



Coastal San Luis Resource Conservation District

1203 Main Street, Suite B, Morro Bay, CA 93442
805-772-4391 | www.coastalrcd.org

Outdoor Cannabis Cultivation Permitting Guide

The Coastal San Luis Resource Conservation District (CSLRCD) has been provided with grant funding from the Resource Legacy Fund (RLF) to provide the public with a comprehensive resource guide for outdoor cannabis cultivation permitting. This guide was produced with a focus on cultivation within San Luis Obispo County and will therefore not cover specifics necessary to acquire permits for other California counties. The permitting and regulatory guidelines included in this document for state organizations are applicable statewide.

This document was created with the intent of clarifying the environmental permitting pathways for outdoor cannabis cultivation specifically. The inclusion of other cannabis operation types and non-environmental specific permitting pathways was deemed necessary in some instances to provide a complete representation of the specific goals of this document.

The agency processes addressed in this document for San Luis Obispo are currently listed in suggested order of pursuit: San Luis Obispo County, State Water Resources Control Board, Central Coast Regional Water Quality Control Board, California Department of Fish and Wildlife, and Department of Cannabis Control.

All information provided in this document is publicly available through each respective organization. This document is not meant to supersede direction provided from the listed organizations. This guide may be used as a supplemental resource on the pathway to compliance.

This document includes many links. The first time a link is included it will appear normally. If the same link appears in multiple places throughout the document it will have a superscript number. Many of the links provided here are for .PDF's. On some occasions it may be necessary to click the link two times for the document to open. If at any point a link is found to be broken, please contact CSLRCD by phone at (805) 772-4391 or by email at cslrcd@coastalrcd.org.

Multiple planning documents (ex: Cultivation Plan) will be required for these permit applications. Often the same planning document will satisfy the requirements of multiple permitting agencies. When possible, use the same plans for multiple permit applications. This will save both time and money.

Table of Contents

San Luis Obispo County	4
State Water Resources Control Board	14
Central Coast Regional Water Quality Control Board (CCRWQCB)	17
California Department of Fish and Wildlife (CDFW)	25
Department of Cannabis Control (DCC)	28

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Operation Types

Know what operation type you are planning for. “License Type” will be requested throughout the permitting process. The [cultivation license types](#) are:

- Specialty cottage
 - Specialty cottage outdoor – up to 25 mature plants
 - Specialty cottage indoor – up to 500 square feet of canopy
 - Specialty cottage mixed-light tier 1 and 2 – up to 2,500 square feet of canopy
- Specialty
 - Specialty outdoor – up to 50 mature plants or up to 5,000 square feet of canopy
 - Specialty indoor – 501 to 5,000 square feet of canopy
 - Specialty mixed-light tier 1 and 2 – 2,501 to 5,000 square feet of canopy
- Small
 - Small outdoor – 5,001 to 10,000 square feet of canopy
 - Small indoor – 5,001 to 10,000 square feet of canopy
 - Small mixed-light tier 1 and 2 – 5,001 to 10,000 square feet of canopy
- Medium
 - Medium outdoor – 10,001 square feet to 1 acre of canopy
 - Medium indoor – 10,001 to 22,000 square feet of canopy
 - Medium mixed-light tier 1 and 2 – 10,001 to 22,000 square feet of canopy
- Large – *By law, large size cultivation licenses cannot be issued until after January 1, 2023*
- Nursery – for cultivators that only grow clones, immature plants, seeds or other types of cannabis used for propagation
- Processor – for cultivators that only trim, cure, dry, grade, package or label cannabis



San Luis Obispo County

“Over the last several years, the passage of state initiatives and legislation has led to the need to create a legal framework for cannabis activities in San Luis Obispo County. The San Luis Obispo County Board of Supervisors has adopted ordinances that regulate cannabis operations in the unincorporated areas of the county. The ordinances were created and are being enforced to maintain a safe and healthy community for residents.” - San Luis Obispo (SLO) County website

Reason for Permit: CEQA compliance, Land Use compliance, Local Jurisdiction, Local Business License. [CEQA is the California Environmental Quality Act](#). The county will act as the Lead Agency in determining how your proposed operation may affect environmental quality. This determination is made through an Initial Study (IS). County Planning staff will work with you to gather all data necessary on the planned operation to determine if the project will have significant environmental impacts. This will lead to the preparation of a Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR). The CEQA documentation will be what the state Department of Cannabis Control (DCC) will need to move forward with their permitting.

The “Application Package” should be prepared with SLO County Planning Staff assistance to ensure all applicable information is provided. The Application Package will be used for all of the county permitting processes.

Order of Permit Application: Begin this process early. It will take a while. You should start this process prior to acquiring other permits: the State Water Right/exemption (State Water Board), Water Quality Permit (CCRWQCB), and CDFW LSA Permits. However it is highly recommended to engage with these agencies and notify them of your project. San Luis Obispo County permitting process needs to be complete prior to beginning the California State Department of Cannabis Control (DCC) permit process. By submitting the *completed* county permit documentation to DCC with the application, the Local Verification step of the DCC permit review can be reduced from 60 days to 10 days. If the county process has not been completed and approved prior to applying for the DCC, the DCC will not consider the permit in compliance. Materials/reports necessary for completed Water Quality and LSA permit packages will be helpful for the county permitting process.

Permit Name: PLN-1000 San Luis Obispo County Land Use Permit

Where to Access Information: [San Luis Obispo County Department of Planning and Building Cannabis Permitting Guide](#), [General Cannabis Services](#), [Cannabis Forms and Documents](#)



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Link to Permit or Portal: [Application Package](#)

Fees: [SLO County 2022/2023 Fee Schedule](#)

Timeline for Application: Give yourself *at least* 6 months to two years for this process. The timeline depends on the size, location, existing infrastructure and environmental issues associated with the project.

Timeline for Regulator's Answers: Not later than 30 days after a land use or land division application is received, the County must notify the project applicant or designated representative in writing that either the application is complete, or that items are necessary to complete the application. If you are not notified in writing within 30 days, the application is considered complete. Any land use or land division application receiving a Negative Declaration must be approved or denied within 60 days of its adoption. If the project is exempt under CEQA, the project must be approved or denied within 90 days of acceptance. For land use/land division applications subject to an Environmental Impact Report (EIR), project approval/denial shall be within six months of the certification of the EIR. The County of San Luis Obispo processes the land use application and the environmental review concurrently, so these decisions are made simultaneously. (Government Code Sections 65943 and 65950, et seq.)

How Often to Reapply: County Business License must be renewed Annually

Helpful Tips: Contact County staff early and often to be sure your permit application materials are sufficient. Whenever possible, try and use reports, diagrams, and plans from the Water Quality and Lake and Streambed Alteration Agreement permits for the county process. It is recommended to obtain county permits prior to applying for Water Quality (from Central Coast Water Quality Control Board) and Lake and Streambed Alteration Agreement (from California Department of Fish and Wildlife) permits, as there are annual fees associated with both. Additionally the Lake and Streambed Alteration Agreement (LSAA) permit will reference the CEQA determination by the County. However, it is recommended to notify and begin developing reports, diagrams and plans for Water Quality and LSAA permits early so they are consistent and applicable to multiple agencies. Incorporate Best Management Practices like those found in the [Watershed BMPs for Cannabis Growers](#) and [Cannabis Cultivation BMPs Flyer](#) in plans and designs, and consult your local RCD for assistance on best management practices. By submitting the completed county permit documentation to DCC with the application, the Local Verification step of the DCC permit review can be reduced from 60 days to 10 days.

Contact Information: Office of Planning and Building - (805) 781-5600
Permits and Inspection (805) 788-6602



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IT IS STRONGLY RECOMMENDED THAT APPLICANTS CONTACT AND CONSULT THE FOLLOWING AGENCIES EARLY IN THE APPLICATION PROCESS AS THEY MAY HAVE REQUIREMENTS TO ABIDE BY BASED ON YOUR OPERATION:

County Department of Agriculture/Weights and Measures

- Main San Luis Obispo Office: (805) 781-5910
- Email: AgCommSLO@co.slo.ca.us

Air Pollution Control District

- [Cannabis Cultivation and/or Manufacturing Process Form](#)
Information to be submitted with application:
 - Copy of the manufacturing license
 - Equipment specification sheets for all equipments used in the processing operation
 - MSDS for any solvents and/or processing aids
 - Building layout showing where processing will take place
 - Odor management plans and ventilation equipment specification data
 - Any other information pertinent to the District's understanding of the process
- Processing Facilities must obtain an [Authority to Construct](#) permit prior to operation.
- Phone (805) 781-5912
- Email: info@slocleanair.org, permitapplications@slocleanair.org

Regional Water Quality Control Board

- Phone: (805) 549-3147
- Email: centralcoast@waterboards.ca.gov

California Department of Fish and Wildlife

- Central Coast Region (559) 243-4005 x151
- Email: reg4sec@wildlife.ca.gov

Upper-Salinas-Las Tablas Resource Conservation District

- Phone: (805) 460-7272
- Growing Responsible and Socially Sustainable Cannabis ([GRASS-C](#))



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- Phone: (805) 772-4391
- Email: cslrccd@coastalrcd.org
- Growing Responsible and Socially Sustainable Cannabis (GRASS-C)

Cal Fire - San Luis Obispo County Fire Department

- Phone: (805) 543-4244
- Email: slu.reception@fire.ca.gov

County Department of Environmental Health Services

- Leslie Terry: (805) 781-5553 lterry@co.slo.ca.us
- [Hazardous Materials and Waste](#) Permitting home page
- [Hazardous Materials Business Plan Eligibility Flowchart](#)
- [Small Public Water Systems](#) home page (25 people or more on your site for 60+ days annually)
- [Well Program](#) home page
- [California Environmental Reporting System \(CERS\)](#)

Where can you develop a commercial cannabis operation in San Luis Obispo County?

Unincorporated Areas of San Luis Obispo County

Commercial Cannabis Cultivation: Commercial cannabis cultivation may be permitted in the Agriculture (AG), Rural Lands (RL), Residential Rural (RR), and Industrial (IND) land use categories, with certain restrictions including minimum site size and setback requirements. For the first year, only those applicants who have an approved cooperative/collective registration under Ordinance 3334 can apply for a land use permit for commercial cannabis cultivation. On AG zoned sites between 10 and 25 acres, up to two outdoor operations per site are permitted. On AG zoned sites greater than 25 acres, three outdoor operations per site are permitted. Outdoor cultivation on Rural Land zoned sites is limited to one operation per site. All indoor cultivation is limited to 22,000 square-feet per site. This can be achieved by one operation or multiple operations. An operation is limited in size to a single State license. A cultivator may transfer their operation to another property, but must obtain a new land use permit.

Cannabis Nurseries: Commercial cannabis nurseries may be permitted in the Agriculture (AG), Rural Lands (RL), Residential Rural (RR), and Industrial (IND) land use categories. There is no limit to the number of permitted nurseries in the County.



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Land Use and Zoning

What are you allowed to do on your property? Use this page to find out what cannabis activities your property is zoned for. Cannabis activities are allowed with the appropriate permits in the following categories: Agriculture (AG), Commercial Services (CS), Industrial (IND), Residential Rural (RR) and Rural Lands (RL).

SLO County Process

1. Pre-Notify Neighbors: Provide a written letter to all property owners within 1,000 feet of the proposed project site informing them of the proposed project.
2. [Pre-Application Meeting](#): Navigating the SLO County permit process may be difficult. Schedule a pre-application meeting with the Department of Planning and Building Staff to begin assistance early.
3. Submit Application: Applicant completes [Application Package](#)¹ and schedules an intake meeting with the planning staff to submit the completed application package and pay all applicable fees.
4. Apply for Business License: Applicant applies for a business license through the Tax Collector's Office and schedules an appointment for a background check through the Sheriff's Office.
5. Reach Decision: During the public hearing, the hearing body considers the application and reaches a decision to either approve, conditionally approve, or deny the application.
6. Apply for State Licenses: The applicant applies for all applicable state licenses (DCC Annual License). Check with the planning staff to determine if the proposed project is eligible for concurrent processing of State licenses application prior to county approval.
7. Enroll in Monitoring Program: Under the County of San Luis Obispo Inland and Coastal Zone Ordinances, all cannabis cultivation activities that receive a land use permit are required to participate in a County-run monitoring program. The purpose of the monitoring program is to verify that permitted activities are conducted in compliance with conditions of approval (including environmental mitigation measures) and relevant provisions of the local ordinances and state law. To begin the process, the [Cannabis Condition Compliance Monitoring Agreement](#) and [Monitoring Cost Accounting Agreement](#) must be submitted.



[Licensing for Cannabis Related Businesses](#)

Under California law, approved by voters in November, 2016, all Cannabis Related Businesses (CRB) are required to obtain both a local (County) business license and a state license. In the unincorporated areas of San Luis Obispo (SLO) County (outside of any of the seven incorporated cities), all cannabis related businesses must register for a County Cannabis Business License and must collect and remit the [Cannabis Business Tax](#) on a monthly basis. Businesses that are located within city limits and conducting business in the unincorporated areas (such as cannabis delivery) are also required to register for a County Cannabis Business License through a [Cannabis Business License Application](#).

Cannabis Business License Process

1. Contact County Planning and Building Department: Before a Cannabis Business License can be issued, you must receive a Land Use Authorization for your location. Visit the [Cannabis Permitting Guide²](#) for cannabis information, requirements, and resources.
2. Contact County Tax Collector: Once you have met all requirements with the Planning and Building Department, you must complete the [Cannabis Business License Application¹](#) and contact ttc@co.slo.ca.us or call 805-781-5831 to schedule an appointment to begin the license process.
3. Schedule an Appointment for a background check: Contact the Sheriff's Office at 805-781-4575 to schedule an appointment for a background check. All operating owners are required to complete a background check.
4. Final Approval and License Issuance: The Cannabis Business License cannot be issued until all authorizing departments have signed off for approval. If a business is operating during the license process the business must remain in compliance by remitting and reporting taxes to the Tax Collector. Once all requirements are met and approved, the Tax Collector will issue the business license. The current application business license fee is \$43 for each business type (a \$4 required fee for the [State Disability Access](#) program is included in the application fee and renewal fee). This fee is non-refundable. In addition, there is a [California Cannabis Authority](#) (CCA) fee of \$280 per business.
5. All Cannabis Business Licenses must be [renewed](#) annually.

CCA Reporting: How do I get in compliance for reporting?

San Luis Obispo (SLO) County is a member of the [California Cannabis Authority¹](#) (CCA). The CCA is the monitoring agency for cannabis businesses operating in the unincorporated area of



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SLO County. All cannabis businesses must remain in compliance with the [Cannabis License Monitoring and Reporting Requirements](#).

1. Submit your State of California [METRC API key](#) to the County. This allows the County access to the same data your business is required to provide to the State. This step only needs to be completed once.
2. Complete the monthly pricing data spreadsheet template for [Retail \(CSV format\)](#), [Cultivation \(CSV format\)](#), or [Distribution \(CSV format\)](#) and upload it to CCA at the same time you complete your monthly Cannabis Business Tax (CBT) return form (item 3, below). CSV submissions require cannabis businesses to complete the appropriate form and transmit via email to CCA on a Monthly basis. Use the appropriate CSV form for your business type and follow the instructions for each cell included in the templates above. Attach the completed CSV file to the email you send to data@cca.ca.gov. This report may be available to be exported directly from the point of sale vendor.
3. Complete the monthly Cannabis Business Tax (CBT) return form and return to the Tax Collector's Office. These tax returns are due on or before the last day of the month following the reporting period. For example, taxable revenue for July must be reported on or before August 31st. Make any required tax payments to the Tax Collector.

Please contact the Tax Collector's office at ttc@co.slo.ca.us or at (805) 781-5831 if you need assistance with CBT monitoring and reporting requirements. For technical questions about the METRC API key or the monthly spreadsheet uploads, please contact the CCA data platform at support@ncsanalytics.com or at (800) 462-0787.

Local Taxes

On June 5, 2018, San Luis Obispo County Voters approved Measure B-18, which created a Cannabis Business Tax (CBT) in the unincorporated areas of San Luis Obispo County. The Tax Collector division of the County's Auditor-Controller-Treasurer-Tax Collector (ACTTC) Department is responsible for administering the [CBT Program](#).

All cannabis-related businesses (CRBs) are subject to the tax, except for testing facilities. If you are a nursery, cultivator, distributor, manufacturer, retailer, microbusiness or other CRB you are required to pay a 6% tax on gross receipts.

The cannabis business tax is collected on a monthly basis and must be remitted to the ACTTC on or before the last day of the month following the collection period. For example, cannabis business taxes collected in August must be reported and remitted to the ACTTC on or before September 30th.



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County Fees¹:

Cannabis Greenhouse (pg.3)

Plan check \$0.53/sqft (2,000 sq ft min)

Inspection \$0.40/sqft (2,000 sq ft min)

Fire rated construction charged an additional flat fee of \$108

Cannabis Permit Fees (pg.15)

Building Permits

- Business License Review \$232
- Cannabis Monitoring Tier I \$602
- Cannabis Monitoring Tier II \$1,113
- Cannabis Monitoring Tier III \$2,256
- Zoning Review-Cannabis \$363

Land Use Applications

- CUP / Dev Permit - Cannabis - Real Time Billing Deposit Fee \$13,455 deposit + processing cost
- Environmental - Exemption (Cannabis) \$1,543
- Environmental - Initial Study (Cannabis) - Real Time Billing Deposit Fee \$12,907 deposit + processing cost
- MUP - Tier II (Cannabis) - Real Time Billing Deposit Fee \$11,266 deposit + processing cost
- MUP - Tier III (Cannabis) - Real Time Billing Deposit Fee \$12,496 deposit + processing cost
- Offset - Nipomo Mesa Water Conservation Area - Cannabis \$13.16 per daily gallon
- Offset - Nipomo Mesa Water Conservation Area - Admin - Cannabis \$200
- Offset - Paso Robles Groundwater Basin - Cannabis \$13.14 per daily gallon
- Offset - Paso Robles Groundwater Basin - Admin - Cannabis \$119

Pre-Application Meetings

- Pre-application Meeting - Cannabis \$1,412
- Pre-application Meeting with Site Visit - Cannabis \$1,635
- Appeal (Cannabis) – Approval / Denial of a Cannabis-Related Land Use Permit, or Request for Review of an Environmental Determination \$850

Code Enforcement

- Code Enforcement Violation - Minor - Cannabis \$751
- Code Enforcement Violation - Major - Cannabis \$2,146



- Code Enforcement - Hourly Investigation - Building Violation - Cannabis \$133/hr
- Code Enforcement - Hourly Investigation - Land Use Violation - NonPermit Case - Cannabis \$142/hr
- Code Enforcement - Notice of Nuisance Release - Cannabis \$591 + Noticing costs

Cannabis Environmental Fees

- Environmental - Exemption Cannabis - RTB Deposit + processing costs \$1,543
- Environmental - Initial Study Cannabis - RTB Deposit + processing costs \$12,907

Weights and Measures Regulations

The County Agricultural Commissioner/Sealer enforces statutory and regulatory provisions regarding the inspection, testing, and registration of weighing devices, the inspection of prepackaged products, and the inspection of product labeling.

Pesticide Use

County Agricultural Commissioner enforces statutory and regulatory provisions regarding the use of pesticides and pest control operations.

Renewing a Cannabis Business License

All Cannabis Business Licenses must be renewed annually. This is a three-step process that must be completed approximately 60 days before the license expiration date. The current renewal application business license fee is \$34 for each business type (a \$4 required fee for the [State Disability Access](#)¹ program is included in the application fee and renewal fee). This fee is non-refundable. In addition, there is a [California Cannabis Authority](#)² (CCA) fee of \$280 per business. The total renewal fees will come to \$314.

1. Complete the Sheriff's License Renewal Packet: Select one of the forms based on the type of business entity ([Corporation](#) or [Limited Liability Corporation](#)) and return to the Sheriff's Office approximately sixty (60) days before the license expiration date. Information about the Sheriff's form (including instructions for additional requirements for business entities, such as Limited Liability Corporations (LLC)) is also included in this packet.
2. Complete the Planning and Building's Renewal Form: Complete and return the Department of Planning and Building's [Cannabis Renewal Form](#) approximately 60 days before license expiration date.



3. Complete the Tax Collector Renewal Form: The Tax Collector will mail a Notice of Impending Expiration of County Cannabis Business License and the Business License Renewal form approximately ninety (90) days before the expiration date. The renewal fee includes a license fee and a California Cannabis Authority monitoring fee. Per County Code, it is a violation to conduct business operations (including advertising) in the unincorporated areas of the County without a valid County Business License.

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State Water Resources Control Board

Reason for Permit: State Water Rights

Order of Permit Application: Must complete before California State Department of Cannabis Control (DCC) Application. Will be completed concurrently with the Regional Water Quality Control Board Water Quality permitting through the same portal.

Permit Name: [Cannabis SIUR](#) “Small Irrigation Use Registration”

Where to Access Information: [Cannabis Cultivation Policy](#) Most of the useful information is in Attachment A Section 5 and 6.

Link to Permit or Portal: [Application portal](#), Register/Login, “Create New Survey”, “Cannabis General Order and Small Irrigation Use Registration Portal”

Fees: [Fee Schedule](#) \$750 registration fee and recurring annual fee

Timeline for Application: Fees due to state within 30 days of application

How Often to Reapply: Annually if SIUR. Only once if exempt.

Helpful Tips: In SLO county, it is unlikely this permit would be used however registration is required. The Cannabis SIUR is for growers using surface water diversion, not groundwater or purchased water. **All growers** still need to go through the portal process to obtain an exemption. If exempt, you will receive an email stating exemption. SAVE THIS EMAIL to submit to DCC and the County. Maximum diversion amount is 6.6 Acre Feet Per Year. Maximum Diversion Rate is 10 gallons per minute. Applicant must comply with Cannabis General Order (CGO), California Department of Fish and Wildlife (CDFW), and Cannabis Policy conditions.

Contact Information: Water Rights Registrations (916) 319-9427 or cannabisreg@waterboards.ca.gov

Most cannabis cultivation in San Luis Obispo county will use groundwater wells as the water source. Groundwater wells are outside the authority of the State Water Resources Control Board. In order to acquire the exemption documents from the State Water Resources Control Board, be prepared to submit the following:

1. Groundwater well’s geographic location coordinates in either latitude and longitude or the California Coordinate System; and



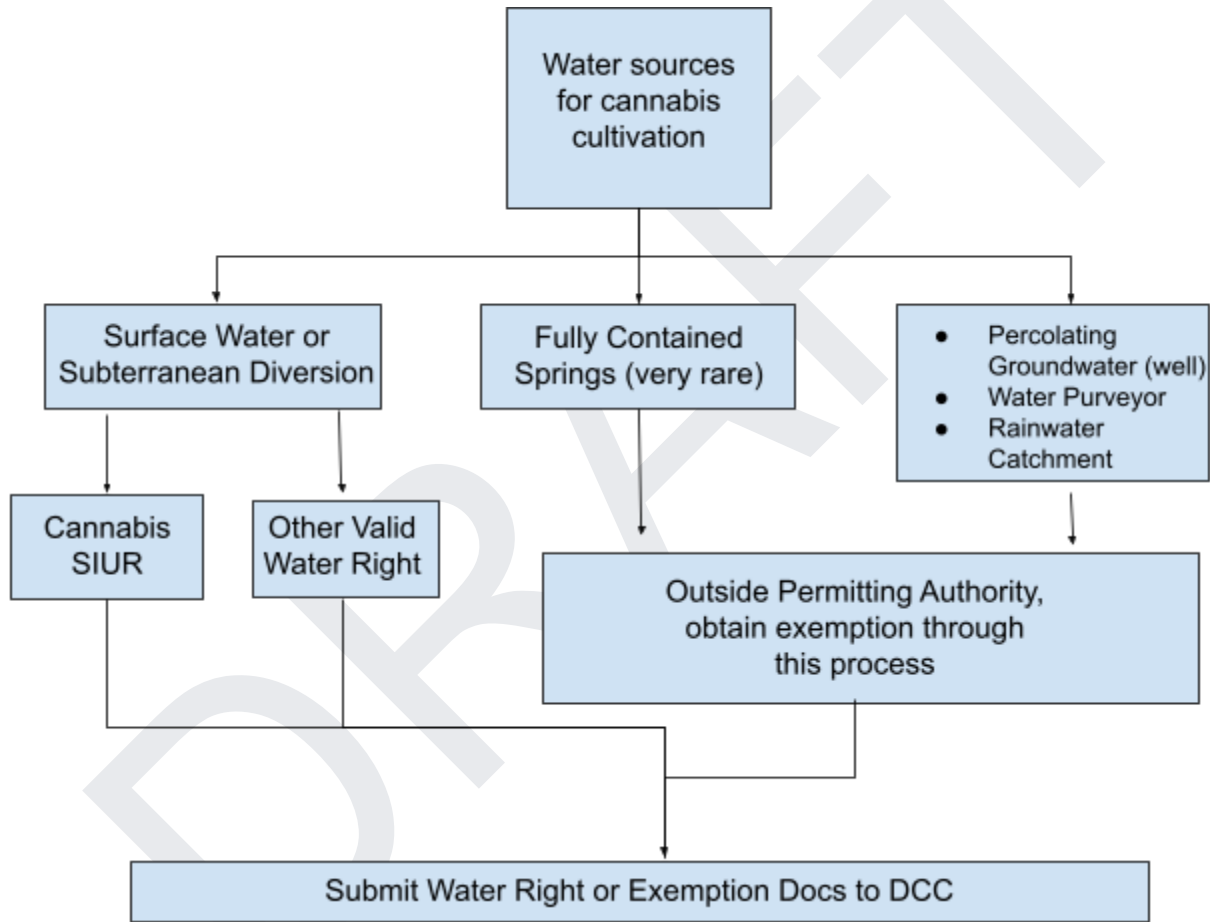
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2. A copy of the well log filed with the California Department of Water Resources (CDWR), pursuant to section 13751 of the Water Code. If a well log is not available, evidence from CDWR that indicates the department does not have a well log record is required.

Process Flowchart

Do You Need a Water Right?



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ONLINE PORTAL FLOWCHART

APPLICANT

Enters information, gets account, answers water quality and rights questions, self certifies compliance with Cannabis General Order, Cannabis Policy, Registration Conditions

CANNABIS PORTAL PROGRAM

Generates Notice of Receipt (NOR) with fee invoice for CGO and Water Rights as applicable, stores information for upload into CIWIQS and eWRIMS databases

APPLICANT

Pays fee to state within 30 days

STAFF REVIEW

Staff work with applicant to address any deficiencies. Processing time is dependent on applicant responsiveness to address deficiencies

WATERBOARDS

Sends Notice of Applicability (NOA) to applicant, sends SIUR certs to applicant, adds technical report required to eSMR

WATERBOARDS

Review reports for compliance, inspects facilities for compliance and answers applicant questions



Central Coast Regional Water Quality Control Board (CCRWQCB)

Reason for Permit: WATER QUALITY - Permit for land disturbance and discharge (release of agricultural water from the property)

Order of Permit Application: Must be completed BEFORE DCC Application. Will be completed concurrently with the State Waterboard SIUR permitting through the same portal.

Permit Name: BEGIN HERE- [Cannabis General Order home page](#)
[Cannabis General Order](#) is often referred to as the “Water Quality Permit” or “Water Quality Protection Program” General Order 2019-0001-DWQ; the guiding document for this permit.

Where to Access Information: [Central Coast Water Quality Control Board landing page](#)

Link to Permit or Portal: [Application Portal](#)

Fees: [Fee Schedule](#)

Timeline for Application: With all the information on hand, the application can take about 20 minutes. If all information is submitted correctly and in full, and fees are paid upon request, expect up to 90 days to obtain the permit.

Reporting Timeline: Use online portal login to stay up to date on what reports are due and when. Annual Monitoring Reports are required from all Tier 1 and Tier 2 cultivators (see Statewide CGO table below). Must be submitted by March 1st following the year being monitored. Use the template in the portal. Can be submitted before March 1st.

How Often to Reapply: Every 5 years

Helpful Tips: Not contingent on other permits, can apply today. It is recommended to wait until the County permit has been obtained as there are annual fees associated with this permit. The online profile will tell you about all reports due and due dates. If your operation is for personal use only (non-commercial), will disturb less than 2,000 sq.ft., and is on land with a slope of less than 20%, you will not need to acquire this permit. If you are growing completely indoors with a permanent roof and relatively impermeable floors (concrete, asphalt paved or otherwise permanent flooring) and have no outdoor water discharge you are conditionally exempt and will



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receive a waiver of exemption. It is still required to apply for outdoor cultivation. If you're issued an exemption, you will need to reapply every 5 years and there is no annual fee. Use your regular email address and check it often to be sure you always have access to your account. No paper permitting through this process. CGO requires cultivators to complete winterization requirements (found on page 62 of the [Cannabis Cultivation Policy](#)¹ Attachment A) prior to the onset of the winter period (November 15 - April 1). Disturbed area includes: Cultivation area, soil and soil amendment storage area, areas where natural plant growth has been removed, area where natural grade has been modified for any purpose, all activities associated with developing or modifying land for cannabis cultivation related activities or access. Disturbed area is always greater than the cultivation area. Roads constructed and maintained consistent with the "[Handbook for Forest, Ranch & Rural Roads](#)" guide are not considered "Disturbed Area"

Helpful [Resources](#) from CCRWQCB website.

Best Management Practices Guides

- [Watershed BMPs for Cannabis Growers](#)
- [Cannabis Cultivation BMPs Flyer](#)
- [Handbook for Forest, Ranch & Rural Roads](#)¹
- [Cannabis Pesticides](#)

Contact Information:

Division of Water Quality, Cannabis General Order (916) 341-5580 or dwq.cannabis@waterboards.ca.gov

Central Coast Regional Water Quality Control Board (805) 594-6194 or centralcoast.cannabis@waterboards.ca.gov

Cannabis Portal Checklist

1. Contact Information: For all persons involved in the grow site (cultivators, property owners, agents etc.).
2. Existing Water Rights Numbers: Any pre existing water rights information for the property.
3. Surface Water Information: If using surface water, have the name, location, stream characteristics etc of the surface water available.
4. Grow Site Information: Assessor's Parcel Number (APN), cultivation acreage, non-cannabis irrigation acreage, and number of plants.
5. Method of Water Diversion: Information on infrastructure associated with surface water diversion.



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6. Cannabis Plant Irrigation: Gallons/acre-feet of water for crop irrigation, number of irrigation days and rate. Also have information on gallons/year for incidental uses (aesthetic, recreational, etc.).
7. Water Storage: Offstream water storage information such as number of existing/proposed tanks/bladders, existing/proposed capacity.
8. Project Description: Area to be graded, diversion operation, and completed or proposed project features. Include completion schedule.
9. Site Information: Have a site location, slope of disturbed area and setback distances

Watercourse Definitions – a natural or artificial channel through which water flows (RWQCB definitions are more specific than CDFW definitions).

Perennial watercourse (Class I*): 1. In the absence of diversions, water is flowing for more than nine months during a typical year, 2. Fish always or seasonally present onsite or includes habitat to sustain fish migration and spawning, and/or 3. Spring: an area where there is concentrated discharge of groundwater that flows at the ground surface. A spring may flow any part of the year. For the purpose of this Policy, a spring does not have a defined bed and banks.

Intermittent watercourse (Class II*): 1. In the absence of diversions, water is flowing for three to nine months during a typical year, 2. Provides aquatic habitat for non-fish aquatic species, 3. Fish always or seasonally present within 1,000 feet downstream, and/or 4. Water is flowing less than three months during a typical year and the stream supports riparian vegetation.

Ephemeral watercourse (Class III*): In the absence of diversion, water is flowing less than three months during a typical year and the stream does not support riparian vegetation or aquatic life. Ephemeral watercourses typically have water flowing for a short duration after precipitation events or snowmelt and show evidence of being capable of sediment transport.

Other watercourses (Class IV*): Class IV watercourses do not support native aquatic species and are man-made, provide established domestic, agricultural, hydroelectric supply, or other beneficial use.

*Except where more restrictive, stream class designations are equivalent to the Forest Practice Rules Water Course and Lake Protection Zone definitions (California Code of Regulations, title 14, Chapter 4. Forest Practice Rules, Subchapters 4, 5, and 6 Forest District Rules, Article 6 Water Course and Lake Protection).

[This online mapping tool](#) from the CCRWQCB website may help determine the class of watercourse on your property. This is just a tool and will not necessarily be the final determination of the streamclass. If the stream classification is in question, a staff scientist may come to your property to make the final determination.



RIPARIAN SETBACKS

Cannabis cultivators shall comply with the minimum riparian setbacks described below for all land disturbance, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, petroleum powered pump locations, off-stream water storage areas, and chemical toilet placement). The riparian setbacks shall be measured from the waterbody’s bankfull stage (high flow water levels that occur every 1.5 to 2 years) or from the top edge of the waterbody bank in incised channels, whichever is more conservative. Riparian setbacks for springheads shall be measured from the springhead in all directions (circular buffer). Riparian setbacks for wetlands shall be measured from the edge of wetland as delineated by a Qualified Professional with experience implementing the Corps of Engineers Wetlands Delineation Manual (with regional supplements). The Regional Water Board Executive Officer may require additional riparian setbacks or additional requirements, as needed, to meet the performance requirement of protecting surface water from discharges that threaten water quality. If the cannabis cultivation site cannot be managed to protect water quality, the Executive Officer of the applicable Regional Water Board may revoke authorization for cannabis cultivation activities at the cannabis cultivation site.

Waterway Class Name	Waterway Class	Setback Distance
Perennial watercourse, waterbody (lakes and ponds), or springs	I	150 ft
Intermittent watercourses or wetlands	II	100 ft
Ephemeral watercourses	III	50 ft
Man made irrigation canals, water supply reservoirs, or hydroelectric canals supporting native aquatic species	IV	To the established riparian vegetation zone
All other man made	IV	N/A

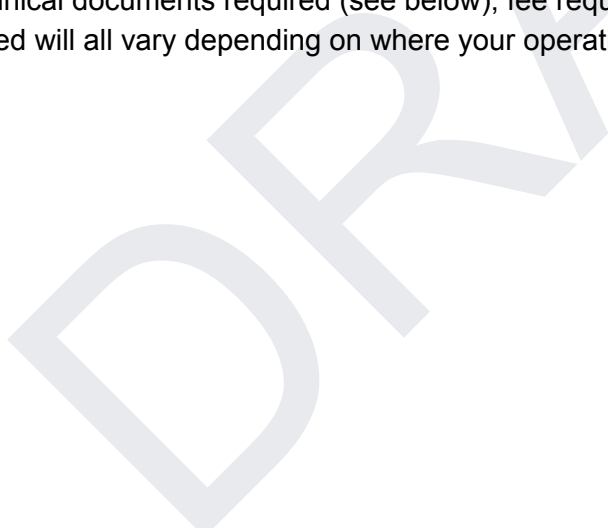


The following table defines the CGO exemptions specific to the area of an operation and its risk based on slope and proximity to riparian areas.

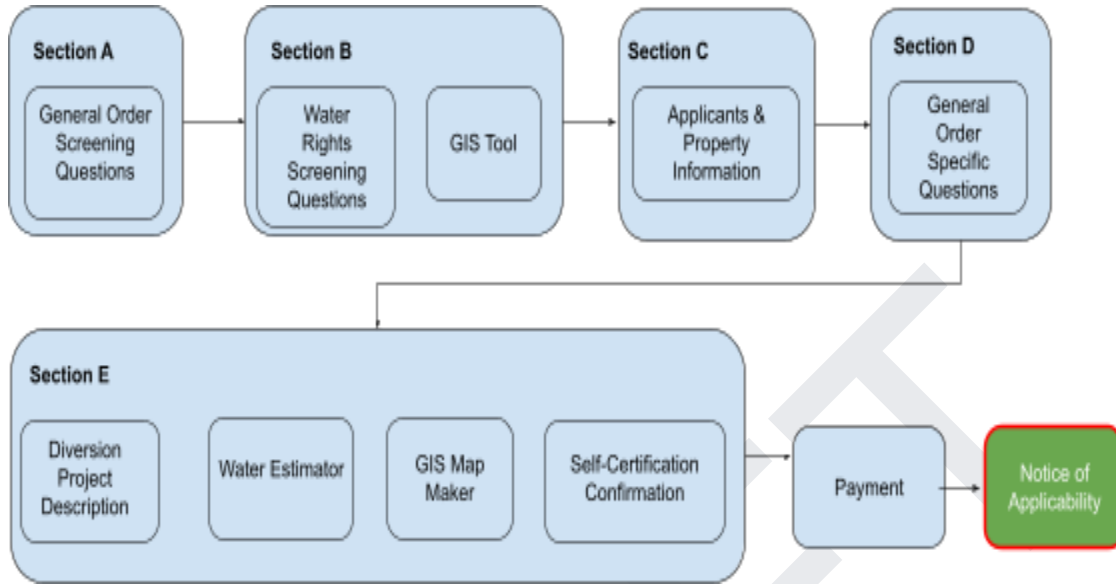
Statewide General Order			
Conditionally Exempt (CE) - outdoor, less than 2,000 sq. ft., contiguous, outside of riparian setbacks, less than 20% slope			
TIER		1	2
Disturbed Area		2,000 sq.ft to 1 acre	Equal to or greater than 1 acre
Risk	Low	Moderate	High*
Conditions	No slope greater than 30% AND not within setback requirement	Any slope between 30-50% AND not within setback requirement	ANY portion of the disturbed area is within setback requirement

* High risk category is not designed for permanent operation. If in the high risk category, work with BMP's after your development to stabilize the area and move to a moderate or low risk category. If you have to be within the high risk category and cannot move down, you are not covered by the CGO and need to pursue different permitting pathways.

**Technical documents required (see below), fee required, and annual monitoring reports required will all vary depending on where your operation fits within this table.



Online Application Portal Process Flow



Required Technical Documents

Tier	Risk	Technical Report	Timeline
Conditionally Exempt	N/A	Site Closure Report	90 days before permanent site closure
Tier 1	All	Site Management Plan Site Closure Report	Within 90 days of application 90 days before permanent site closure
Tier 1, Tier 2	Moderate	Site Erosion Sediment Control Plan	Prior to site disturbance
Tier 1, Tier 2	High	Disturbed Area Stabilization Plan	Before onset of winter period (Nove. 15)
Tier 2	All	Site Management Plan Nitrogen Management Plan Site Closure Report	Within 90 days of application Within 90 Days of Application 90 Days before permanent site closure

*Once you submit an application the timeline for technical reports begins.

**All technical documents are prompted through the online portal. Due dates and some templates through the portal.

***Site Management Plan does not require a professional consultant. Moderate and High risk technical reports (Site Erosion Control Plan, Disturbed Area Stabilization Plan) will require a professional consultant. Site Management plan is a living document and must be updated with changes at the site. Site management plans and Nitrogen Management Plan have templates on the portal.



ONLINE PORTAL FLOWCHART

APPLICANT

Enters information, gets account, answers water quality and rights questions, self certifies compliance with Cannabis General Order, Cannabis Policy, Registration Conditions

CANNABIS PORTAL PROGRAM

Generates Notice of Receipt (NOR) with fee invoice for CGO and Water Rights as applicable, stores information for upload into CIWIQS and eWRIMS databases

APPLICANT

Pays fee to state within 30 days

STAFF REVIEW

Staff work with applicant to address any deficiencies. Processing time is dependent on applicant responsiveness to address deficiencies

WATERBOARDS

Sends Notice of Applicability (NOA) to applicant, sends SIUR certs to applicant, adds technical report required to eSMR

WATERBOARDS

Review reports for compliance, inspects facilities for compliance and answers applicant questions



California Department of Fish and Wildlife (CDFW)

Reason for Permit: Permit for activities that disrupt wildlife functions related to cultivation activities

State code 1602: must notify CDFW before any activity that will:

- Substantially **divert or obstruct** natural flow of any river, stream, or lake
- Substantially **change or use any material** from bed, channel, or bank of any river, stream, or lake
- **Deposit debris, waste, or other materials** containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake

What is a river, stream, or lake? (CDFW definition is slightly different than RWQCB)

- **Perennial Streams:** Flow year-round
- **Intermittent Streams:** Flow seasonally and are dry for periods of time
- **Ephemeral Streams:** Carries water only during and immediately after precipitation events

Order of Permit Application: After County and before DCC Application

Permit Name: Lake and Streambed Alteration Agreement (LSA Agreement or LSAA) or written verification from CDFW that one isn't required for the site. May also require an Incidental Take Permit (ITP) if there are California Endangered Species Act (CESA) concerns at the site.

Where to Access Information: **BEGIN HERE-** [CDFW Cannabis Program Home Page](#), [Cannabis Cultivation Permitting](#), [LSA Home Page](#)

Link to Permit or Portal: [Environmental Permit Information Management System \(EPIMS\) Portal](#) Initial site registration may take up to 72 hours

Fees: [Fee Schedule](#) Application fees are refundable if an LSA Agreement is found not to be necessary.

Timeline for Application: Application can be submitted at any time, but must occur prior to applying through DCC.

Timeline for Regulator's Answers: 30 days to determine if your application is complete, followed by 60 days to issue a draft Standard Agreement or a letter stating one is not needed. Allow time and work with your regional office to review permit options before you begin.

How Often to Reapply: Must reapply every 5 years

Helpful Tips: [Environmental Concerns with Cannabis Cultivation](#), [Tips for completing LSAA flyer](#)



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- Examples requiring an LSA: water diversions/impoundments, stream crossings (bridge or culvert), bank stabilization/armoring, channel or lakebed modification, riparian vegetation management, in-channel maintenance.
- Allow time and work with your regional office to review permit options before you begin.
- Provide detailed information, identify all activities associated with the project including activities not taking place near water (ie. site access)
- Provide a detailed project description
- Maintain access to your EPIMS account
- Submit correct fees
- MAINTAIN A CLEAN SITE!!

Contact Information: Central Coast Region (559) 243-4005 x151

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PATHWAYS TO COMPLIANCE

Self Certification	General Agreement	Standard Agreement
<ul style="list-style-type: none"> ● Provide property location, project description, water source, project maps ● Answer questions about your project <ul style="list-style-type: none"> ○ Infrastructure ○ Construction ○ Water source ● CDFW determines: <ul style="list-style-type: none"> ○ Project qualifies= written verification that an LSAA isn't necessary ○ Project does not qualify = notify for an LSAA ● No fee required ● The majority do not qualify for Self Certification ● You will receive notification through EPIMS and the email you provided 	<ul style="list-style-type: none"> ● Only for stream crossings (bridge, culvert, or rock ford) or water diversions on non-finfish streams or lakes ● Provide property location, project description, water source, project maps, biological resource assessment, design plans, property diagram ● Answer questions about your project <ul style="list-style-type: none"> ○ Infrastructure ○ Construction ○ Water source ● Pre-written agreement ● California Environmental Quality Act (CEQA) exempt ● MUST comply with terms and conditions ● Term of 5 years ● Fees vary by project cost 	<ul style="list-style-type: none"> ● <i>Majority of cannabis cultivators use this route</i> ● Based on project and site specific conditions ● Applicant works with CDFW to avoid or minimize project impacts ● Provide property location, project description, water source, project maps, biological resource assessment, design plans, property diagram ● Answer questions about your project <ul style="list-style-type: none"> ○ Infrastructure ○ Construction ○ Water source ● CDFW review may include <ul style="list-style-type: none"> ○ additional detailed information ○ Site visit ● Must be CEQA compliant ● Fees vary by project cost



Department of Cannabis Control (DCC)

Formerly CalCannabis, Manufactured Cannabis Safety Branch, and the Bureau of Cannabis Control. All have now been combined into the Department of Cannabis Control. This is the State Permit.

Reason for Permit: State Cannabis Licensing

Order of Permit Application: Last

Permit Name: DCC Annual License (Cultivation, Distribution, Manufacturing, Testing Lab, Retail, Event Organizers).

Where to Access Information: [Department of Cannabis Control](#)¹, [How to Apply or Renew a License](#), [CA Cannabis Laws](#), [Types of Cannabis Licenses](#)¹

Link to Permit or Portal: [Application Portal by License Type](#)

Fee: [Application Fee Schedule](#)

Timeline for Application: [Key Dates](#), most of the information being requested for this permit has already been gathered for previous permits. If the applicant is diligent and responsive, anticipate 6 months for permitting.

Timeline for Regulator's Answers: Applications are reviewed in order of receipt.

Reporting Timeline: Annual re-licensing, and whenever there is a change to your operation.

How Often to Reapply: Annually, license is good for 1 year. Renewal process can begin up to 60 days from expiration date. [How to apply or renew a license](#)¹.

Helpful Tips: [Application Resources Page](#), [Application Checklist](#), [Guide to Application Attachments](#). Applicants may voluntarily provide proof of a license, permit, or other authorization documents from their local jurisdiction for the "Local Verification" step. Applications submitted with a valid local authorization document have a **10 calendar day response window** from the local jurisdiction. Applications submitted without a valid local authorization document have a **60 business day response window** from the local jurisdiction. No response from the local jurisdiction within the response window will be interpreted as affirmation of compliance.

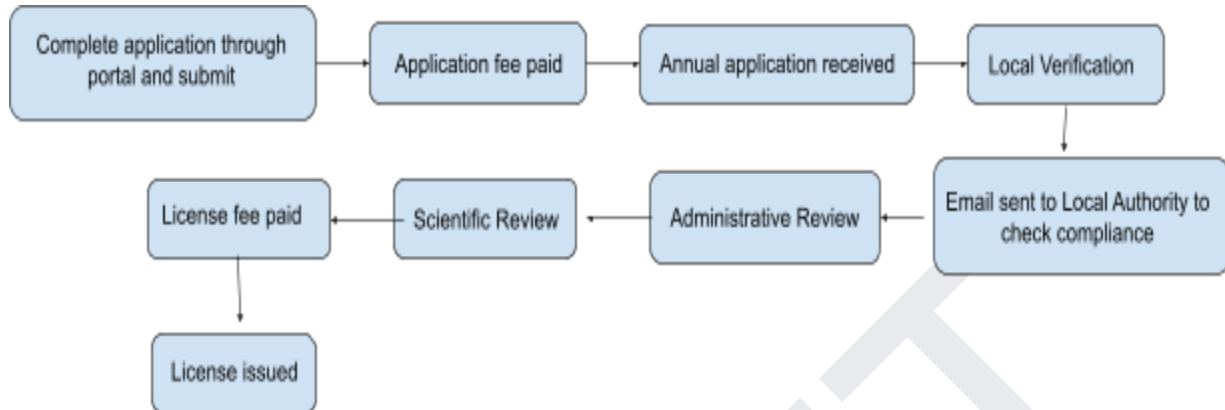
Contact info: licensing@cannabis.ca.gov or 1-(844)-612-2322



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Process Flowchart



Local Verification

DCC staff reach out to county permitting staff by email. This step includes address verification. This is an opportunity for the applicant to submit a local permit or authorization with their Annual License application. If local authorization is submitted with the Annual License application, the local authority has 10 days to respond to DCC. If not submitted with the Annual License application, the local authority has 60 day to respond.

Local response may be:

- In compliance - Application moves to Administrative review
- Not in Compliance - Review stops
- No response - Application moves to Administrative review

Administrative Review

- Business Entity Structure: Business formation documents, Seller’s Permit, [Surety Bond](#), other cannabis interests
- Right to Occupy: Owner (title or deed to property), renter/lessee (rent or lease agreement and acknowledgement letter from owner), [Landowner Approval Form](#)
- Owner Applications: Criminal history, conviction disclosures, statement of rehabilitation, legal determination of substantially related offenses, [Owner Submittal Form](#)
- Deficiencies: 180 days to supply all missing or incomplete information
- If needed: [Administrative Amendment](#)

Scientific Review

- CEQA compliance (provisional cannabis license decision) Provisional vs. Annual License
- [Cultivation Plan](#)



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- [Pest Management Plan](#)
- [Waste Management Plan](#)
- [Premises Diagram](#)
- Property Diagram
- Deficiencies - 180 days to supply missing or incomplete information
- Enrollment in the State Water Quality Protection Plan
- Lake and Streambed Alteration Agreement (LSA) (provisional license decision)
- Water source and associated documentation
- If needed: [Science Amendment](#)

Renewal of Licenses

- Submit a Science Amendment to transition from a Provisional License to an Annual License or for Provisional License Renewal Review
- Submit the Application to Renew 60 days prior to current license's expiration date and submit license renewal fee

California Cannabis Track and Trace (CCTT)

- Licensed cultivators are required to report the disposition of immature and mature plants, non-manufactured products, transfers, and waste
- Encrypted radio-frequency unique identifiers (UIDs) are required for tracking and tracing plants and packages
- UID's are provided at no cost to the licensee
- Only licensed businesses can use CCTT. After your license is issued, 10 days to:
 - Complete account manager system training
 - Request access to the system
 - Verify your account
 - Order plant/package tags
- CCTT resource guide: <https://www.metro.com/>
- CCTT Portal access: <https://ca.metro.com/log-in?ReturnUrl=%2f>

Compliance

- Compliance with regulations and cultivation plan
- Contracts through county agriculture commissioner
- Multiple inspections per year
- Notices of non-compliance
- Notices of violations (fines)
- Possible revocation of licenses



Always maintain access to your online accounts for each of these permits. Always keep paper copies of the permits at your cultivation site to be prepared for inspection. Always contact the agencies in question when a change is made to your site or your practices. When in doubt, ask.

Additional Resources

The [Get Legit Education Series](#) is a division of the Nevada County Cannabis Alliance. Their online webinars are a fantastic source of information for current and potential cannabis cultivators.

This [California Cannabis Cultivation Outreach Online Workshop](#) is very thorough and helpful for the permitting and business development process.

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