



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

CAL  CalCannabis  
Cultivation Licensing

COMMERCIAL CANNABIS  
CULTIVATION LICENSES



A Reference Guide for the

# Application Attachments



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**CalCannabis Cultivation Licensing**, a division of the California Department of Food and Agriculture (CDFA), created this document to provide guidance with the application attachments required for each annual cannabis cultivation licensing application. This document is for informational purposes and is not the official state application, nor does it include all of the application requirements. For the official state application for a commercial cannabis cultivation license, please visit CDFA's CalCannabis Cultivation Licensing website: [cannabis.cdfa.ca.gov](https://cannabis.cdfa.ca.gov).

*Updated 1/5/20*

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## INTRODUCTION

A complete application for a commercial cannabis cultivation license from the California Department of Food and Agriculture (CDFA) requires including many additional documents. The required documents are listed on this guide's Contents pages (pages 3-4) and they are explained in this guide.

## ADMINISTRATIVE REVIEW ATTACHMENTS

### SURETY BOND

Applicants must submit evidence of a surety bond in an amount of no less than \$5,000, made payable to the California Department of Food and Agriculture. To meet this requirement, contact a corporate surety company licensed for transactions in California and ask for a bond with a \$5,000 premium; the applicant is required to use the bond form posted on CDFA's CalCannabis Cultivation Licensing website:

[cdfa.ca.gov/MCCP/document/Bond%20Form%20for%20Commercial%20Cannabis 3.5.18.pdf](https://cdfa.ca.gov/MCCP/document/Bond%20Form%20for%20Commercial%20Cannabis%203.5.18.pdf).

For information about cannabis insurance in California, including licensed corporate sureties, visit this California Department of Insurance web page: [insurance.ca.gov/01-consumers/160-cannabis](https://insurance.ca.gov/01-consumers/160-cannabis). For the list of cannabis insurance companies, select the "Cannabis Insurance List."

**TIP:** Make sure you **sign** the bond before you attach it to your application! Unsigned bonds are considered incomplete and will result in a deficiency on your application, which will delay the processing of your application.

### LEGAL RIGHT TO OCCUPY PROPERTY

Applicants must submit evidence of their legal right to occupy their proposed premises, and the types of documentation required depends on who owns the property.

If the applicant **owns** the property on which the premises is located, a copy of the **title or deed** to the property is required.

If the applicant **rents or leases** the property on which the premises is located, **all** of the following documentation is required:

- documentation from the property owner stating the applicant has the right to occupy and use the property for commercial cannabis cultivation;
- the property owner's mailing address and phone number; and
- a copy of the lease, rental agreement, or another contractual property document

**TIP:** If you sublet the property, provide a copy of the “master” or “parent” lease between the property owner and sublessor. Failure to provide this will result in a deficiency with your application, which will delay the processing of your application.

## FINANCIAL INTEREST HOLDERS

Applicants must submit a complete list of financial interest holders, including the following information for each financial interest holder:

- **Business entities:** Legal business name and employer identification number
- **Individuals:** Full legal name, tax identification number (social security number, individual taxpayer identification number, or national identification number), and government identification and type of government identification

A financial interest holder is any individual or business entity with a financial interest in a commercial cannabis business **but is not an owner**, as defined in section 8103 (a) or (b) of CDFA's cannabis cultivation regulations; please review these regulations for more detailed information on owners and financial interest holders:

[static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text\\_01162019\\_Clean.pdf](https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf).

**TIP:** If there are no financial interest holders for the applicant entity, as defined by section 8103, please upload a document stating there are no financial interest holders.

CDFA has created an optional template that applicants may use to complete their Financial Interest Holders list, which is available in the Application Attachments Appendix on page 20.

## BUSINESS FORMATION DOCUMENTS

Applicants must submit all business formation documents, including all documents filed for the applicant entity with the California Secretary of State's office. Formation documents include, but are not limited to, the following:

- Articles of Incorporation
- Fictitious Business Name Statement
- Operating Agreements
- Partnership Agreements
- Statement of Information

The California Secretary of State's office maintains an online portal called Cannabizfile for information relevant to cannabis-related business filings. Using the online portal in coordination with the Secretary of State's office is highly recommended for ensuring the proper business documentation has been collected.

**TIP:** If you file a new document at the California Secretary of State's office, also upload a copy to your annual cannabis cultivation license application to avoid a deficiency notice. Instructions on how to attach documents to your application are available online: [cdfa.ca.gov/calcannabis/training/docs/AddingAttachments\\_QuickReference.pdf](https://cdfa.ca.gov/calcannabis/training/docs/AddingAttachments_QuickReference.pdf).

For more information, please visit the Cannabizfile website: [sos.ca.gov/business-programs/cannabizfile](https://sos.ca.gov/business-programs/cannabizfile).

## HOURS OF OPERATION

Applicants must provide a written statement of their hours of operation for each day of the week the applicant entity will have staff on the licensed premises. The applicant must provide a minimum of two hours of operation between 8am and 5pm (Pacific Time) on each day, Monday through Friday.



## LOCAL AUTHORIZATION DOCUMENT

Applicants may **voluntarily** provide proof of a license, permit, or other authorization documents from their local jurisdiction. 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.

## CANNABIS COOPERATIVE ASSOCIATION MEMBER LIST (IF APPLICABLE)

If the applicant entity is a cannabis cooperative association, the applicant must provide a list identifying all members of the cooperative. Identifying information shall include:

- each member's license number for commercial cannabis activity;
- the state cannabis licensing authority that issued the license; and
- the name of the licensed business

**TIP:** For a definition of cannabis cooperative associations and additional information, please review these online documents:

[leginfo.legislature.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=BPC&division=10.&title=&part=&chapter=22.&article](https://leginfo.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=BPC&division=10.&title=&part=&chapter=22.&article)

CDFA has created an optional template that applicants may use to complete their Cannabis Cooperative Association Member list, which is available in the Application Attachments Appendix on page 22.

## FOREIGN CORPORATION CERTIFICATE OF QUALIFICATION (IF APPLICABLE)

If the applicant entity is a foreign corporation (an out-of-state or out-of-country corporation), a certificate of qualification issued by the California Secretary of State's office must be submitted. For more information, please visit the California Secretary of State's website: [sos.ca.gov](https://sos.ca.gov).



### **PRIORITY REVIEW—COMPASSIONATE USE ACT OF 1996 (IF APPLICABLE)**

The “priority review” of annual license applications shall be given to applicants who can demonstrate the applicant entity was in operation under the Compassionate Use Act of 1996 before September 1, 2016. Eligibility for priority application review shall be demonstrated by any of the following, **dated prior to September 1, 2016**:

- Collective or cooperative membership agreement
- Incorporation documents filed with the Secretary of State’s office
- Local license, permit, or other authorization
- Tax or business forms submitted to the California Department of Tax and Fee Administration or Franchise Tax Board
- Any other verifiable business record adequate to demonstrate the operation of the business prior to September 1, 2016
- Any applicant identified by the local jurisdiction pursuant to section 26054.2(b) of the Business and Professions Code

### **LIMITED WAIVER OF SOVEREIGN IMMUNITY (IF APPLICABLE)**

If applicants fall within the scope of sovereign immunity, which may be asserted by a federally recognizable tribe or another sovereign entity, they shall provide a written limited waiver. The written limited waiver shall include that the applicant or licensee has the lawful authority to enter into the waiver, required by section 8102 (cc) of CDFA’s cannabis cultivation regulations; the applicant or licensee hereby waives sovereign immunity; and the applicant or licensee agrees to complete all of the steps listed in section 8102 (1) of the regulations. Please review section 8102 (cc) and (1) of the regulations, which are posted online:

[static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text\\_01162019\\_Clean.pdf](http://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf)

### CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION'S SELLER'S PERMIT WAIVER (IF APPLICABLE)

If a seller's permit is not needed, confirmation from the California Department of Tax and Fee Administration must be included in the application. For more information about the Seller's Permit, please visit [cannabis.ca.gov/tax-permits](https://cannabis.ca.gov/tax-permits).

### LABOR PEACE AGREEMENT (IF APPLICABLE)

If, at the time of application, the applicant entity has **20 or more employees on the payroll**, the applicant shall submit a copy of the labor peace agreement page that contains the signatures of the union representative and the applicant. If the applicant entity has not yet entered into a labor peace agreement, the applicant shall provide a notarized statement that the applicant will enter into and abide by the terms of a labor peace agreement. The applicant shall provide a copy of the labor peace agreement page that contains the signatures of the union representative and the licensee as soon as is reasonably practicable after licensure. If an applicant has **fewer than 20 employees**, a notarized statement should be provided with the application indicating the applicant will enter into and abide by the terms of a labor peace agreement within 60 days of employing its twentieth employee. A copy of the labor peace agreement page that contains the signatures of the union representative and the licensee shall be provided as soon as it is reasonably practical after the agreement is in place.

### OWNER APPLICATION REVIEW ATTACHMENTS

#### COPY OF GOVERNMENT-ISSUED IDENTIFICATION

Owners must submit a copy of their government-issued identification. An acceptable form of identification is a document issued by a federal, state, county, or municipal government that contains **the name, date of birth, physical description, and picture of the individual**. Examples of acceptable forms of identification include, but are not limited to, the following:

- state driver's license
- state identification card
- passport

## LIVE SCAN FORM

Owners must provide a copy of their submitted Department of Justice application for electronic fingerprint images—also known as a Live Scan form. **Live Scan forms completed for other licensing agencies are NOT acceptable.** To obtain a Live Scan form for CDFA’s cannabis cultivation licensing application, please visit CDFA’s eLearning page:  
[cdfa.ca.gov/calcannabis/training](https://cdfa.ca.gov/calcannabis/training).

**TIP:** To find a Live Scan operator near you, visit the “Live Scan Locations” web page:  
[oag.ca.gov/fingerprints/locations](https://oag.ca.gov/fingerprints/locations).

## CRIMINAL CONVICTION DISCLOSURE FORM (IF APPLICABLE)

If an owner answers “Yes” to question 1 of Section D.3 of the owner application (the “Acknowledge Owner Disclosures” section on the online application), the owner must provide a detailed description of any criminal conviction with the following information:

- date of conviction
- date(s) of incarceration (if applicable)
- date(s) of probation (if applicable)
- date(s) of parole (if applicable)
- a detailed description of the offense for which the owner was convicted
- a statement of rehabilitation written by the owner for each conviction

**TIP:** You can use the Criminal Conviction Disclosure form available online:  
[static.cdfa.ca.gov/MCCP/document/Criminal%20Conviction%20Disclosure%20Form%20-%2020180418.pdf](https://static.cdfa.ca.gov/MCCP/document/Criminal%20Conviction%20Disclosure%20Form%20-%2020180418.pdf).

The owner may attach the following items to the statement of rehabilitation, if applicable:

- evidence of dismissal under sections 1203.4, 1203.4a, and 1203.41 of the Penal Code or another state’s similar law
- certificate of rehabilitation under section 4852.01 of the Penal Code

- dated letters of reference from employers, instructors, and/or professional counselors that contain valid contact information for the individual providing the reference

### **OWNER DISCLOSURE STATEMENTS (IF APPLICABLE)**

If an owner answers “Yes” to any of the owner disclosure questions—except question 1 regarding criminal conviction disclosure (see the preceding directions)—the owner must provide a statement with a detailed description of the following:

- any administrative orders or civil judgements for violations of labor standards, and/or
- any suspension of a commercial cannabis license, revocation of a commercial cannabis license, or sanctions for unlicensed commercial cannabis activity by a licensing authority, local agency, or state agency against the applicant or a business entity in which the applicant was an owner or officer within three years immediately preceding the date of the application

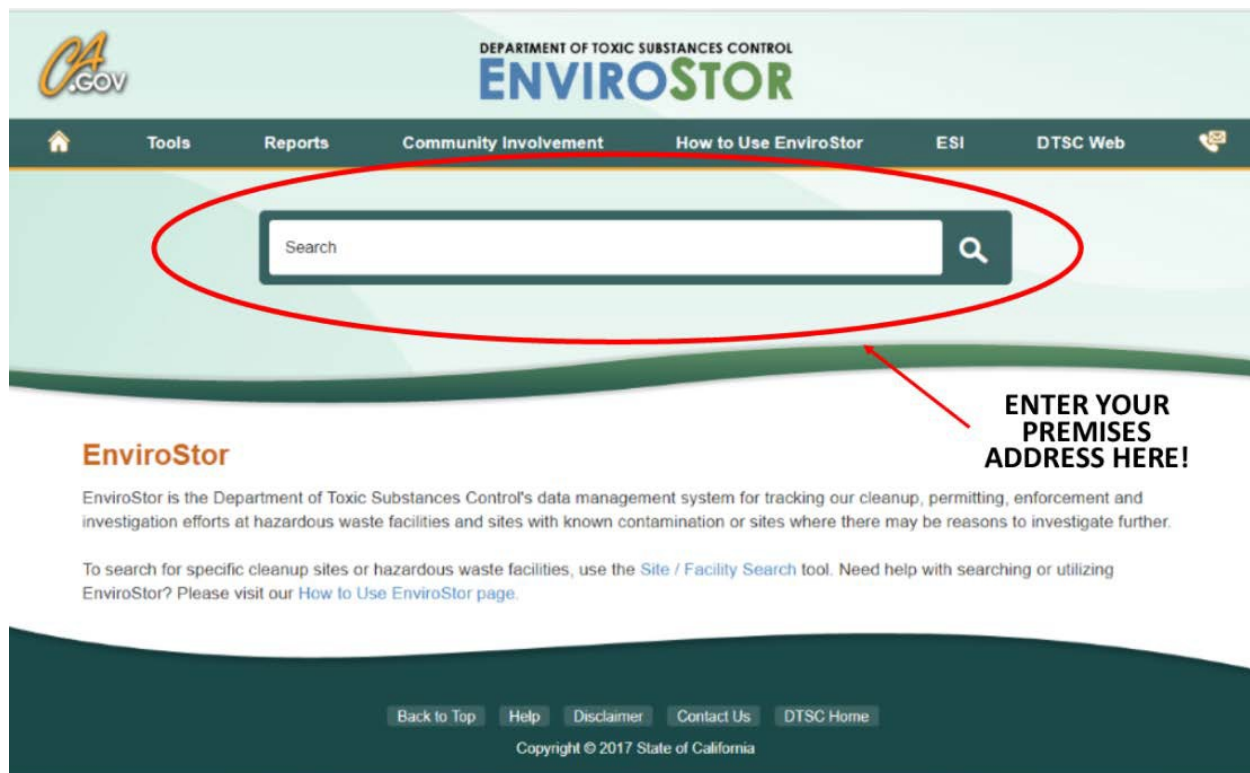
### **SCIENTIFIC DOCUMENTATION**

#### **ENVIROSTOR RECORDS**

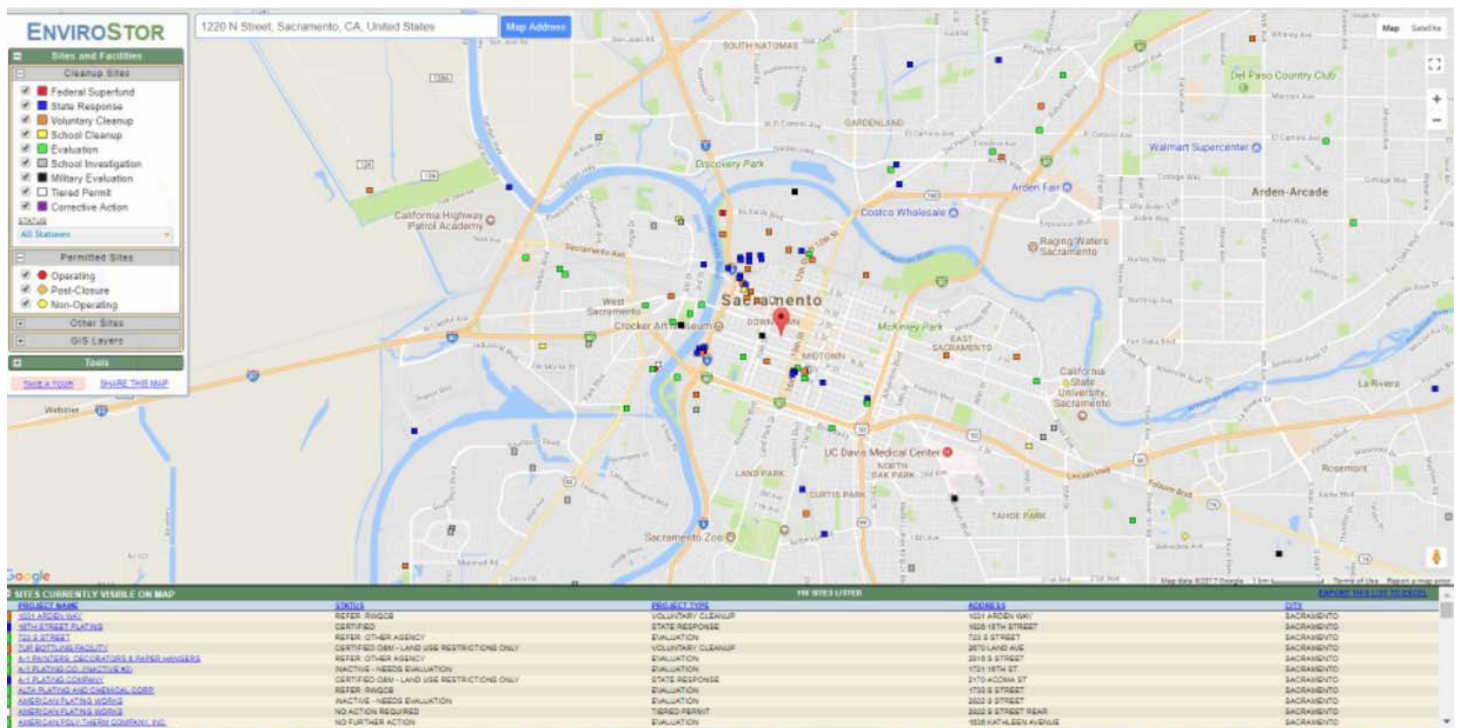
Applicants must submit evidence that a hazardous-materials record search of the EnviroStor database has been completed; if hazardous sites are encountered on an applicant’s proposed premises, then documentation outlining employee health-and-safety protocols also must be provided. EnviroStor is the California Department of Toxic Substances Control's data-management system for tracking the cleanup, permitting, enforcement, and investigation efforts of hazardous-waste facilities and sites with known contamination, or sites where there may be a need for further investigation.

To access EnviroStor, please visit the website: [envirostor.dtsc.ca.gov/public](https://envirostor.dtsc.ca.gov/public). See pages 13-14 for additional directions.

1. Enter the premises address (or GPS coordinates) in the search bar, as shown below.



2. Take a screenshot of the search results (see the sample screenshot below) and save a digital copy to attach to the cannabis cultivation licensing application.



## CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) DOCUMENT

Applicants must submit a copy of a final Lake or Streambed Alteration Agreement or written verification from CDFW that one is not needed.

To qualify for a provisional commercial cannabis cultivation license, evidence that compliance is underway with CDFW must be provided by the applicant. CDFA will determine whether the applicant will receive a provisional license or an annual license based on the evidence provided.

For more information about the California Department of Fish and Wildlife Cannabis Program, please visit their website: [wildlife.ca.gov/Conservation/Cannabis](https://wildlife.ca.gov/Conservation/Cannabis).

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Applicants must submit evidence of one of the following: full compliance with the California Environmental Quality Act (CEQA), proof that compliance with CEQA is underway, or proof of exemption from CEQA. Any CEQA document and determination provided must be project-specific and must correlate with the location, address, and/or assessor parcel number of the applicant's cultivation site.

If the applicant's local jurisdiction has completed the CEQA process, the following documentation must be provided:

- If the applicant's project is exempt from CEQA:
  - a CEQA exemption document signed by the local jurisdiction, which may include, but is not limited to, a Notice of Exemption and/or a signed resolution from the local jurisdiction that approves the exemption determination; and
  - a project description and/or any accompanying permitting documentation that the local jurisdiction used for satisfying the CEQA exemption determination
- If the applicant's project is not exempt from CEQA:
  - a signed copy of a Notice of Determination;
  - a copy of the CEQA document or a reference to where it can be located electronically; and
  - a project description and/or any accompanying permitting documentation that the local jurisdiction used for satisfying CEQA compliance

If the CEQA documentation provided is a project-specific Initial Study, accompanied by a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report, then the project-specific Notice of Determination also must be provided.



If no evidence of a CEQA approval exists, or if the local jurisdiction did not prepare a CEQA document, the applicant should contact CDFA's CalCannabis Cultivation Licensing Division for further instructions on completing the required CEQA compliance documentation.

To qualify for a provisional commercial cannabis cultivation license, evidence that CEQA compliance is underway must be provided by the applicant. CDFA will determine whether the applicant will receive a provisional license or an annual license based on the evidence provided.

For more information about CEQA compliance, please contact your local jurisdiction.

## WATER SOURCE DOCUMENTATION

Applicants must report information for **each water source** associated with cannabis cultivation activities. The types of water sources, and the attachments required for each type of water source associated with the beneficial use of commercial cannabis irrigation, are described below.

For more information about types of water sources, please visit the State Water Resources Control Board website: [waterboards.ca.gov/water\\_issues/programs/cannabis](https://waterboards.ca.gov/water_issues/programs/cannabis).

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### RETAIL-WATER SUPPLIER

A retail-water supplier is any local entity, including a public agency, city, county, or private water company, that provides retail-water service. Unless an applicant's retail-water supplier is a "small retail-water supplier," as described below, the applicant needs to provide:

- the name of the retail-water supplier; and
- a copy of the most recent water service bill

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## SMALL RETAIL-WATER SUPPLIER

A small retail-water supplier has 10 or fewer customers, delivers 10 percent or more of the diverted water to one or more cannabis cultivators or cannabis cultivation sites (as established by an assessor's parcel number), delivers 25 percent or more of the water used for cannabis cultivation, or is an affiliate of the applicant, pursuant to California Code of Regulations, title 23, section 2814.20. Applicants must submit the information about the small retail-water supplier based on their water source, as outlined below.

### **Delivery or Pickup From a Surface Waterbody or Underground Stream**

If an applicant's small retail-water supplier contract is for delivery or pickup from a surface waterbody or an underground stream flowing in a known and definite channel, the following information must be provided:

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 and 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;
4. maximum amount of water (in gallons) delivered to the applicant for cannabis cultivation in any year; and
5. a copy of the most recent water service bill

### **Delivery or Pickup of Water From a Groundwater Well**

If an applicant's small retail-water supplier contract is for delivery or pickup of water from a groundwater well, the following information must be provided:

1. name of the retail-water supplier under contract;
2. geographic location coordinates for any groundwater well used to supply water to the applicant, in either latitude and longitude or the California Coordinate System;
3. maximum amount of water (in gallons) delivered to the applicant for cannabis cultivation in any year;

4. a copy of the well completion report filed with the California Department of Water Resources (CDWR), pursuant to section 13751 of the Water Code, for each percolating groundwater well used to divert water to the applicant, and if a well completion report is not available, evidence from CDWR must be provided that indicates the department does not have a well log record; and
5. a copy of the most recent water service bill

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#### GROUNDWATER WELL

If an applicant's water source is a groundwater well, the following information must be provided:

1. the groundwater well's geographic location coordinates in either latitude and longitude or the California Coordinate System; and
2. a copy of the well completion report filed with the California Department of Water Resources (CDWR), pursuant to section 13751 of the Water Code, and if a well completion report is not available, evidence from CDWR must be provided indicating the department does not have a well log record

More information regarding wells and well completion reports can be found at the California Department of Water Resources website: [water.ca.gov/Programs/Groundwater-Management/Wells](https://water.ca.gov/Programs/Groundwater-Management/Wells).

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#### RAINWATER CATCHMENT SYSTEM

If an applicant's water source is a rainwater catchment system, the following information must be provided:

1. a detailed description and photographs of the rainwater catchment system infrastructure, including the location, size, and type of all surface areas that collect rainwater (examples of rainwater collection surface areas include a rooftop and greenhouse);
2. total square footage of the catchment footprint area(s); and
3. total storage capacity (in gallons) of the catchment system(s)

## DIVERSION FROM A WATERBODY

If an applicant's water source is a diversion from a waterbody (such as a river, stream, creek, pond, lake, etc.), provide any applicable water right statement, application, permit, license, or small irrigation use **registration identification numbers and one of the following**:

1. a copy of any applicable water right statement, 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, that provides evidence of water diversion approval by the State Water Resources Control Board (SWRCB); or
2. if the applicant has claimed an exemption from the requirement to file a statement of diversion and use, pursuant to section 5101 of the Water Code, the applicant shall provide a copy of the documentation that was submitted to the SWRCB before January 1, 2019, to demonstrate the diversion was subject to subdivision (a), (c), (d), or (e) of section 5101 of the Water Code

## ENROLLMENT IN A WATER QUALITY PROTECTION PROGRAM

Applicants must enroll in or transition to an applicable waste discharge program administered by the State Water Resources Control Board (SWRCB). Under the Cannabis General Order, the SWRCB will issue a **Notice of Applicability** or **Notice of Non-Applicability**, which must be submitted with the application.

For more information about the SWRCB's Cannabis General Order, please visit:  
[waterboards.ca.gov/water\\_issues/programs/cannabis/cannabis\\_water\\_quality.html](https://waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html).

## OPTIONAL TEMPLATES: APPLICATION ATTACHMENTS APPENDIX

### FINANCIAL INTEREST HOLDERS STATEMENT

Financial interest holders are any individual or business entity with a financial interest in a commercial cannabis business, **but are not owners**, as defined in Title 3, section 8103 (a) or (b). Please review section 8103 of the cannabis cultivation regulations for more information on owners and financial interest holders:

[static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text\\_01162019\\_Clean.pdf](http://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf).

#### FINANCIAL INTEREST HOLDERS FORM

##### Individuals:

Legal Name	Tax Identification Number	Government Identification Number	Type of Government Identification

Attach additional sheets of paper as needed.

**Businesses:**

Legal Business Name	Employer Identification Number

Attach additional sheets of paper as needed.

**TIP:** If the applicant entity does not have any financial interest holders, please note this on the form and submit it with the application package.

## CANNABIS COOPERATIVE ASSOCIATION MEMBER LIST

For applicants who comprise a cannabis cooperative, as defined by division 10, chapter 22 (commencing with section 26220) of the Business and Professions Code, identification of all members must be disclosed. Identifying information shall include each member's license number for commercial cannabis activity, the licensing authority that issued the license, and the name of the licensed business.

### CANNABIS COOPERATIVE ASSOCIATION MEMBER FORM

Member's License Number	Issuing Licensing Authority	Name of the Licensed Business

Attach additional sheets of paper as needed.