



WELCOME

*MCCP Public Scoping Workshop
September 2016*

cdfa.ca.gov/is/mccp

Scoping Workshop Purpose

Provide information and obtain public input regarding the scope and content of the environmental analysis and regulation development **for the Medical Cannabis Cultivation Program (MCCP)**, in accordance with California Environmental Quality Act (CEQA) requirements.



Scoping Workshop Format

- **Open House**
- **Informational Stations**
- **Technical Experts**
- **Submit Written or Verbal Comments**



Medical Cannabis in California

Medical cannabis was first legalized in California under the **Compassionate Use Act of 1996**

The Medical Cannabis Regulation and Safety Act (MCRSA):

- Signed into law in 2015, establishing new requirements for medical cannabis production in California
- Requires various state agencies to develop regulations and licensing programs for the cultivation, manufacture, testing, transportation, distribution, and sale of medical cannabis in the State of California

Marijuana is currently a Schedule 1 controlled substance under federal law. Individuals engaging in cannabis cultivation not associated with a legitimate medical need risk prosecution under federal, state, or local law.

CDFA is developing the Medical Cannabis Cultivation Program (MCCP) to:



License medical cannabis cultivators in the state



Establish conditions under which indoor, outdoor, and mixed-light cultivation may occur



Establish a track and trace program for reporting the movement of medical cannabis items through the distribution chain

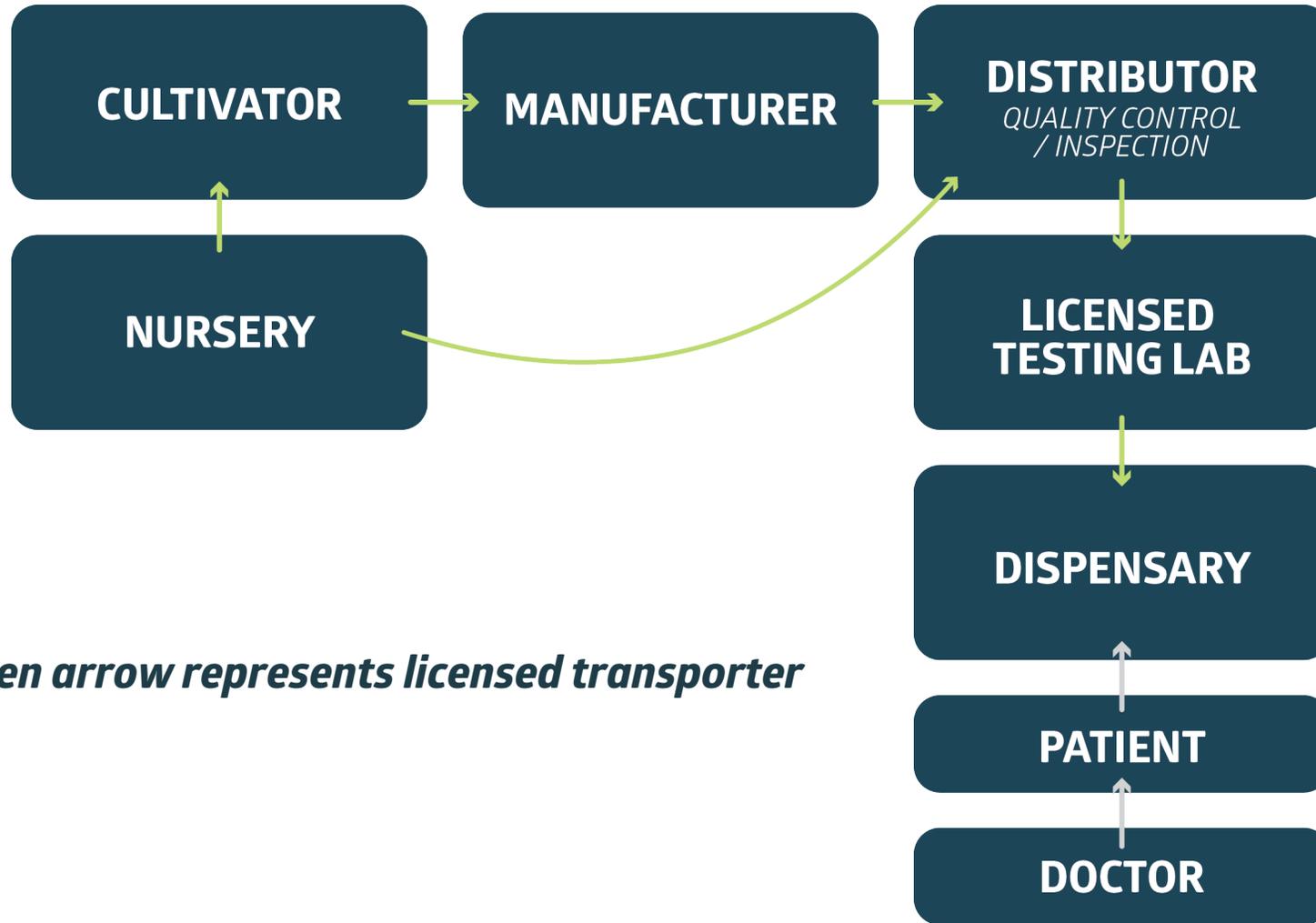


Coordinate with other state agencies to **protect the environment and human health and safety**

The MCCP would be implemented statewide, at licensed medical cannabis cultivation sites.

Cannabis Production and Distribution

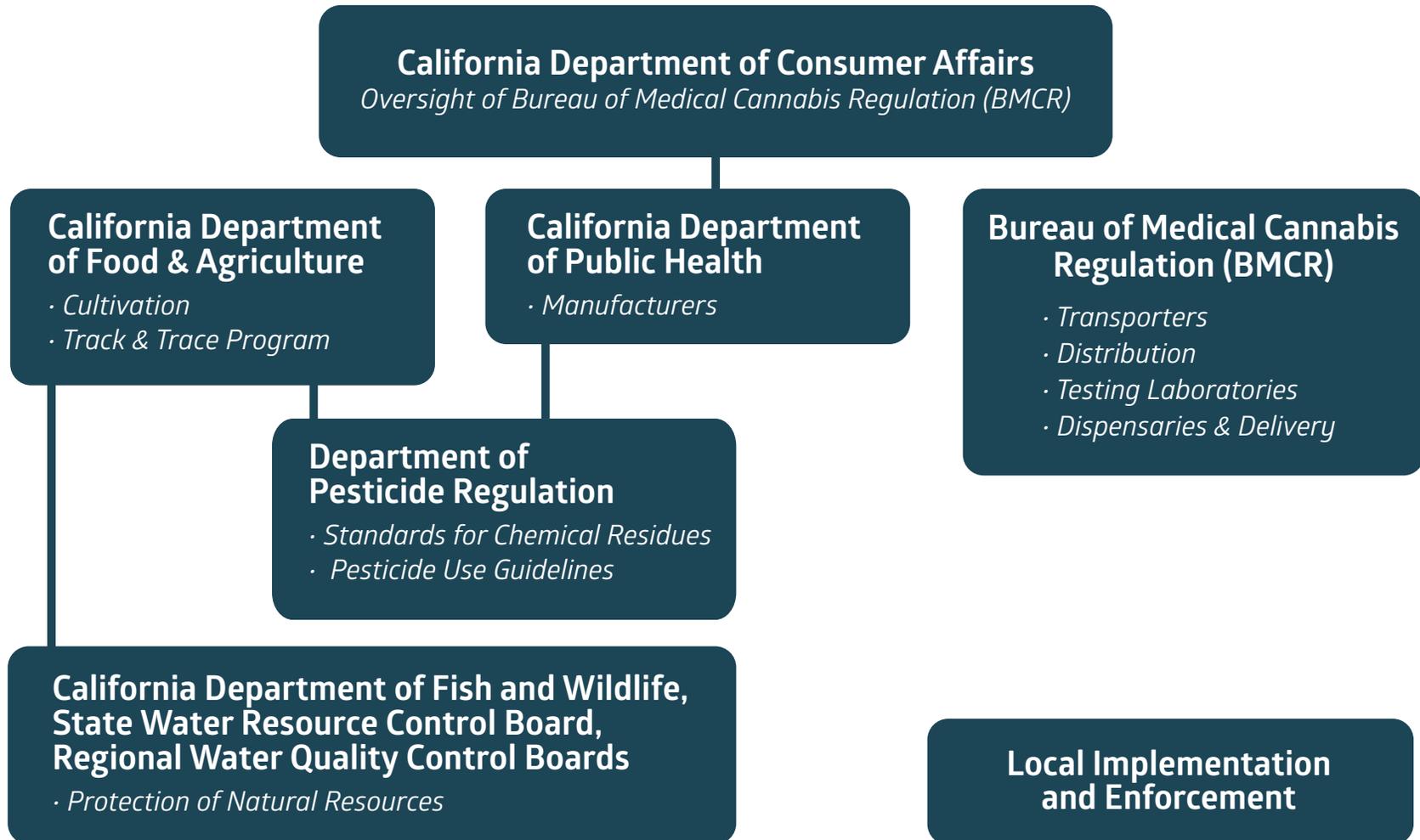
Under The Medical Cannabis Regulation and Safety Act



Green arrow represents licensed transporter

State Agency Responsibilities

Under the Medical Cannabis Regulation and Safety Act (MCRSA)



CDFA Actions



- **Analyze the potential environmental and human health impacts** of licensed medical cannabis cultivation



- **Develop a regulatory structure** for statewide medical cannabis cultivation licensing in California



- **Establish a track and trace system** that will document the movement of medical cannabis products from cultivation to final sale.

CDFA is in the initial stages of developing the regulations that *will define statewide licensing requirements for medical cannabis*



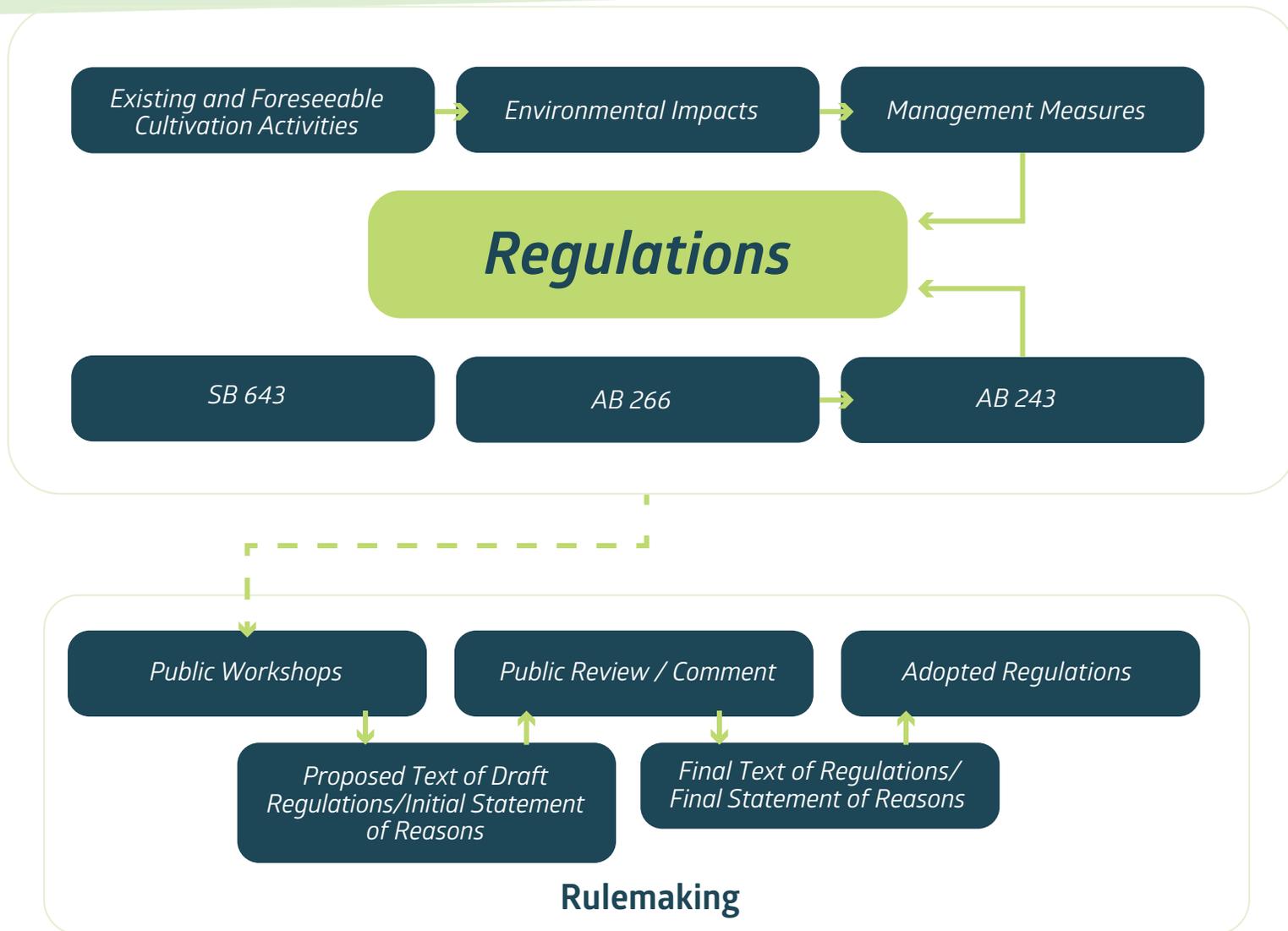
Licensing will begin on

Jan. 1, 2018,

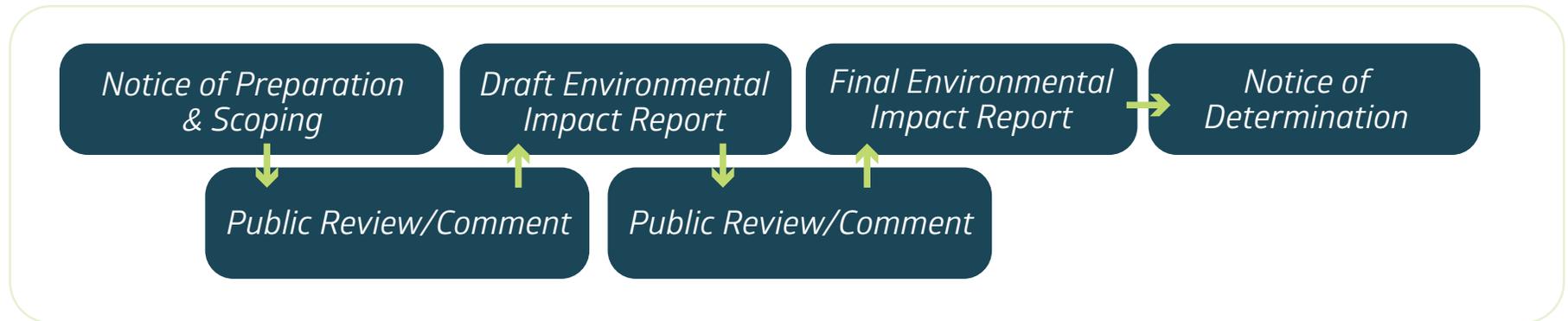
after environmental review and approval of the regulations by the Office of Administrative Law.

Stakeholders, agencies, members of the public, and licensing authorities will be invited to review and comment on the proposed regulations.

Regulation Development



California Environmental Quality Act



CDFA is developing medical cannabis cultivation regulations to:

- **Establish minimum cultivation licensing requirements** for indoor, outdoor, and mixed-light medical cannabis cultivation operations
- **Establish a limit on the quantity of licenses** issued for cultivation categories over 10,000 square feet
- Ensure that individual and cumulative effects of water diversion and discharge associated with cultivation **do not affect instream flows needed for fish and natural flows**
- Ensure that cultivation **will not negatively impact springs, riparian wetlands, and aquatic habitats**

CDFA is developing medical cannabis cultivation regulations to:

- Require that licensed cannabis cultivation is **conducted in accordance with state and local laws** related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters
- **Establish procedures** for the issuance, reporting and revocation of medical cannabis cultivation licenses
- **Establish a scale of application, licensing, and renewal fees**, based upon the cost of administering and enforcing the Program
- **Develop a cultivation checklist tool** to evaluate environmental impacts of cannabis cultivation license programs

CDFA is authorized to issue ten license types for medical cannabis cultivation

License Type	
Type 1	Specialty Outdoor
Type 1A	Specialty Indoor
Type 1B	Specialty Mixed-Light
Type 2	Small Outdoor
Type 2A	Small Indoor
Type 2B	Small Mixed-Light
Type 3	Outdoor
Type 3A	Indoor
Type 3B	Mixed-Light
Type 4	Nursery

CDFA will not begin issuing licenses until 2018

CDFA's Regulations Will Include Guidelines on:

- **Applications for Cultivation License**
 - Application Requirements
- **Licensing**
 - License Types, Allowances, and Constraints
 - License Denial and Appeal Process
 - License Renewal
 - License Fee Schedule
- **Cultivator Requirements**
 - Requirements for All License Types
- **Track and Trace Requirements**
 - Unique Identifiers
 - Tracking System
 - Reporting Requirements
- **Inspections**
 - Inspection Requirements
- **Enforcement**
 - License Violations
 - Administrative Hold Procedure
 - Voluntary Surrender of Cannabis or Cannabis Product
 - Completed Investigations
 - Minor, Moderate, or Serious Violations
 - Appeal Process

License Requirements

Cultivation

Application Requirements

- Have local approvals
- Description of operating procedures: cultivation - transport
inventory - quality control
- Fingerprints
- Fee
- One license per site

Operational Requirements

- Health and safety requirements
- Buffers from schools
- Labor laws
- Environmental requirements



Types of Licenses

	Outdoor	A - Indoor	B - Mixed Light
1 - Specialty	5,000 ft ² or 50 plants	5,000 ft ²	
2 - Small	10,000 ft ²		
3 - Medium*	1 acre	22,000 ft ²	
4	Nursery		
Combinations	Cultivation, Manufacturer, Dispensary		

*Limited number of licenses will be issued

Key Factors

- Land conversion
- Grading
- Electricity Use
- Water source/use
- Wastewater discharge
- Pesticide Use

Track & Trace

- Unique identifier for each plant
- Manifest system (chain of custody)
- Reporting system (database)

Other CDFA Requirements

Standards (weigh/measure) - Implementation (with County Agricultural Commissioner) - Annual Reports

Key Considerations

- Pesticide, Fertilizer, and other Chemical Use
- Energy Use
- Water Use
- Cultivation
- Transportation/Tracking
- Other MCRSA licensing programs
- Enforcement



CDFA is the lead agency preparing a Programmatic Environmental Impact Report (PEIR) for the Medical Cannabis Cultivation Program (MCCP) to:

- **Ensure that medical cannabis cultivation is protective of the environment, cannabis cultivation workers, and the general public**
- **Establish a track and trace program to ensure the movement of medical cannabis is tracked throughout the production chain**

California Environmental Quality Act Public Scoping

The purpose of scoping is to solicit early input from the public and public agencies on:



Potential Environmental Impacts of Medical Cannabis Cultivation



Extent of the Proposed Project



Reasonable Range of Alternatives



Methodologies for Impact Analysis



Types of Impacts to Evaluate



Potential Mitigation Strategies

Environmental Analysis

The primary purpose of the Programmatic Environmental Impact Report (PEIR) is to:



Analyze and disclose the **reasonably foreseeable direct and indirect environmental impacts** that may occur as a result of the Medical Cannabis Cultivation Program (MCCP)



Analyze and disclose the **potentially significant environmental impacts** associated with the MCCP



Where impacts are significant, **identify potentially feasible mitigation measures and alternatives** that substantially lessen or avoid such effects

Potential environmental issues to be addressed in the Programmatic Environmental Impact Report (PEIR):

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

Next Steps



Public Scoping Comment Period
September 2016



MCCP Regulation Development
Fall 2016



Environmental Review
Fall 2016



Proposed Regulation to Office of Administrative Law (OAL)
Early 2017



Draft Programmatic Environmental Impact Report
Spring 2017



Public Review and Comment
Spring 2017



Public Review and Comment
Spring 2017



Final Regulation to Office of Administrative Law (OAL)
Fall 2017



Final PEIR & Notice of Determination
Winter 2017



License Issuance
January 2018

Comment Period: September 1-30, 2016

MAIL TO:



California Department of Food and Agriculture
Attn: Amber Morris
Medical Cannabis Cultivation Comments
1220 N Street, Suite 400
Sacramento, CA 95814

@ EMAIL TO:

mccp.peir@cdfa.ca.gov

AT PUBLIC MEETING:



Fill out a comment form or give
verbal comments to a court reporter.



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