

# Dirt to Dispensary Workshop Series

Workshop #3

Ordinance Standards and BMPs

[SonomaCounty.ca.gov/Cannabis](https://sonomacounty.ca.gov/Cannabis)

[Cannabis@Sonoma-county.org](mailto:Cannabis@Sonoma-county.org)

707-565-2420



# Transition Period & Penalty Relief

## Non-Permit-Eligible Locations

- Existed in Sonoma County prior to January 1, 2016
- May continue to operate until January 2, 2018
- Operating requirements
  - No increase in cultivation area
  - Operating Standards & Best Management Practices
- Comply with tax requirements

# Transition Period & Penalty Relief

## Permit-Eligible Locations

- Existed in Sonoma County prior to January 1, 2016
- Must file initial application by August 31, 2016
- Complete application by January 1, 2018
  - Biotic assessment, hydro-geologic study, Water Board compliance
- Operating requirements
  - No increase in cultivation area
  - Operating Standards & Best Management Practices
- Comply with tax requirements

# Transition Period & Penalty Relief

## Permit-Eligible Locations

- Existed in Sonoma County prior to July 1, 2017
- Must file complete application by August 31, 2016
- Operating requirements
  - Cultivation area in compliance with permit type
  - Site development standards
  - Operating Standards & Best Management Practices
- Comply with tax requirements



# Cannabis Tax Policy

- Board of Supervisors Study Session May 23<sup>rd</sup>
- Policy issues considered:
  - Which operators to tax
  - Tax rates
  - Timing of tax payments for outdoor growers
  - Locking in rates
  - Taxes during Transition Period
- Email blast to be sent out tomorrow
- Submit comments to [cannabis@sonoma-county.org](mailto:cannabis@sonoma-county.org)

# Cannabis Advisory Group Update

- Over 80 Applications Received
- Board of Supervisors Ad Hoc are Reviewing
- Board appointments Expected in Early July



# Ordinance Standards

- Odor Control Filtration Device Required
- 100% Renewable Energy
- Occupational Safety
- Inspections
- Hours of Operation
  - Deliveries and Processing Limited to 8-5, unless otherwise specified within the Use Permit



# Sonoma County Noise Standard

Table NE-2, Sonoma County General Plan Noise Element

Hourly Noise Metric, dBA	7:00 AM to 10 PM	10 PM to 7:00 AM
L50 (30 minutes/hour)	50	45
L25 (15 minutes/hour)	55	50
L08 (4 min 48 seconds/hr)	60	55
L02 (72 seconds/hour)	65	60



# Hazardous Materials

- Inspections by Fire and Emergency Services Dept
- Operational Permits may be Required
- Hazardous Materials Business Plan Required for:
  - Greater than 55 gallons of liquid
  - 200 standard cubic feet of compressed gas
  - 500 lbs of a solid

Questions- (707)565-1152

<http://sonomacounty.ca.gov/FES/Fire-Prevention/Cannabis/>



# Water Supply Standard

Well Water: Water Scare Areas (Class 4)/ Groundwater Management Plan areas/Priority Basin...require a “no net increase in water use” through conservation methods

**OR**

Prepare a hydro-geologic report

- Well Monitoring, with Easement, Required



# Water Supply

- Fish and Game Code Section 1602 requires notification to F&G prior to any activity that substantially diverts or obstructs the natural flow, or changes or uses material from any river, stream, or lake.
- Examples:
  - Diversion of water by pump or well
  - Road Crossings
  - On-stream reservoirs or ponds



# Department of Agriculture / Weights & Measures (AWM)

**Andrew Smith**



# Workshop 1 Review: Which permits will AWM issue?

- Outdoor zoning permits in agriculture zoned areas:

LAND USE	MAXIMUM CULTIVATION AREA PER PARCEL (square feet or plant)	MINIMUM PARCEL SIZE	STATE LICENSE TYPE	Agricultural		
				Land Intensive Agriculture	Land Extensive Agriculture	Diverse Agriculture
				LIA <sup>1</sup>	LEA <sup>1</sup>	DA <sup>1</sup>
<b>MEDICAL AND ADULT USE CANNABIS</b>						
Personal Cultivation <sup>2</sup>	100 sq ft including up to 6 plants for adult use, per residence	None	exempt	P	P	P
<b>MEDICAL CANNABIS USES</b>						
Nursery	per use permit					
Wholesale (outdoor)	43,560		4	CUP	CUP	CUP
Wholesale (indoor/greenhouse)	22,000		4	CUP <sup>3</sup>	CUP	CUP
<b>Outdoor Cultivation</b>						
Cottage	25 plants	2 ac	1C	ZP	ZP	ZP
Specialty Outdoor	5,000 sq. ft. or 50 plants	3 ac	1	CUP	ZP	ZP
Small Outdoor	5,001 - 10,000	5 ac	2	CUP	ZP	ZP
Medium Outdoor	10,001 - 43,560	10 ac	3	CUP	CUP	CUP

- Land Intensive Agriculture (LIA)
- Land Extensive Agriculture (LEA)
- Diverse Agriculture (DA)
- Get comfy with the ordinance

# Workshop 2 Review: Permit Application Process with AWM

- The Checklist
- The Application
- Be sure you have a complete application (Use the checklist and the BMPs to guide site planning)
- Intake, Review, Visit/Inspect, Approve
- Mid Season BMP Compliance Inspection



# What we'll be covering today

- Overview of Best Management Practices for Cultivation and Nursery
- Development Criteria: Setbacks, Buildings, Biotic Resources, Biological Assessments, Cultural Resources
- Grading, Drainage and Access: >15% rule
- Runoff and Storm water

# Best Management Practices (BMPs): They're Everywhere!

- The Ag Commissioner shall determine the BMPs and shall enforce the provisions for outdoor
- Mgmt. of fertilizers and pesticides for all cultivation types
- How many different BMP lists are there?



# Which BMP lists are referenced?

- Riparian Corridor
- Vineyard Erosion and Sediment Control (Chapter 11)
- Regional Water Quality Control Board

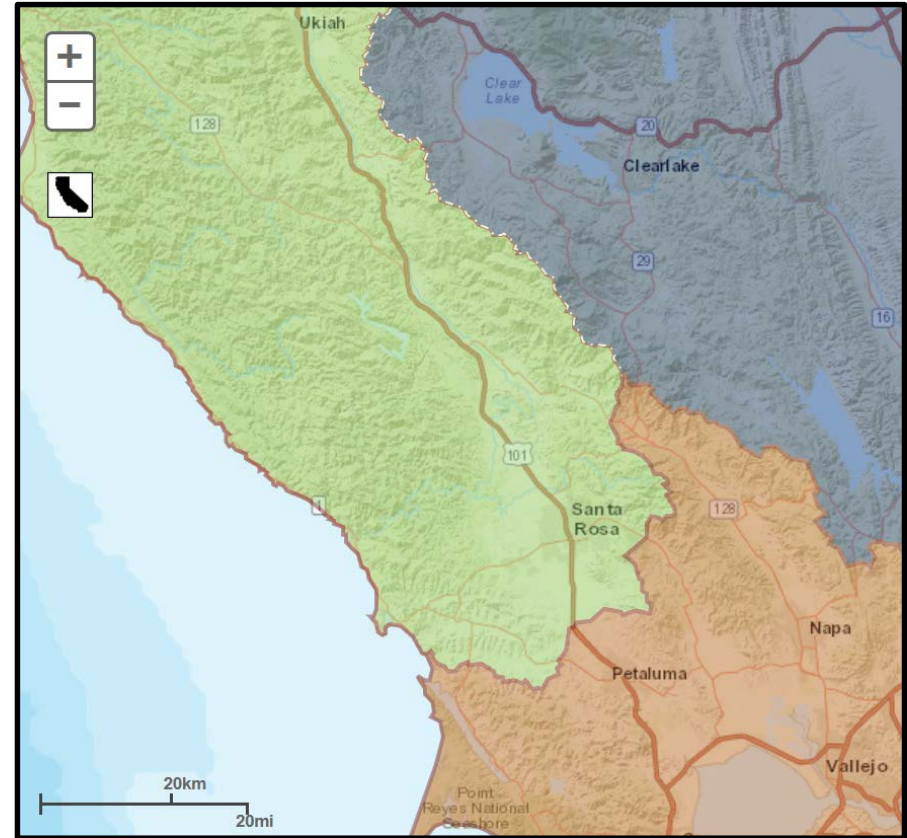
# Cannabis Cultivation BMPs

- Designed for in-ground cultivation
- Shall be applied to container grown stock
- Water Quality BMPs apply to everyone



# The Caveat

- Are you in Region 1?
- Then you file your Notice of Intent
- Implement water resource protection plan
- Use the Region 1 BMPs to comply with their Standard Conditions



# Standard Conditions

- Site maintenance, erosion control and drainage features
- Stream crossing maintenance and improvement
- Stream and wetland buffers
- Spoils management
- Water storage and use
- Irrigation runoff
- Fertilizers and soil amendments
- Pesticides
- Petroleum products and other chemicals
- Cultivation-related wastes
- Refuse and human waste, and
- Remediation, cleanup, and restoration activities



# Outdoor: Pesticide and Fertilizer Storage

- Storage areas located outside riparian corridor setbacks
- Not located within 100 feet of a well
- Protect from weather
- Keep products off the ground
- Shelving and trays capable of providing secondary containment
- Have a spill cleanup kit on site



# Outdoor: Pesticide Use

- Plant clean stock!
- Follow all pesticide laws and regulations
- Obtain an Operator Identification Number
- Submit Use Reports
- Products with signal word “CAUTION” and listed food uses... comply with:
  - Protective equipment
  - Application method and rate
  - Environmental Hazards
  - Longest restricted entry interval (REI)
- For all other pesticides: Follow the label



# Outdoor: Fertilizer Use and Soil Fertility Management

- Check/test water, soils, etc.
- Apply fertilizers at label rates
- Do not apply in a manner that will result in runoff



# Outdoor: Riparian Protection

- Follow Riparian Corridor setbacks for agricultural cultivation
- No removal of riparian vegetation within the setback
- No equipment, vehicles, or other materials stored in the setback
- No Composting areas located within the setback





# Outdoor: Water Use and Storage

- Irrigation must not result in runoff from cultivated areas
- Any water storage system must be properly permitted
- The use of water bladders is prohibited
- Inspect and repair irrigation
- Equip irrigation systems with backflow prevention
- Document your system



# Outdoor: Waste Management

- Recycle or properly dispose of all plastics
- Dispose of all green waste in a manner that will not discharge pollutants
- Compost, chip, shred.
- Minimize or prevent discharge from used media into watercourses
- Composting - outside of riparian setback
- Methods must be documented



# Outdoor: Erosion and Sediment Control

- Vegetative barriers along property boundaries and interior watercourses
- Avoid soil disturbance between November 1 and April 15
- All bare soil must be covered by 2 inches of mulch, straw, etc. by November 15; or by cover crop
- Establish thick cover crops
- Erosion control materials - available on site
- ANY grading or drainage - permits



# Indoor: Pesticide Use

- Plant clean stock!
- Follow pesticide laws and regulations
- Operator Identification Number
- Submit Use Reports
- Products with signal word “CAUTION” and listed food uses... comply with:
  - Protective equipment
  - Application method and rate
  - Environmental Hazards
  - Longest restricted entry interval (REI)
- For all other pesticides: Follow the label

# Indoor: Waste Management

- Recycle or properly dispose of all plastics
- Dispose of all green waste in a manner that will not discharge pollutants
- Compost, chip, shred.
- Minimize or prevent discharge from used media into watercourses
- Composting - outside of riparian setback
- Excess irrigation water or effluent from indoor
- Methods must be documented



# Indoor: Water Use

- Inspect and repair irrigation
- Any water storage system must be properly permitted
- Equip irrigation systems with backflow prevention
- Nutrient solution storage systems; consider secondary containment depending on size!

# Pre-Approval Site Inspections

- Verification of Setbacks
- The Cultivation Area
- Structures
- Water Supply/Management Plans
- Waste Management
- Security and Fencing



# Mid-Season BMP/Operational Standards Compliance Inspection

- Evaluating operations compliance with BMPs
- These Inspections are performed to assess permitted canopy square footage
- We are there to help you assess what was planned in your permit application





# Takeaways

- The BMPs provide guidance as you prepare water, waste, and other plans for your permit application
- The BMPs are practicable ideas to help you manage your land, protect resources and improve value
- Each of your different plans are narratives of what your operation will be doing with resources
- Building a farm plan
- Write it all out; Methods must be documented





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