWNER'S MAILING ADDRESS:	
<input type="checkbox"/> Other	PROPERTY OWNER'S PHONE NUMBER:	

E.2 – SOURCE OF WATER SUPPLY

NOTE: Required for all license types. Check all applicable water supply sources for cultivation. If more space is needed, please attach additional pages.

<input type="checkbox"/> Retail Water Supplier	NAME OF RETAIL WATER SUPPLIER:
<input type="checkbox"/> Small Retail Water Supplier – Delivery or Pickup from a Surface Waterbody or Underground Stream	NAME OF RETAIL WATER SUPPLIER UNDER CONTRACT: POINT OF DIVERSION GEOGRAPHIC LOCATION COORDINATES (LATITUDE AND LONGITUDE): AUTHORIZED PLACE OF USE FOR WATER RIGHT USED BY THE SUPPLIER: MAXIMUM AMOUNT OF WATER DELIVERED (GALLONS) IN ANY ONE YEAR:
<input type="checkbox"/> Small Retail Water Supplier – Delivery or Pickup of Water from a Groundwater Well	NAME OF RETAIL WATER SUPPLIER UNDER CONTRACT: GROUNDWATER WELL'S GEOGRAPHIC LOCATION COORDINATES (LATITUDE AND LONGITUDE): MAXIMUM AMOUNT OF WATER DELIVERED (GALLONS) IN ANY ONE YEAR: REQUIRED ATTACHMENT: <input type="checkbox"/> A copy of the well log filed with the Department of Water Resources for each percolating groundwater well used to divert water delivered to the business. If no well log is available, provide evidence from the Department of Water Resources indicating that the Department does not have a record of the well log.
<input type="checkbox"/> Groundwater Well	GROUNDWATER WELL'S GEOGRAPHIC LOCATION COORDINATES (LATITUDE AND LONGITUDE): REQUIRED ATTACHMENT: <input type="checkbox"/> A copy of the well log filed with the Department of Water Resources. If no well log is available, provide evidence from the Department of Water Resources indicating that the Department does not have a record of the well log.
<input type="checkbox"/> Rainwater Catchment System	TOTAL SQUARE FOOTAGE OF CATCHMENT FOOTPRINT AREA(S): TOTAL STORAGE CAPACITY (IN GALLONS): DETAILED DESCRIPTION OF TYPE, NATURE, AND LOCATION OF EACH CATCHMENT SURFACE:
<input type="checkbox"/> Diversion from Waterbody	STATEMENT/APPLICATION/PERMIT/LICENSE/ SMALL IRRIGATION USE REGISTRATION IDENTIFICATION NUMBER(S): REQUIRED ATTACHMENT: Choose one of the following required attachments: <ul style="list-style-type: none"> <input type="checkbox"/> A copy of any applicable registrations, permits, or licenses or proof of a pending application, issued under sections commencing with section 1200 of the Water Code as evidence of approval of a water diversion by the State Water Resources Control Board; <input type="checkbox"/> A copy of any statements of diversion and use filed with the State Water Resources Control Board before October 31, 2017 detailing the water diversion and use; <input type="checkbox"/> A copy of documentation submitted to the State Water Resources Control Board before October 31, 2017 demonstrating that the diversion is authorized under a riparian right and that no diversion occurred in any calendar year between January 1, 2010 and January 1, 2017; or <input type="checkbox"/> A copy of the documentation submitted to the State Water Resources Control Board before January 1, 2019, demonstrating that the diversion is subject to section 5101 of the Water Code.

E.3 – POWER SOURCE				
NOTE: For Indoor and Mixed-Light only. Check all that apply.				
<input type="checkbox"/> Grid	<input type="checkbox"/> Solar	<input type="checkbox"/> Generator – Rated 50 HP and Greater	<input type="checkbox"/> Generator – Rated Under 50 HP	<input type="checkbox"/> Other:
SECTION F – LOCAL AUTHORIZATION				
Local Authority Type:	<input type="checkbox"/> City	<input type="checkbox"/> County	<input type="checkbox"/> City and County	
LOCAL AUTHORITY NAME (OPTIONAL):	LOCAL AUTHORIZATION NUMBER (OPTIONAL):	EXPIRATION DATE (OPTIONAL):		
LOCAL AUTHORITY ADDRESS (OPTIONAL):	CITY (OPTIONAL):	STATE (OPTIONAL):		
ZIP CODE (OPTIONAL):	COUNTY (OPTIONAL):	PHONE NUMBER (OPTIONAL):		
SECTION G – APPLICATION ATTACHMENTS				
NOTE: See instructions for required detailed information based on license type.				
<input type="checkbox"/> Surety Bond evidence in the amount of no less than \$5,000, payable to the Department <input type="checkbox"/> Property ownership documentation or proof of the legal right to occupy and use the property for cultivation activities <input type="checkbox"/> Cultivation Plan – Premises Diagram <input type="checkbox"/> Cultivation Plan – Property Diagram <input type="checkbox"/> Cultivation Plan – Waste Management Plan <input type="checkbox"/> Evidence of enrollment with the applicable Regional Water Quality Control Board or State Water Resources Control Board for water quality protection or written verification from the appropriate Board that enrollment is not necessary <input type="checkbox"/> Copy of any final lake or streambed alteration agreement issued by the California Department of Fish and Wildlife, pursuant to sections 1602 or 1617 of the Fish and Game Code or written verification from the Department of Fish and Wildlife that a lake and streambed alteration agreement is not required <input type="checkbox"/> Hazardous materials record search of the EnviroStor database for the proposed premises <input type="checkbox"/> Compliance with the California Environmental Quality Act (CEQA) <input type="checkbox"/> Complete list of financial interest holders If applicable: <input type="checkbox"/> Cultivation Plan – Lighting Diagram <input type="checkbox"/> Cultivation Plan – Pest Management Plan <input type="checkbox"/> List of members of the cannabis cooperative association <input type="checkbox"/> Documents filed with the California Secretary of State <input type="checkbox"/> Foreign Corporation’s certificate of qualification issued by the California Secretary of State pursuant to section 2105 of the Business and Professions Code <input type="checkbox"/> Source of Water Supply Document(s) as indicated in Section E.2 <input type="checkbox"/> Well Log or evidence from the Department of Water Resources indicating that the Department does not have a record of the well log <input type="checkbox"/> Priority Review - Evidence of compliance with the Compassionate Use Act of 1996 before September 1, 2016				

- Limited Waiver of Sovereign Immunity
- Local Jurisdiction Authorization, such as a copy of the permit, license, or other authorization
- CDTFA Permit Waiver

SECTION H – DISCLOSURES AND DECLARATIONS

H.1 – DISCLOSURES

	Yes	No
Does the business hold an ownership interest in real property, personal property, or other assets associated with, or used in, any commercial cannabis testing laboratory license types as defined in section 26053 of the Business and Professions Code?	<input type="checkbox"/>	<input type="checkbox"/>
Has the business had a license sanctioned, suspended, or revoked in the past three years by a licensing authority, a city, county, or city and county for unauthorized commercial cannabis activities?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have any documented conduct that constitutes grounds for denial of licensure pursuant to Chapter 2 commencing with section 480 of the Business and Professions Code or discipline of a license pursuant to Chapter 3 commencing with section 490 of the Business and Professions Code?	<input type="checkbox"/>	<input type="checkbox"/>
Has the business or any of its officers or directors, been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to section 26057 of the Business and Professions Code?	<input type="checkbox"/>	<input type="checkbox"/>

H.2 – DECLARATIONS

The date operations began is complete, true, and accurate.

The license type being requested is valid only for the premises location.

The cultivation premises location is located beyond at least a 600-foot radius from a prohibited location (including but not limited to schools, day care centers, and youth centers) or another radius specified, as required by section 26054 of the Business and Professions Code.

The business is an “agricultural employer,” pursuant to section 26051.5 of the Business and Professions Code.

The business shall not sell alcoholic beverages or tobacco products on or at any licensed premises.

If the business has 20 or more employees on payroll at any one time, the business is required to enter into, or demonstrate that the business has already entered into, and will abide by the terms of a labor peace agreement.

If the business has not yet received a seller’s permit, the business is currently applying for a seller’s permit. If a seller’s permit is not needed, then confirmation from the California Department of Tax and Fee Administration (CDTFA) shall be included in the application to the Department.

If the cultivation license type is Indoor, the local fire department has been notified of the cultivation site.

SECTION I – FINAL AFFIDAVIT

The business shall comply with all California state laws and regulations applicable to commercial cannabis cultivation, including but not limited to Medicinal and Adult Use Cannabis Regulation and Safety Act and Title 3, Division 8, Chapter 1 of the California Code of Regulations. The business shall be responsible for compliance with subsequent updates to cannabis cultivation laws and regulations.

I hereby declare the information contained within and attached to this application is complete, true, and accurate. I understand a misrepresentation of fact is cause for rejection of this application, denial of the license, or revocation of an issued license.

Print Name:

Designated Responsible
Party Signature:

Date:

SECTION J – PAYMENT

Payment type:	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Debit Card	<input type="checkbox"/> E-Check	<input type="checkbox"/> Check	<input type="checkbox"/> Cash
<i>Transaction fees of 2.99% may be assessed for Credit Card and Debit Card payments. Application fees are non-refundable.</i>					

Credit/Debit Card Information:

Credit/Debit Card Authorization:	<input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> American Express <input type="checkbox"/> Discover <input type="checkbox"/> Other _____
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Name on Card:		
Card Number:		
Expiration Date:	Security/CVV Code:	
Billing Address:		
City:	State:	Zip Code:
Phone Number:	Payment Amount (including 2.99% fee):	

By signing below, I authorize the amount indicated above to be automatically charged to the Credit/Debit card provided.

Signature of Cardholder:	Date:
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E-Check Information:

Financial Institution:	Routing Number:	
Account Number:		
Account Holder (full name/business name):		
Account Holder Address:		
City:	State:	Zip Code:
Phone Number:	Payment Amount:	

By signing below, I authorize the amount indicated above to be automatically charged to the E-Check account provided.

Signature of Account Holder:	Date:
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For Internal Use Only
Application Number:

GENERAL INSTRUCTIONS

I. Submitting Applications

Applicants have two methods of submitting cultivation license applications:

1. Online

You can create an account, complete the application, and pay the application fee using the following website: aca6.accela.com/calcannabis/.

2. Paper Applications

You may submit hard-copy applications and all applicable attachments. Complete the application and all accompanying forms legibly in black or dark blue ink, with a typewriter, or using the PDF form. Forms completed in pencil will be returned to you. Please make sure that you and other authorized individuals sign and date the forms, where applicable. Send your Application Package to:

All correspondence that includes payments
(i.e., annual license applications):

Cashier

P.O. Box 942872

Sacramento, CA 94271-2872

All correspondence that does not include payments
(i.e., temporary license applications, public comments, appeals, etc.):

California Department of Food and Agriculture

CalCannabis Cultivation Licensing Division

P.O. Box 942871

Sacramento, CA 94271

For licensing assistance, you may contact us at:
CalCannabis@cdfa.ca.gov or 1-833-CAL-GROW (225-4769)

II. The application fees for the specific license type are due and payable to the Department at the time the application is submitted and are not refundable. If the application is approved, the annual license fees for the specific license type are due and payable to the Department, prior to issuance of a license or a renewal license.

- Online transaction fees may be assessed for Credit Card and Debit Card transactions, in addition to the application and license fees.
- Mark either the “Credit Card,” “Debit Card,” or “E-Check” box in Section J of the application. Complete only the corresponding section for the payment type that you selected. **Make sure to sign and date authorizing the Department to charge the account you provided.**
- Cash payments will be accepted by appointment only. Please send an email to: cannabiscashppt@dca.ca.gov to obtain an appointment for cash collection. Mark the “Cash” box in Section J of the application and leave the remainder of Section J blank. **PLEASE DO NOT SEND CASH PAYMENTS IN THE MAIL.**
- Check payments will be accepted by mail. Mark the “Check” box in Section J of the application and leave the remainder of Section J blank. Make your check payable to: California Department of Food and Agriculture. **Mail your check with your annual license application to Cashier, P.O. Box 942872, Sacramento, CA 94271-2872.**

License Types	Current Application Fees	Current License Fees
Specialty Cottage Outdoor	\$135	\$1,205
Specialty Cottage Indoor	\$205	\$1,830
Specialty Cottage Mixed-Light Tier 1	\$340	\$3,035
Specialty Cottage Mixed-Light Tier 2	\$580	\$5,200
Specialty Outdoor	\$270	\$2,410
Specialty Indoor	\$2,170	\$19,540
Specialty Mixed-Light Tier 1	\$655	\$5,900
Specialty Mixed-Light Tier 2	\$1,125	\$10,120
Small Outdoor	\$535	\$4,820
Small Indoor	\$3,935	\$35,410
Small Mixed-Light Tier 1	\$1,310	\$11,800
Small Mixed-Light Tier 2	\$2,250	\$20,235
Medium Outdoor	\$1,555	\$13,990
Medium Indoor	\$8,655	\$77,905
Medium Mixed-Light Tier 1	\$2,885	\$25,970
Medium Mixed-Light Tier 2	\$4,945	\$44,517
Nursery	\$520	\$4,685
Processor	\$1,040	\$9,370

III. Withdrawing an Application

An applicant may withdraw an application at any time prior to the Department’s issuance of a license or denial of a license. Requests to withdraw an application shall be submitted to the Department in writing, dated, and signed by the Designated Responsible Party via email at CalCannabis@cdfa.ca.gov or by mail to: California Department of Food and Agriculture, CalCannabis Cultivation Licensing Division, P.O. Box 942871, Sacramento, CA 94271. The Department will not refund application fees for a withdrawn application. An applicant may reapply and pay a new application fee at any time following the withdrawal of an application.

IV. Application Processing

The Department shall notify the applicant in writing that the application is either:

1. Complete and accepted for further review
2. Incomplete and the reasons for the incompleteness
 - a. The Department shall receive the missing information from the applicant no later than 90 calendar days from the date of the notification from the Department. Failure to provide the designated missing information will result in disqualification of the application for further consideration
 - b. If disqualified, the applicant may reapply and pay a new application fee.

Once the Department has verified the application is complete it will conduct a substantive review of the application. The Department shall notify the applicant in writing if the application is approved or denied with the reasons for denial based on the substantive review.

V. Grounds for Denial of a License

Grounds for denial of a license include but are not limited to the following:

- a. The applicant's premises does not fully comply with the standards set forth;
- b. The applicant's premises is substantially different from the diagram of the premises submitted by the applicant;
- c. The applicant denied the Department access to the premises;
- d. The applicant made a material misrepresentation on the application;
- e. The applicant did not submit a renewal application within the timeframe specified;
- f. The licensee has been denied a license, permit, or other authorization to engage in commercial cannabis activity by a state licensing authority or local agency;
- g. The applicant or licensee has insufficient or outstanding fees owed to the Department; or
- h. The applicant is in arrears of court ordered support payments pursuant to section 17520 et seq. of the Family Code.

SECTION A: APPLICATION TYPE

In the application form, check the appropriate box next to the application type that applies to your cultivation premises. Note that you may only select a single application type for a single premises per application.

1. The following describes scenarios where you would need to complete an application and apply for a new license:
 - If your cultivation site is not currently licensed by the California Department of Food and Agriculture;
 - If there is a change in ownership that affects the business entity type of the licensed entity;
 - If the licensee is relocating cannabis cultivation outside the boundary of the licensed premises; and
 - If the Business' license has been revoked by the California Department of Food and Agriculture.

If the business has been issued a temporary license by the Department, include your "Temporary License ID Number."

There are two new application types:

a. Medicinal Cannabis Cultivation (M-license)

Select this option if your business is applying for a state license for commercial cannabis activity involving medicinal cannabis. Medicinal cannabis refers to cannabis intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215) found at section 11362.5 of the Health and Safety Code by a medicinal cannabis patient in California who possesses a physician's recommendation.

b. Adult-Use Cannabis Cultivation (A-license)

Select this option if your business is applying for a state license for cannabis intended for use by adults 21 years of age and over and who do not possess a physician's recommendation.

2. Renewal

Select this option if your business is currently licensed with the Department and your license is eligible for renewal (This option will not be available until January 2019).

- The renewal application must be submitted at least 30 calendar days prior to the expiration date of the current license. No renewal application shall be accepted by the Department more than 60 calendar days prior to the expiration date of the current license.
- If a complete renewal application is submitted no later than 30 calendar days prior to the expiration date of the current license, the licensee may continue to operate until the Department approves or denies the renewal application.

If a renewal application is received less than 30 calendar days prior to the expiration, a licensee shall submit a late fee of 50 percent of the application fee to be paid in addition to the required annual renewal fee. A licensed cultivator that does not submit a complete license renewal application to the Department within 30 days after the expiration of the current license shall forfeit their eligibility to apply for a license renewal and, instead, shall be required to submit a new license application.

The requirements for a renewal application are currently in development.

3. Update to License Information

Select this option if your business is updating your license information.

- The Applicant/Licensee shall notify the Department in writing within 10 calendar days of any change to any item listed in the application. Include the license number and contact the Department via email at CalCannabis@cdfa.ca.gov or by mail to California Department of Food and Agriculture, CalCannabis Cultivation Licensing Division, P.O. Box 942871, Sacramento, CA 94271. For any physical change, alteration, or modification of the premises, the Applicant/Licensee must submit a separate formal request in writing before making the changes, and the request shall include a new premises diagram that conforms to requirements. The following situations would require a formal request before the Applicant/Licensee can make the changes:
 - A licensee shall not make a physical modification of the licensed premises that materially or substantially alters the licensed premises or the use of the licensed premises from the premises diagram originally filed with the license application without the prior written approval of the Department. The licensee whose premises are to be materially or substantially changed is responsible for filing a request for premises modification with the Department.

- Material or substantial changes, alterations, or modifications requiring approval include but are not limited to the removal, creation, or relocation of canopy, propagation, processing, packaging, composting, cannabis waste storage, and chemical storage areas.
- Modifications or upgrades to electrical systems at licensed premises shall be performed by a licensed electrician. A copy of the electrician's license shall be submitted with any premises modification requests for electrical systems.
- The Applicant/Licensee shall also notify the Department in writing using the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004) of the following convictions within 48 hours of:
 - Receiving a criminal conviction or civil judgment rendered against the licensee; and
 - Receiving notification of the revocation of a local license, permit, or other authorization.

NOTE: Licenses are not transferable. For any change in ownership that affects the business entity type, a new application, application fee, and license fee are required.

SECTION B: LICENSE TYPES AND APPLICATION FEES

In the application form, check the box next to the license type that describes the cultivation site. The associated application fee for the specified license type will be due at the time the application is submitted to the Department of Food and Agriculture and is not refundable.

- A cultivation site is a location where commercial cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or that does all or any combination of those activities. You may only select a single license type per application.
- Indoor cultivation is the cultivation of cannabis within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate above twenty-five watts per square foot.
- Mixed-light cultivation is the cultivation of mature cannabis in a greenhouse, hoop-house, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or one of the artificial lighting models described below:
 - Mixed-light Tier 1 – the use of artificial light at a rate of six watts per square foot or less.
 - Mixed-light Tier 2 – the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.
- Outdoor cultivation is the cultivation of mature cannabis without the use of artificial lighting in a canopy area at any point in time. Artificial lighting is permissible only to maintain immature plants.
- Nursery means a licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis.
- Processing means all activities associated with drying, curing, grading, trimming, storing, packaging, and labeling of non-manufactured cannabis products.
- **A person shall be limited to one (1) Medium Outdoor, or one (1) Medium Indoor, or one (1) Medium Mixed-Light Adult-Use License or Medicinal License.**

License Types	Description	Current Application Fees
Specialty Cottage Outdoor	Outdoor cultivation site with up to 25 mature plants.	\$135
Specialty Cottage Indoor	Indoor cultivation site with 500 square feet or less of total canopy.	\$205
Specialty Cottage Mixed-Light Tier 1	Mixed-light cultivation site with 2,500 square feet or less of total canopy and the use of artificial light at a rate of six watts per square foot or less.	\$340
Specialty Cottage Mixed-Light Tier 2	Mixed-light cultivation site with 2,500 square feet or less of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.	\$580
Specialty Outdoor	Outdoor cultivation site with less than or equal to 5,000 square feet of total canopy, or up to 50 mature plants on noncontiguous plots.	\$270
Specialty Indoor	Indoor cultivation site between 501 and 5,000 square feet of total canopy.	\$2,170
Specialty Mixed-Light Tier 1	Mixed-light cultivation site between 2,501 and 5,000 square feet of total canopy and the use of artificial light at a rate of six watts per square foot or less.	\$655
Specialty Mixed-Light Tier 2	Mixed-light cultivation site between 2,501 and 5,000 square feet of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.	\$1,125
Small Outdoor	Outdoor cultivation site between 5,001 and 10,000 square feet of total canopy.	\$535
Small Indoor	Indoor cultivation site between 5,001 and 10,000 square feet of total canopy.	\$3,935
Small Mixed-Light Tier 1	Mixed-light cultivation site between 5,001 and 10,000 square feet of total canopy and the use of artificial light at a rate of six watts per square foot or less.	\$1,310
Small Mixed-Light Tier 2	Mixed-light cultivation site between 5,001 and 10,000 square feet of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.	\$2,250
Medium Outdoor	Outdoor cultivation site between 10,001 square feet and one acre (43,560 square feet) of total canopy.	\$1,555
Medium Indoor	Indoor cultivation site between 10,001 and 22,000 square feet of total canopy.	\$8,655
Medium Mixed-Light Tier 1	Mixed-light cultivation site between 10,001 and 22,000 square feet of total canopy and the use of artificial light at a rate of six watts per square foot or less.	\$2,885
Medium Mixed-Light Tier 2	Mixed-light cultivation site between 10,001 and 22,000 square feet of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.	\$4,945
Nursery	Conducts the cultivation of cannabis solely as a nursery.	\$520
Processor	Conducts only trimming, drying, curing, grading, packaging, or labeling of cannabis and non-manufactured cannabis products.	\$1,040

SECTION C.1: BUSINESS ENTITY STRUCTURE

In the application form, check one box that corresponds to the applicant business entity structure associated with this business.

The following is a brief overview of various business structures. The information is intended to provide a basic understanding of the different business structures and is not intended to provide legal advice.

Before you establish a business in the State of California, you should consult with a private attorney or tax advisor for advice about what type of applicant business entity will meet your business needs, and what your legal obligations will be.

1. Corporation

A California corporation generally is a legal entity, which exists separately from its owners. While normally limiting the owners from personal liability, taxes are levied on the corporation as well as on the shareholders. The sale of stocks or bonds can generate additional capital and the longevity of the corporation can continue past the death of the owners. Legal Counsel should be consulted regarding the variety of options available.

To form a corporation in California, Articles of Incorporation must be filed with the California Secretary of State's office. Forms for the most common types of Articles of Incorporation are available on the California Secretary of State website. You may use the form or prepare your own statutorily compliant document.

Corporations must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license. Corporations must provide a current and active "Secretary of State Registration Entity ID" where indicated in Section C.2 of the application.

2. Limited Liability Company (LLC)

A California LLC generally offers liability protection similar to that of a corporation but is taxed differently. Domestic LLCs may be managed by one or more managers or one or more members. In addition to filing the applicable documents with the Secretary of State, an operating agreement among the members as to the affairs of the LLC and the conduct of its business is required. The LLC does not file the operating agreement with the Secretary of State but maintains it at the office where the LLC's records are kept.

To form an LLC in California, Articles of Organization (Form LLC-1) must be filed with the California Secretary of State's office.

LLCs must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license. LLCs must provide a current and active "Secretary of State Registration Entity ID" where indicated in Section C.2 of the application.

3. Limited Partnership (LP)

A California LP may provide limited liability for some partners. There must be at least one general partner that acts as the controlling partner and one limited partner whose liability is normally limited to the amount of control or participation of the limited partner. General partners of an LP have unlimited personal liability for the LP's debts and obligation.

To form an LP in California, a Certificate of Limited Partnership (Form LP-1) must be filed with the California Secretary of State's office.

Partnerships must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license. LPs must provide a current and active “Secretary of State Registration Entity ID” where indicated in Section C.2 of the application.

4. General Partnership (GP)

A California GP must have two or more persons engaged in a business for profit. Except as otherwise provided by law, all partners are liable jointly and severally for all obligations of the partnership, unless agreed by the claimant. Profits are taxed as personal income for the partners.

To register a GP at the state level, a Statement of Partnership Authority (Form GP–1) must be filed with the California Secretary of State’s office. Note: Registering a GP at the state level is optional.

5. Limited Liability Partnership (LLP)

An LLP is a partnership that engages in the practice of public accountancy, the practice of law, the practice of architecture, the practice of engineering or the practice of land surveying, or provides services or facilities to a California registered LLP that practices public accountancy or law, or to a foreign LLP. An LLP is required to maintain certain levels of insurance as required by law.

To register an LLP in California, an Application to Register a Limited Liability Partnership (Form LLP–1) must be filed with the California Secretary of State’s office.

Partnerships must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license. LLPs must provide a current and active “Secretary of State Registration Entity ID” where indicated in Section C.2 of the application.

6. Sole Proprietorship

A sole proprietorship is set up to allow an individual to own and operate a business. A sole proprietor has total control, receives all profits from, and is responsible for taxes and liabilities of the business. If a sole proprietorship is formed with a name other than the individual’s name (example: John Smith’s Fishing Shop), a Fictitious Business Name Statement must be filed with the county where the principal place of business is located.

No formation documents are filed with the California Secretary of State’s office. Other state filings may be required depending on the type of business.

7. Sovereign Entity

Native Sovereign Nations are federally recognized tribes that are registered with the Federal Government under “Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs.”

8. Trust

An unincorporated business organization created by a legal document, a declaration of trust, and used in place of a corporation or partnership for the transaction of various kinds of business with limited liability.

9. Other

For any other business entity structure not listed above.

Publicly Traded Entities

In the application form, check “Yes” or “No” if the applicant business entity is publicly traded. Publicly traded entities are corporations whose ownership is dispersed among the general public in many shares of stock, which are freely traded on a stock exchange or over the counter markets. If your business is publicly traded, enter the number of shares traded in Section D.1.

Foreign Corporations

In the application form, check “Yes” or “No” if the applicant business entity is a foreign corporation. A foreign corporation is an existing corporation that is registered to do business in a state or jurisdiction other than where it was originally incorporated. Include the Certification of Qualification issued by the California Secretary of State, demonstrating the business is qualified to transact intrastate business in California as defined in section 191 of the California Corporations Code.

Cannabis Cooperative Associations

In the application form, check “Yes” or “No” if the applicant business entity is a Cannabis Cooperative Association. If the “Yes” box is checked, enter the “Name of Cannabis Cooperative Association” and attach a list of members of the Cooperative Association.

Business and Professions Code commencing with section 26220 sets forth the requirements for a Cannabis Cooperative Association. A Cannabis Cooperative Association may be formed by three or more natural persons, who are engaged in the cultivation of any cannabis product, and have formed an association defined as a cannabis cooperative for the purpose of engaging in any activity in connection with any of the following:

- (1) Cultivation, marketing, or selling of the cannabis products of its members
- (2) Growing, harvesting, curing, drying, trimming, packing, grading, storing, or handling of any product of its members
- (3) Manufacturing, selling, or supplying to its members of machinery, equipment, or supplies
- (4) Financing of the activities that are specified by this section

SECTION C.2: BUSINESS INFORMATION

In the application form, fill out the appropriate information regarding the applicant. Please see the following to understand the information the Department will be collecting.

NOTE: The Applicant refers to an owner of the applicant business seeking licensure.

In the application form, provide your “Legal Business Name,” which refers to the legal name of the applicant business entity as registered with the California Secretary of State, California Department of Tax and Fee Administration (CDTFA), or local jurisdiction. If your business is registered with the Secretary of State, the business name shown on your application must match exactly the business name as registered with the California Secretary of State.

If you are a sole proprietorship, fill out your individual owner information under “Last Name (Sole Proprietorship Only),” “First Name (Sole Proprietorship Only),” and “Business Title (Sole Proprietorship Only)” located in Section C.2. If the sole proprietorship has a business name or trade name that is different from the business name and registered with the County or City, indicate this under the “Legal Business Name.” If you are not a sole proprietorship, you do not need to fill out the fields for “Last Name,” “First Name,” and “Business Title.”

Input the associated Employer Identification Number (EIN) used to identify the applicant business entity. Note that in some cases, a sole proprietorship may use their Social Security Number (SSN) to report their tax

information and therefore not have an EIN. In this situation, the owner with the associated SSN will input their SSN in the owner section of this application.

Enter the most current contact information for the Business, including the business “Mailing Address,” business “Phone Number” and “Email Address.” If the business mailing address is located outside of the United States of America, enter the postal code in the “Zip Code” field.

In the application form, input the CDTFA seller’s permit number or if the applicant has not yet received a seller’s permit, then the applicant shall attach their application for a seller’s permit. If a seller’s permit is not needed, then confirmation from CDTFA shall be included in the application to the Department.

In the application form, enter your “Secretary of State Registration Entity ID” number if your applicant business entity has registered with the California Secretary of State. Business entities that are registered with the California Secretary of State must be in good standing (not suspended or otherwise restricted) with the Secretary of State to be licensed and remain licensed with CalCannabis. Applicants who wish to change their applicant business entity after the application is submitted should withdraw their application and submit a new one.

SECTION C.3: STATE ISSUED CANNABIS LICENSES

The applicant entity must identify all other state-issued commercial cannabis licenses already held by the applicant entity. In the application, for each state issued cannabis license, enter the following information identifying the associated commercial cannabis business:

- “Legal Business Name” as registered with the state agency, California Secretary of State, California Department of Tax and Fee Administration (CDTFA), or local jurisdiction.
- Indicate one of the six commercial cannabis business license type categories as follows:
 1. Cultivation
 2. Manufacturing
 3. Distribution
 4. Laboratory Testing
 5. Retailer
 6. Microbusiness
- “License Number” issued by the state licensing authority, which can be found on the official license.
- Indicate which licensing authority issued the license: The Department of Food and Agriculture, the Department of Public Health, or the Department of Consumer Affairs.
- Date an owner acquired an ownership interest in the licensed commercial cannabis business.

According to section 26053 of the Business and Professions Code, “A person that holds a state testing laboratory license under this division is prohibited from licensure for any other activity, except testing, as authorized under this division. A person that holds a state testing laboratory license shall not employ an individual who is also employed by any other licensee that does not hold a state testing laboratory license.” If the Department finds that the applicant entity or any owner holds a testing laboratory license, the commercial cannabis application will be denied.

SECTION C.4: DESIGNATED RESPONSIBLE PARTY

The Designated Responsible Party shall be an owner who has the legal authority to bind the entity and the primary contact for the application.

In the application form, enter the Designated Responsible Party's "Legal Last Name," "Legal First Name," "Mailing Address", "Phone Number", "Email Address," and only one "Preferred Method of Contact" for all communication regarding application processing and licensing.

No more than one Designated Responsible Party may be associated with each business.

SECTION C.5: AGENT FOR SERVICE OF PROCESS

This is an individual who resides in California or a corporation designated to accept service of process (court papers) on behalf of the licensee. In the application form, enter the "Legal Last Name," "Legal First Name," "Mailing Address", "Phone Number", and "Email Address" for the agent for service of process.

SECTION D.1: OWNER INFORMATION

Information for the business owner must be entered in the application. If there are multiple owners or if you need more space to input owner information, please print and attach additional copies of the Owner Information pages (Section D) for each owner.

Owner means any of the following:

- (1) A person with an aggregate ownership interest of 20 percent or more in the person applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.
- (2) The chief executive officer of a nonprofit or other entity.
- (3) A member of the board of directors of a nonprofit.
- (4) An individual who will be participating in the direction, control, or management of the person applying for a license.

An owner who is an individual participating in the direction, control, or management of the commercial cannabis business includes any of the following:

- (1) A partner of a commercial cannabis business that is organized as a partnership;
- (2) A managing member of a limited liability company of a commercial cannabis business that is organized as a limited liability company;
- (3) An officer or director of a commercial cannabis business that is organized as a corporation.

Person is defined as any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

In the application form, for business entities that have an aggregate ownership interest, other than a security interest, lien, or encumbrance, of 20 percent or more in the commercial cannabis business, enter the owner's associated "Legal Business Name" and the business' "EIN."

Enter the owner's full legal name, "Business Title," and "Date of Birth."

Enter the Live Scan Applicant Tracking Identifier (ATI) Number. The ATI number is provided by the Live Scan operator and documents your fingerprint submission. This can be found on your copy of the completed application for electronic fingerprint images submitted to the Department of Justice.

Select and provide the appropriate Taxpayer Identification Number, which refers to the associated Social Security Number (SSN), Individual Taxpayer Identification Number (ITIN), or National Identification Number (NIN), used to identify the Business by the IRS.

Select and provide the appropriate Government Issued Identification Number. A California State Government Issued Identification Number includes driver's license or identification card numbers issued by the State of California. Other forms of acceptable identification numbers are issued by a federal, state, county, or municipal government. All forms of identification must contain the name, date of birth, physical description, and picture of the individual.

In the application form, enter the owner's "Home Address," "Phone Number," and "Email Address." If there are any questions or concerns regarding the owner application information or attachments, CalCannabis will contact the owner using this information.

Enter the "Percentage of the Ownership" interest held in the applicant business entity by the owner. Enter the "Date the Owner Acquired Interest" in the applicant business entity.

NOTE: Once licensed, legal entities must identify any changes in ownership, which affect the applicant business entity type and require a new application. These changes may also need to be reported to the California Department of Tax and Fee Administration or California Secretary of State.

SECTION D.2: OWNER CANNABIS FINANCIAL INTERESTS

The owner must identify all other ownership or financial interests in any other state licensed commercial cannabis business. Having a financial interest can mean the following:

1. An investment in a commercial cannabis business.
2. Loan provided to a commercial cannabis business.
3. Other fully-vested equity interest in a commercial cannabis business.

In the application form, for each of these ownership or financial interests, enter the following information to identify the associated commercial cannabis business:

- "Legal Business Name" as registered with the state agency, California Secretary of State, California Department of Tax and Fee Administration (CDTFA), or local jurisdiction.
- Commercial cannabis business license type as categorized by a California State licensing authority. This includes:
 1. Cultivation
 2. Manufacturing
 3. Distribution
 4. Laboratory Testing
 5. Retailers
 6. Microbusiness

- “License Number” issued by the state licensing authority, which can be found on the official license.
- Indicate which licensing authority issued the license: The Department of Food and Agriculture, the Department of Public Health, or the Department of Consumer Affairs.
- Date an owner acquired an ownership interest in the licensed commercial cannabis business.

NOTE: An owner must notify the Department of any update or change in financial interests in other licensed commercial cannabis businesses within 10 calendar days of the change via email at CalCannabis@cdfa.ca.gov or by mail to California Department of Food and Agriculture, CalCannabis Cultivation Licensing Division, P.O. Box 942871, Sacramento, CA 94271.

SECTION D.3: OWNER DISCLOSURES

The disclosures release information about the owner. In the application form, indicate “Yes” or “No” on each disclosure. Depending on the selection, more information may be required from the owner.

1. Have you ever been convicted of or entered a plea of guilty or nolo contendere to any misdemeanor or felony in the United States or a foreign country? If yes, please complete the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004).

If you indicate “Yes” on this disclosure, you will need to fill out the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004), which includes the dates of conviction, dates of incarceration, dates of probation, dates of parole, and a detailed description of each offense. This form may be found at: cannabis.cdfa.ca.gov. You may attach any related information such as evidence of dismissal, certificate of rehabilitation, and supporting evidence of rehabilitation.

As required by law, all owners are required to submit a full set of fingerprints for the purpose of conducting a criminal background check. Fingerprints will be compared to the records of the California Department of Justice (DOJ) to determine whether a criminal history exists. This information will be used to verify the information provided by the owner.

The information provided will be verified through the CalCannabis Licensing Program’s fingerprinting requirement.

Failure to report a conviction accurately (except as explained below) may result in an application being denied. The term “conviction” includes pleading guilty or nolo contendere (“no contest”) or being convicted by a court of any misdemeanor or felony in this state or elsewhere.

Your license will not be issued until the Department receives fingerprint results from the DOJ. Even though you may have been fingerprinted previously for an employer or another regulatory body, you will need to undergo the fingerprinting and criminal history check process again for a CalCannabis Cultivation License.

Under section 26057(b)(4) of the Business and Professions Code, “The licensing authority may deny the application for licensure or renewal of a state license if any of the following conditions apply:

The applicant, owner, or licensee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the licensing authority determines that the applicant, owner, or licensee is otherwise suitable to be issued a license, and granting the license would not compromise public safety, the licensing authority shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant or owner, and shall evaluate the suitability of the applicant, owner, or licensee to be issued a license based on the evidence found through the review. In determining which offenses are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the licensing authority shall include, but not be limited to, the following:

- (A) A violent felony conviction, as specified in subdivision (c) of section 667.5 of the Penal Code.
- (B) A serious felony conviction, as specified in subdivision (c) of section 1192.7 of the Penal Code.
- (C) A felony conviction involving fraud, deceit, or embezzlement.
- (D) A felony conviction for hiring, employing or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
- (E) A felony conviction for drug trafficking with enhancements pursuant to sections 11370.4 or 11379.8 of the Health and Safety Code.”

Except as provided in subparagraphs (5) and (6) of paragraph (a) and notwithstanding Chapter 2 (commencing with section 480) of Division 1.5 of Penal Code, a prior conviction, where the sentence, including any term or probation, incarceration, or supervised release, is completed, for possession of, possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance is not considered substantially related, and shall not be the sole ground of denial for a license. Conviction for any controlled substance felony subsequent to licensure shall be grounds for revocation of a license or denial of the renewal of the license.”

Owners with criminal convictions that are substantially related are not automatically denied licensure and the Department will conduct a review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation. Evidence of rehabilitation includes:

- (1) The nature and severity of the criminal offense;
- (2) Whether the person has a felony conviction based on possession or use of cannabis or cannabis products that would not be a felony if the person was convicted of the offense on the date of the person’s application;
- (3) The applicant’s criminal record as a whole;
- (4) Evidence of any conviction of a criminal offense committed subsequent to the criminal offense under consideration that could be considered grounds for denial, suspension, or revocation of a commercial cannabis activity license;
- (5) The time that has elapsed since commission of the act or offense;
- (6) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant;
- (7) If applicable, evidence of dismissal under sections 1203.4, 1203.4a, 1203.41 of the Penal Code or another state’s similar law;

- (8) If applicable, a certificate of rehabilitation obtained under section 4852.01 of the Penal Code or another state's similar law; and
- (9) Other evidence of rehabilitation submitted by the applicant.

2. Have you had a license sanctioned, suspended, or revoked in the past three years by a licensing authority, a city, county, or city and county for unauthorized commercial cannabis activities?

If you indicate "Yes" on this disclosure, you are not automatically denied licensure and the Department will conduct a review of the nature of the sanction, suspension, or revocation.

The Department will determine if the sanction, suspension, or revocation will be grounds for denial. Under section 26057(b) of the Business and Professions Code, the licensing authority may deny the application for licensure or renewal of a state license if the applicant, or any of its officers, directors, or owners, has been sanctioned by a licensing authority or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three years immediately preceding the date the application is filed with the licensing authority.

3. Have you been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to section 26057 of the Business and Professions Code?

If you indicate "Yes" on this disclosure, you are not automatically denied licensure and the Department will conduct a review of the fines, penalties, or sanctions for cultivation or production of a controlled substance on public or private lands.

Section 26057 of the Business and Professions Code states that the licensing authority may deny the application for licensure or renewal of a state license if the applicant, or any of its officers, directors, or owners, has been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to sections 12025 or 12025.1 of the Fish and Game Code.

As defined by section 11007 of the Health and Safety Code, a "controlled substance" unless otherwise specified, means a drug, substance, or immediate precursor, which is listed in any schedule in sections 11054, 11055, 11056, 11057, or 11058 of the Health and Safety Code.

- Section 11054 lists all Schedule I controlled substances.
- Section 11055 lists all Schedule II controlled substances.
- Section 11056 lists all Schedule III controlled substances.
- Section 11057 lists all Schedule IV controlled substances.
- Section 11058 lists all Schedule V controlled substances.

Section 12025 or 12025.1 of the Fish and Game Code describes the civil penalties of being in connection with the production or cultivation of a controlled substance on land under the management of the Department of Parks and Recreation, the Department of Fish and Wildlife, the Department of Forestry and Fire Protection, the State Lands Commission, a regional park district, the United States Forest Service, or the United States Bureau of Land Management, or within the respective ownership of a timberland production zone, or while trespassing on other public or private land in connection with the production or cultivation of a controlled substance.

These fines, penalties, or being sanctioned for cultivation or production of a controlled substance on public or private lands are considered grounds for denial.

4. Have you ever had a commercial cannabis license or other professional license suspended, revoked, or denied, or otherwise subject to discipline or fine by this state or elsewhere (i.e., other U.S. state, U.S. territory, agency of the federal government, or other country)?

According to section 26030(b) of the Business and Professions Code, "Grounds for disciplinary action include, but are not limited to, all of the following:

Conduct that constitutes grounds for denial of licensure pursuant to Chapter 2 (commencing with section 480) of Division 1.5 or discipline of a license pursuant to Chapter 3 (commencing with section 490) of Division 1.5.

SECTION D.4: OWNER REQUIRED ATTACHMENTS

The following attachments are necessary for **each** owner:

1. Copy of each owner's government-issued identification. Acceptable forms of identification are a document issued by a federal, state, county, or municipal government, including, but not limited to, a driver's license, that contains the name, date of birth, physical description, and picture of the individual.
2. Copy of each owner's completed application for electronic fingerprint images submitted to the Department of Justice.

If you indicated in the Owner Disclosures section of the application that you have had criminal convictions, fill out and attach the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004). A conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Convictions dismissed under sections 1203.4, 1203.4a, and 1203.41a of the Penal Code or the equivalent non-California law shall also be disclosed. Juvenile adjudications and traffic infractions do not need to be included. For each conviction, the owner shall provide the following:

1. The date of conviction;
2. Date(s) of incarceration, if applicable;
3. Date(s) of probation, if applicable;
4. Date(s) of parole, if applicable;
5. A detailed description of the offense for which the owner was convicted; and
6. A statement of rehabilitation for each conviction. The statement of rehabilitation is to be written by the owner and shall contain all evidence that the owner would like the California Department of Food and Agriculture to consider that demonstrates the owner's fitness for licensure. Supporting evidence may be attached to the statement of rehabilitation and may include, but is not limited to, a certificate of rehabilitation under section 4852.01 of the Penal Code, or dated letters of reference from employers, instructors, or professional counselors that contain valid contact information for the individual providing the reference.

SECTION D.5: OWNER DECLARATIONS

Declarations are formal written statements in which the owner declares under oath that the contents are true. In this section of the application, the owner will read the declarations and if they agree they will comply and abide with the terms and conditions as defined in the statements, they will acknowledge their acceptance of the declarations by signing in the space provided.

1. I am responsible for knowing and complying with all California state laws and regulations applicable to commercial cannabis cultivation, including but not limited to Medicinal and Adult-Use Cannabis Regulation and Safety Act and Title 3, Division 8, Chapter 1 of the California Code of Regulations. I understand I am responsible for compliance with subsequent updates to cannabis cultivation laws and regulations.

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) provides provisions for the California Department of Food and Agriculture to issue state licenses for commercial medicinal and adult-use cannabis cultivation. Other related codes include, but are not limited to, the Water Code, Penal Code, Health and Safety Code, Family Code, Fish and Game Code, Food and Agricultural Code, Business and Professions Code, and California Code of Regulations.

2. I hereby declare that the information contained within and attached to this application is complete, true, and accurate. I understand that a misrepresentation of fact is cause for rejection of this application, denial of the license, or revocation of an issued license.

SECTION E.1: PREMISES INFORMATION

The Premises is the designated structure(s) and land specified in the application that are in possession of and used by the applicant or licensee to conduct the commercial cannabis activity. The premises shall be a contiguous area and may only be occupied by one licensee.

In the application form, provide the following information about the premises:

The “Premises Address” refers to the location of the premises and the physical address that is assigned by the local municipality or county. Boxes and Postal Mail Boxes are not acceptable for the premises’ physical address. **Please note that your premises address is NOT considered to be confidential. Premises address information will be disclosed if/when requested pursuant to a California Public Records Act request.**

Enter the “Assessor Parcel Number (APN)” that is assigned and can be provided by the tax assessor of a particular jurisdiction. There may be multiple APNs associated with the premises. In this case, please include all associated APNs using additional forms.

The “Date of Initial Operation” refers to the date an applicant began actively conducting the same commercial cannabis activity as the license type for which the applicant is applying. Actively conducting means beginning cannabis cultivation activities and does not include site preparation and construction as authorized by the local jurisdiction. Applicants who have provided evidence of operating in compliance with the Compassionate Use Act of 1996 and its implementing laws prior to September 1, 2016 shall receive priority review.

The location for retention of records refers to the requirement that all records, applications, reports, or other supporting documents be kept on the premises of the licensed location as specified in section 26160 of the Business and Professions Code.

Premises Ownership Information

The applicant must demonstrate property owner approval. There are three different options for property use approval:

- (1) If the applicant is the owner of the property on which the premises is located, the applicant shall provide to the Department a copy of the title or deed to the property.
- (2) If the applicant is not the owner of the property upon which the premises is located, the applicant shall provide the following to the Department:
 - a. 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;
 - b. Property owner’s mailing address and phone number; and
 - c. Copy of the lease or rental agreement, or other contractual documentation.
- (3) If the applicant has a different property ownership type not covered by “Own”, “Rent/Lease”, select “Other” and provide the following to the Department:
 - a. Description of the authorization to occupy the premises.
 - b. 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;
 - c. Property owner’s mailing address and phone number; and
 - d. Copy of the lease or rental agreement, or other contractual documentation.

NOTE: If the applicant has multiple property ownership types, please attach additional forms to list all additional premises information and property information. If your premises span multiple parcels, identify all parcel numbers and boundaries associated with the premises.

SECTION E.2: SOURCE OF WATER SUPPLY

According to the section 26060.1 of the Business and Professions Code, “an application for cultivation issued by the Department of Food and Agriculture shall identify the source of water supply.”

In the application form, indicate all water source(s) that best describe the water supply for the cannabis cultivation site. If there are multiple sources of water supply or if you need more space to input water supply information, please print and attach additional copies of the Source of Water Supply pages.

There are seven different water source types as defined below:

Water Source Type	Requirements
Retail Water Supplier	<p>According to section 13575 of the Water Code, a retail water supplier means any local entity, including a public agency, city, county, or private water company, that provides retail water service. These can include city or county water agencies, municipal water suppliers, irrigation districts, and reservoir operators.</p> <p>NOTE: There are additional requirements for Small Retail Water Supplier Diverting from a Waterbody and Small Retail Water Supplier Using a Well.</p>

Water Source Type	Requirements
<p>Small Retail Water Supplier – Delivery or Pickup from a Surface Waterbody or Underground Stream</p>	<p>A diversion from a waterbody refers to a system of structures and measures that intercept clear surface runoff. If the water source is a diversion from a waterbody, provide any applicable statement, application, permit, license, or small irrigation use registration identification number(s); and either:</p> <ol style="list-style-type: none"> (1) Name of the retail water supplier under contract; (2) Geographic location coordinates of any point of diversion used by the retail water supplier to divert water delivered to the applicant, in either latitude or longitude or the California Coordinate System; (3) Authorized place of use of any water right used by the retail water supplier to divert water delivered to the applicant; and (4) Maximum amount of water (gallons), delivered to the applicant for cannabis cultivation in any year. <p>What qualifies as a small retail water supplier?</p> <ul style="list-style-type: none"> • The retail water supplier has 10 or fewer customers; • The applicant receives 10 percent or more of the water supplied by the retail water supplier; • 25 percent or more of the water delivered by the retail water supplier is used for cannabis cultivation; or • The applicant and the retail water supplier are affiliates.
<p>Small Retail Water Supplier – Delivery or Pickup of Water from a Groundwater Well</p>	<p>If the retail water supplier uses a well, the applicant shall provide the following:</p> <ol style="list-style-type: none"> (1) Name of the retail water supplier under contract; (2) Geographic location coordinates for any groundwater well used to supply water delivered to the applicant, in either latitude and longitude or the California Coordinate System; (3) Maximum amount of water (gallons), delivered to the applicant for cannabis cultivation in any year; and (4) A copy of the well log filed with the Department of Water Resources pursuant to section 13751 of Water Code for each percolating groundwater well used to divert water delivered to the applicant. If no well log is available, provide evidence from the Department of Water Resources indicating that the Department does not have a record of the well log. When no well log is available, the State Water Resources Control Board may request additional information about the well. <p>What qualifies as a small retail water supplier?</p> <ul style="list-style-type: none"> • The retail water supplier has 10 or fewer customers; • The applicant receives 10 percent or more of the water supplied by the retail water supplier; • 25 percent or more of the water delivered by the retail water supplier is used for cannabis cultivation; or • The applicant and the retail water supplier are affiliates.

Water Source Type	Requirements
Groundwater Well	<p>A well is a hole drilled into the ground to access water contained in an aquifer. A pipe and a pump are used to pull water out of the ground. The applicant shall provide the following:</p> <ol style="list-style-type: none"> (1) Groundwater well's geographic location coordinates in either latitude and longitude or the California Coordinate System; and (2) A copy of the well log filed with the Department of Water Resources pursuant to section 13751 of the Water Code. If no well log is available, provide evidence from the Department of Water Resources indicating that the Department of Water Resources does not have a record of the well log. If no well log is available, the State Water Resources Control Board may request additional information about the well.
Rainwater Catchment System	<p>A rainwater catchment system is rainwater management through collecting of rainwater and using it onsite. The applicant shall provide the following:</p> <ol style="list-style-type: none"> (1) Total square footage of the catchment footprint area(s); (2) Total storage capacity, in gallons, of the catchment system(s); and (3) Detailed description of the type, nature, and location of each catchment surface. Examples of catchment surfaces include a rooftop and greenhouse.
Diversion from Waterbody	<p>A diversion from a waterbody refers to a system of structures and measures that intercept clear surface runoff. If the water source is a diversion from a waterbody, provide any applicable statement, application, permit, license, or small irrigation use registration identification number(s); and either:</p> <ol style="list-style-type: none"> (1) A copy of any applicable registrations, permits, or licenses or proof of a pending application, issued under Part 2 (commencing with section 1200) of Division 2 of the California Water Code as evidence of approval of a water diversion by the State Water Resources Control Board; (2) A copy of any statements of diversion and use filed with the State Water Resources Control Board before October 31, 2017 detailing the water diversion and use; (3) A copy of documentation submitted to the State Water Resources Control Board before October 31, 2017 demonstrating that the diversion is authorized under a riparian right and that no diversion occurred in any calendar year between January 1, 2010 and January 1, 2017; or (4) If the applicant has claimed an exception from the requirement to file a statement of diversion and use pursuant to section 5101 of the Water Code, provide a copy of the documentation submitted to the State Water Resources Control Board before January 1, 2019 demonstrating that the diversion is subject to subdivision (a), (c), (d), or (e) of section 5101 of the Water Code.

SECTION E.3: POWER SOURCE

Applicants for indoor and mixed-light license types shall provide the power source(s) for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation.

In the application form, check the boxes that apply. You can select multiple methods for power source if they are applicable to the cultivation activities at your premises.

Power Source Type	Description
Grid	This refers to using Electric Utility companies as the power supplier. You have the option to purchase renewable electricity, either directly from your power supplier, or through renewable energy 'green' certificates.
Solar	This refers to using solar electric power system as the power source. This can be achieved using solar photovoltaic systems, which convert both direct and scattered sunlight into electricity.
Generator	This refers to using a stationary or portable compression ignition engine pursuant to Title 17, Division 3, Chapter 1, Subchapter 7.5, section 93115.4 of the California Code of Regulations (CCR). All generators must be equipped with nonresettable hour-meters.
	<p>Generator – Rated 50 Horsepower (HP) and Greater</p> <p>When using generators rated at 50 HP and greater, compliance with Airborne Toxic Control Measures is required.</p> <p>If selected, you may be asked to provide one of the following attachment(s):</p> <ul style="list-style-type: none"> (1) Portable Equipment Registration Certificate provided by the California Air Resources Board; or (2) Permit to Operate obtained from the Local Air District with jurisdiction over the licensed premises.
	<p>Generator – Rated Under 50 HP</p> <p>When using generators rated under 50 HP, compliance with the following is required:</p> <ul style="list-style-type: none"> (1) Designate the generator as emergency or low use; or (2) Either (A) or (B) <ul style="list-style-type: none"> (A) Meet Tier 3 with level 3 diesel particulate filter requirements pursuant to Title 13, Division 3, Chapter 9, Article 4, section 2423 of the CCR; or (B) Meet Tier 4 engine requirements pursuant to Title 13, Division 3, Chapter 14, section 2702 of the CCR.
Other	Other forms of renewable energy systems include, but are not limited to: <ul style="list-style-type: none"> (1) Wind electric systems (2) Hybrid wind and solar systems (3) Microhydropower systems

SECTION F: LOCAL AUTHORIZATION

The applicant shall check one of the local authority types of City, County, or City and County so the Department can identify the local contact.

The applicant may also enter the information about the local authorization including the local authority name, local authorization number, expiration date, local authority address, and phone number.

The applicant may attach the local permit, license, or other authorization, but is not required to do so.

SECTION G: APPLICATION ATTACHMENTS

Required Attachments for all Applicants

1. Evidence of Surety Bond

Evidence of having obtained a surety bond in the amount of not less than \$5,000, payable to the Department. A surety is a way to ensure payment for the cost of destroying cannabis product, when such destruction is necessitated by a violation of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) or Title 3, Division 8, Chapter 1 of the California Code of Regulations. The bond must be issued by a corporate surety (company that issues these bonds) licensed in California.

2. Property Ownership Documentation or Legal Right to Occupy and Use

A. Property Ownership Documentation

If the applicant is the owner of the property on which the premises is located, the applicant must provide a copy of the title or deed to the property. A title provides legal evidence that you have the right to use the property. A deed is a legal document that transfers title from one person to another.

B. Legal Right to Occupy and Use

If the applicant is not the owner of the property and is leasing or renting the property on which the premises is located, the applicant must provide:

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. Copy of the lease or rental agreement, or other contractual documentation.

3. Cultivation Plan – Premises Diagram

A premises diagram is a diagram of the proposed license location. This is the “**zoomed in**” diagram of the applicant's location. The diagram must be **to scale, all measurements must be in feet, and cannot have any highlighting**. The tables on the following page consist of what should be included in the premises diagram. A premises does not have to be the entire property.

Premises Diagram – Specialty Cottage, Specialty, Small, and Medium License Types
<input type="checkbox"/> Canopy Area (make sure that the total square footage matches the dimensions of the license type you have chosen)
<input type="checkbox"/> Area(s) Outside of the Canopy (immature plants only) (if applicable)
<input type="checkbox"/> Pesticide and Agricultural Chemical Storage Area
<input type="checkbox"/> Processing Area or Off-Site Licensed Facility Identified
<input type="checkbox"/> Packaging Area or Off-Site Licensed Facility Identified
<input type="checkbox"/> Composting Area (if composting on site)
<input type="checkbox"/> Secure Cannabis Waste Area (if not only composting)
<input type="checkbox"/> Harvest Storage Area

Premises Diagram – Nursery License Type
<input type="checkbox"/> Area(s) Containing Only Immature Plants
<input type="checkbox"/> Pesticide and Agricultural Chemical Storage Area
<input type="checkbox"/> Research and Development Area (if applicable)
<input type="checkbox"/> Seed Production Area (if applicable)
<input type="checkbox"/> Composting Area (if composting on site)
<input type="checkbox"/> Secure Cannabis Waste Area (if not only composting)

Premises Diagram – Processor License Type
<input type="checkbox"/> Processing Area (if applicable)
<input type="checkbox"/> Packaging Area (if applicable)
<input type="checkbox"/> Composting Area (if composting on site)
<input type="checkbox"/> Secure Cannabis Waste Area (if not only composting)
<input type="checkbox"/> Harvest Storage Area

4. Cultivation Plan – Property Diagram

A property diagram is a diagram of the whole property. This is the “**zoomed out**” diagram of the applicant’s location. The diagram must be **to scale, all measurements must be in feet, and cannot have any highlighting**. The following table lists what should be included in the property diagram.

Property Diagram
<input type="checkbox"/> Assessor’s Parcel Number(s) (APN)
<input type="checkbox"/> Parcel Boundaries
<input type="checkbox"/> Perimeter Dimensions
<input type="checkbox"/> Entrances to Both the Property and Premises
<input type="checkbox"/> Exits to Both the Property and Premises
<input type="checkbox"/> All Roads
<input type="checkbox"/> All Water Crossings (includes seasonal streams)
<input type="checkbox"/> Coordinates for a Diversion from a Waterbody, Groundwater Well, or Rain
<input type="checkbox"/> Other Activities or Other Licensed Areas

If the property is being used for other activities outside the area proposed for licensed cultivation activity, you must label the diagram with the other activities taking place. This would include other areas on the property licensed for commercial cannabis activities.

If multiple, contiguous properties are included in one application, all parcels must be included on the property diagram.

5. Cultivation Plan – Waste Management Plan

Waste management plan requirement information can be found in section 8108 of Title 3, Division 8, Chapter 1 of the California Code of Regulations.

6. Water Quality Protection Enrollment

Evidence of enrollment with the applicable Regional Water Quality Control Board programs or State Water Resources for water quality protection or written verification from the appropriate Board that enrollment is not necessary.

7. Lake and Streambed Alteration Document

A copy of any final lake or streambed alteration agreement issued by the California Department of Fish and Wildlife, pursuant to section 1602 or 1617 of the Fish and Game Code, or written verification from the Department of Fish and Wildlife that a lake and streambed alteration agreement is not required.

8. EnviroStor Hazardous Materials Search

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. EnviroStor is the Department of Toxic Substances Control's data management system for sites with known contamination or sites where there may be reasons to investigate further.

9. Evidence of CEQA Compliance

Evidence that the local permit, license, or other authorization to cultivate cannabis was issued in compliance with the California Environmental Quality Act (CEQA), pursuant to division 13 (commencing with section 21000) of the Public Resources Code. This evidence may include:

- a. Notice of Determination or Notice of Exemption.
- b. Copy of the CEQA document or reference to where it can be located electronically.
- c. CEQA document prepared by applicant.

10. List of Persons with a Financial Interest

Provide a complete list of financial interest holders. This does not include a bank or financial institution whose interest constitutes a loan or persons whose only ownership interest in the commercial cannabis business is through an interest in a diversified mutual fund, blind trust, or similar instrument. For each person, include the following information:

- a. Full Legal Name (First and Last) – for individuals
- b. Tax Identification Numbers (SSN, ITIN, or NIN) – for individuals
- c. Government Issued ID Number – for individuals
- d. Legal Business Name – for business entities
- e. Employer Identification Number (EIN) – for business entities

Additional Attachments as Required

1. Cultivation Plan – Lighting Diagram

For indoor and mixed-light license type applications, a lighting diagram with the following information shall be included:

- a. Location of all lights in the canopy area(s); and
- b. Maximum wattage or wattage equivalent of each light.

2. Cultivation Plan – Pest Management Plan

For Specialty, Specialty Cottage, Small, Medium, and Nursery license applications, the pest management plan which shall include, but not be limited to, the following:

- a. Product name and active ingredient(s) of all pesticides to be applied to cannabis during any stage of plant growth; and
- b. Integrated pest management protocols including chemical, biological, and cultural methods the applicant anticipates using to control or prevent the introduction of pests on the cultivation site.

3. Cannabis Cooperative Association Member List

For applicants that are a Cannabis Cooperative Association, a list of members of a cannabis cooperative shall be disclosed to the licensing authority. The list shall also include the Full Legal Name or Legal Business Name of each member.

4. CA Secretary of State Documents

For applicants that are registered with the CA Secretary of State, the following documents must be provided (if applicable):

- a. Articles of Incorporation
- b. Certificate of Stock
- c. Articles of Organization
- d. Certificate of Limited Partnership
- e. Statement of Partnership Authority
- f. Certificate of Qualification
- g. Business Formation Documents

5. Foreign Corporation Certificate of Qualification

If the applicant is a Foreign Corporation, a certificate of qualification issued by the California Secretary of State, pursuant to section 2105 of the Corporations Code must be provided.

6. State Water Resources Control Board (SWRCB) Diversion Authorization

If the applicant has a water supply that is a diversion from a waterbody, one of the following must be provided:

- a. A copy of any applicable registrations, permits, or licenses or proof of a pending application.
- b. A copy of any statements of diversion used and filed with the SWRCB before October 31, 2017, detailing the water diversion and use.

- c. A copy of documentation submitted to the SWRCB before October 31, 2017 demonstrating that the diversion is authorized under a riparian right that no diversion occurred in any calendar year between January 1, 2010 and January 1, 2017.
- d. If the applicant has a water supply that is a diversion claiming exemption, a copy of the documentation submitted to SWRCB before January 1, 2019, demonstrating that the diversion is subject to the Water Code section 5101 (a), (c), (d), or (e) must be provided.

7. Well Log

If the applicant's water supply is a retail water supplier using a well or a groundwater well, a well log must be provided. If no well log is available, provide evidence from the Department of Water Resources indicating that the Department does not have a record of the well log. If no well log is available, the State Water Resources Control Board may request additional information about the well.

8. Evidence of compliance with the Compassionate Use Act of 1996

If the applicant is seeking priority review, evidence of compliance with the Compassionate Use Act of 1996 must be provided. Per section 26054.2 of the Business and Professions Code, "a licensing authority shall give priority in issuing licenses under this division to applicants that can demonstrate to the authority's satisfaction that the applicant operated in compliance with the Compassionate Use Act of 1996 (section 11362.5 of the Health and Safety Code) and its implementing laws before September 1, 2016." The "Date of Initial Operation" refers to the date an applicant began actively conducting the same commercial cannabis activity as the license type for which the applicant is applying. Actively conducting means beginning cannabis cultivation activities and does not include site preparation and construction as authorized by the local jurisdiction.

Applicants who have operated in compliance with the Compassionate Use Act of 1996 and its implementing laws prior to September 1, 2016 shall receive priority review. Evidence may be demonstrated by any of the following: local license, permit, or other authorization; Collective or Cooperative Membership Agreement; tax or business forms submitted to CDTFA or Franchise Tax Board; incorporation documents filed with the Secretary of State; receipts evidencing business expenditures; or any other verifiable business record adequate to demonstrate the operation of the business prior to September 1, 2016. The Department may request additional documentation to verify the applicant's date of initial operation. Priority review will cease December 31, 2019, unless otherwise provided by law.

9. Limited Waiver of Sovereign Immunity

If the applicant intends to waive their sovereign immunity to cultivate commercial cannabis, a written waiver must be provided, which shall include evidence the applicant or licensee has the lawful authority to enter into the waiver required by this section, the applicant or licensee hereby waives sovereign immunity, and the applicant or licensee agrees to do all of the following:

- a. Provide documentation to the Department that establishes the applicant or licensee has the lawful authority to enter into the waiver required by this section;
- b. Conduct all commercial cannabis activity in full compliance with the state laws and regulations governing commercial cannabis activity, including submission to all enforcement provisions thereof;

- c. Allow access as required by statute or regulation by persons or entities charged with duties under the state laws and regulations governing commercial cannabis activity to any premises or property at which the applicant conducts any commercial cannabis activity, including premises or property where records of commercial cannabis activity are maintained by or for the applicant or licensee;
- d. Provide any and all records, reports, and other documents as may be required under the state laws and regulations governing commercial cannabis activity;
- e. Conduct commercial cannabis activity with other state commercial cannabis licensees only, unless otherwise specified by state law;
- f. Meet all of the requirements for licensure under state laws and regulations governing the conduct of commercial cannabis activity, and provide truthful and accurate documentation and other information of the applicant's qualifications and suitability for licensure as may be requested by the Department;
- g. Submit to the personal and subject matter jurisdiction of the California courts to address any matter related to the waiver or commercial cannabis application, license, or activity, and that all such matters and proceedings shall be governed, construed and enforced in accordance with California substantive and procedural law, including but not limited to the Act.

10. Local Jurisdiction Authorization

The applicant may attach the local permit, license, or other authorization, but is not required to do so.

11. CDTFA Permit Waiver

If a seller's permit is not needed, then confirmation from the California Department of Tax and Fee Administration (CDTFA) shall be included in the application to the Department.

SECTION H.1: DISCLOSURES

Applicant disclosures release information about the applicant. In the application form, the Designated Responsible Party must indicate "Yes" or "No" on each disclosure.

1. Does the business hold an ownership interest in real property, personal property, or other assets associated with, or used in, any commercial cannabis testing laboratory license types as defined in section 26053 of the Business and Professions Code?

If you indicate "Yes" on this disclosure, this means that you hold an ownership interest in a conflicting license type.

According to section 26053 of the Business and Professions Code, "A person that holds a state testing laboratory license under this division is prohibited from licensure for any other activity, except testing, as authorized under this division. A person that holds a state testing laboratory license shall not employ an individual who is also employed by any other licensee that does not hold a state testing laboratory license." If the Department finds that the applicant entity or any owner holds a testing laboratory license, the commercial cannabis application will be denied.

2. Has the business had a license sanctioned, suspended, or revoked in the past three years by a licensing authority, a city, county, or city and county for unauthorized commercial cannabis activities?

If you indicate “Yes” on this disclosure, you are not automatically denied licensure and the Department will conduct a review of the nature of the sanction, suspension, or revocation.

The Department will determine if the sanction, suspension, or revocation will be grounds for denial. Under section 26057(b) of the Business and Professions Code, the licensing authority may deny the application for licensure or renewal of a state license if the applicant, or any of its officers, directors, or owners, has been sanctioned by a licensing authority or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three years immediately preceding the date the application is filed with the licensing authority. Thus, any sanctioned, suspended, or revoked licenses from the past three years for unauthorized commercial cannabis activities may be considered as grounds for denial.

3. Do you have any documented conduct that constitutes grounds for denial of licensure pursuant to Chapter 2 commencing with section 480 of the Business and Professions Code or discipline of a license pursuant to Chapter 3 commencing with section 490 of the Business and Professions Code?

This disclaimer stems from section 26030 of the Business and Professions Code “Conduct that constitutes grounds for denial of licensure pursuant to Chapter 2 (commencing with section 480) of Division 1.5 or discipline of a license pursuant to Chapter 3 (commencing with section 490) of Division 1.5.” section 480 of the Business and Professions Code defines the conduct that constitutes grounds for denial as:

(A) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:

- (1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeals has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of sections 1203.4, 1203.4a, or 1203.41 of the Penal Code.
- (2) Done any act involving dishonesty, fraud, or deceit with the intent to substantially benefit himself or herself or another, or substantially injure another.
- (3) (a) Done any act that if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license. (b) The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions, or duties of the business or profession for which application is made.

(B) Notwithstanding any other provision of this code, a person shall not be denied a license solely on the basis that he or she has been convicted of a felony if he or she has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with section 4852.01) of Title 6 of Part 3 of the Penal Code or that he or she has been convicted of a misdemeanor if he or she has met all applicable requirements of the criteria of rehabilitation developed by the board to evaluate the rehabilitation of a person when considering the denial of a license under subdivision (a) of section 482.

(C) Notwithstanding any other provisions of this code, a person shall not be denied a license solely on the basis of a conviction that has been dismissed pursuant to sections 1203.4, 1203.4a, or 1203.41 of the Penal Code. An applicant who has a conviction that has been dismissed pursuant to sections 1203.4, 1203.4a, and 1203.41 of the Penal Code shall provide proof of the dismissal.

(D) A board may deny a license regulated by this code on the grounds that the applicant knowingly made a false statement of fact that is required to be revealed in the application for the license.

1. Has the business, or any of its officers or directors, been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to section 26057 of the Business and Professions Code?

If you indicate “Yes” on this disclosure, you are not automatically denied licensure and the Department will conduct a review of the fines, penalties, or sanctions for cultivation or production of a controlled substance on public or private lands.

Section 26057 of the Business and Professions Code states that the licensing authority may deny the application for licensure or renewal of a state license if the applicant, or any of its officers, directors, or owners, has been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to section 12025 or 12025.1 of the Fish and Game Code.

As defined by section 11007 of the Health and Safety Code, a “controlled substance” unless otherwise specified, means a drug, substance, or immediate precursor, which is listed in any schedule in sections 11054, 11055, 11056, 11057, or 11058 of the Health and Safety Code.

- Section 11054 lists all Schedule I controlled substances.
- Section 11055 lists all Schedule II controlled substances.
- Section 11056 lists all Schedule III controlled substances.
- Section 11057 lists all Schedule IV controlled substances.
- Section 11058 lists all Schedule V controlled substances.

Section 12025 or 12025.1 of the Fish and Game Code describes the civil penalties of being in connection with the production or cultivation of a controlled substance on land under the management of the Department of Parks and Recreation, the Department of Fish and Wildlife, the Department of Forestry and Fire Protection, the State Lands Commission, a regional park district, the United States Forest Service, or the United States Bureau of Land Management, or within the respective ownership of a timberland production zone, or while trespassing on other public or private land in connection with the production or cultivation of a controlled substance.

These fines, penalties, or being sanctioned for cultivation or production of a controlled substance on public or private lands are considered grounds for denial.

SECTION H.2: DECLARATIONS

Declarations are formal written statements in which the Designated Responsible Party declares under oath that the contents are true. In this section of the application, the Designated Responsible Party will read the declarations and agree that the applicant business entity will comply and abide with the terms and conditions as defined in the statements.

1. The date operations began is complete, true, and accurate.
2. The license type being requested is valid only for the premises location.
3. The cultivation premises location is located beyond at least a 600-foot radius from a prohibited location (including but not limited to schools, day care centers, and youth centers) or another radius specified, as required by section 26054 of the Business and Professions Code.

According to section 26054 of the Business and Professions Code, “A premises licensed under this division shall not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued, unless a licensing authority or a local jurisdiction specifies a different radius. The distance specified in this section shall be measured in the same manner as provided in subdivision (c) of section 11362.768 of the Health and Safety Code unless otherwise provided by law.”

According to section 11362.768 of the Health and Safety Code, (c) “The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot which the medicinal cooperative, collective, dispensary, operator, establishment, or provider is to be located without regard to intervening structures.”

See section 26001 of the Business and Professions Code for the definitions of day care center and youth center.

4. The business is an “agricultural employer,” pursuant to section 26051.5 of the Business and Professions Code.

According to section 26051.5 of the Business and Professions Code, “(8) For an applicant seeking a cultivation license, provide a statement declaring the applicant is an “agricultural employer” as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law.

5. The business shall not sell alcoholic beverages or tobacco products on or at any licensed premises.
6. If the business has 20 or more employees on payroll at any one time, the business is required to enter into, or demonstrate that the business has already entered into, and will abide by the terms of a labor peace agreement.

A labor peace agreement is an agreement between a licensee and any bona fide labor organization that, at a minimum, protects the state's proprietary interests by prohibiting labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the applicant's business. This agreement means that the applicant has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent the applicant's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the applicant's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under state law, and terms and conditions of employment. This type of agreement shall not mandate a particular method of election or certification of the bona fide labor organization.

7. If the business has not yet received a seller's permit, the business is currently applying for a seller's permit. If a seller's permit is not needed, then confirmation from the California Department of Tax and Fee Administration (CDTFA) shall be included in the application to the Department.
8. If the cultivation license type is Indoor, the local fire department has been notified of the cultivation site.

According to section 8102 of Title 3, Division 8, Chapter 1 of the California Code of Regulations, if applying for an Indoor license type, the applicant entity shall attest that the local fire department has been notified of the cultivation site.

SECTION I: FINAL AFFIDAVIT

In this section of the application, the Designated Responsible Party will read the Final Affidavit and if they agree that the applicant business entity will comply and abide with the terms and conditions, as defined in the statements, the Designated Responsible Party will acknowledge the applicant business entity's acceptance of the Final Affidavit by signing in the space provided.

1. The business shall comply with all California state laws and regulations applicable to commercial cannabis cultivation, including but not limited to MAUCRSA and Title 3, Division 8, Chapter 1 of the California Code of Regulations. The business shall be responsible for compliance with subsequent updates to cannabis cultivation laws and regulations.

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) provides provisions for the California Department of Food and Agriculture to issue state licenses for commercial medicinal and adult-use cannabis cultivation. Other related codes include but are not limited to the Water Code, Penal Code, Health and Safety Code, Family Code, Fish and Game Code, Food and Agricultural Code, Business and Professions Code, and California Code of Regulations.

2. I hereby declare that the information contained within and attached to this application is complete, true, and accurate. I understand that a misrepresentation of fact is cause for rejection of this application, denial of the license, or revocation of a license issued.