

## CHEAC Summary

### CDFA Emergency Cannabis Regulations

#### Cultivation

The California Department of Food and Agriculture (CDFA) has re-released emergency regulations focused on the licensure of cultivators of medicinal and adult-use cannabis and implementation of a track-and-trace system to record the movement of cannabis throughout the distribution chain in California. These regulations are modestly revised from the November 2017 emergency regulations package. We encourage members to read the entire emergency regulations document released by CDFA; however, a summary of the most relevant revisions is provided below.

#### *Key Revisions Made in Regulations*

- Cannabis license applicants may complete one license application, requesting either an “A” designation (Adult-Use), an “M” designation (Medical), or both.
- Licensees may engage in commercial cannabis activities with any licensee regardless of their license designation.
- Revises the definition of canopy and light deprivation.
- Adds three new items for temporary cultivation license applicants to include in their application.

#### *Article 1. Definitions*

##### Definitions (pages 1-3)

- For indoor and mixed-light license types, canopy must be calculated in square feet and measured using the room boundaries, walls, or ceiling-to-floor partitions of each enclosed area that will contain mature plants at any point of time. For mature plants that are cultivated using a shelving system, the surface area of each level must be included in the total canopy calculation.
- For outdoor license types, canopy must be calculated in square feet and measured using physical boundaries of all areas that will contain mature plants at any point in time. Each unique area included in the total canopy calculation may be separated by a physical boundary, which can mean a fence, hedgerow, garden plot, or other stable, semi-permanent structure that clearly demarcates the canopy edge.
- Light deprivation means the elimination of natural light in order to induce flowering, using black out tarps or any other opaque covering.

*Article 2. Applications*

Temporary Licenses (pages 4-5)

- Applications must include a proposed cultivation plan.
- Applications must include identification of all of the following applicable water sources and the applicable supplemental information for each source used for cultivation activities: a retail water supplier, a groundwater well, a rainwater catchment system, or a diversion from a surface waterbody or an underground stream flowing in a known and definite channel.
- Applications must include evidence of enrollment with the applicable Regional Water Quality Control Board or State Water Resources Control Board for water quality protection programs or written verification from the appropriate board that enrollment is not necessary.

*Article 3. Cultivation License Fees and Requirements*

Requirements for Weighing Devices and Weighmasters (pages 28-29)

- In any county in which a sealer is unable or not required to register, test, and seal weighing devices used by a licensee for commercial purposes, CDFA may perform the duties of the county sealer in the same manner, to the same extent and with the same authority, and may charge a fee to do so.