

Santa Cruz County Agricultural Commissioner's Office (Santa Cruz CAC)

Juan Hidalgo – Agricultural Commissioner



Agricultural Division

- Oversight of California agricultural laws and regulations – Food & Ag Code (FAC) and CA Code of Regulations (CCR) on the county level.
- Inspections, audits, compliance assistance, outreach and enforcement.



Pesticide Use by Commercial Cannabis Cultivation Operations

- **What is a pesticide?** Under state and federal law, a pesticide is any substance intended to *control, destroy, repel, or attract a pest.*
- Insecticides, fungicides, herbicides, rodenticides are all examples of types of pesticides.
 - Conventional
 - Organic
 - FIFRA 25(b)
- ***If you use pesticides on commercially cultivated cannabis, state pesticide laws & regulations will apply to your operation.***

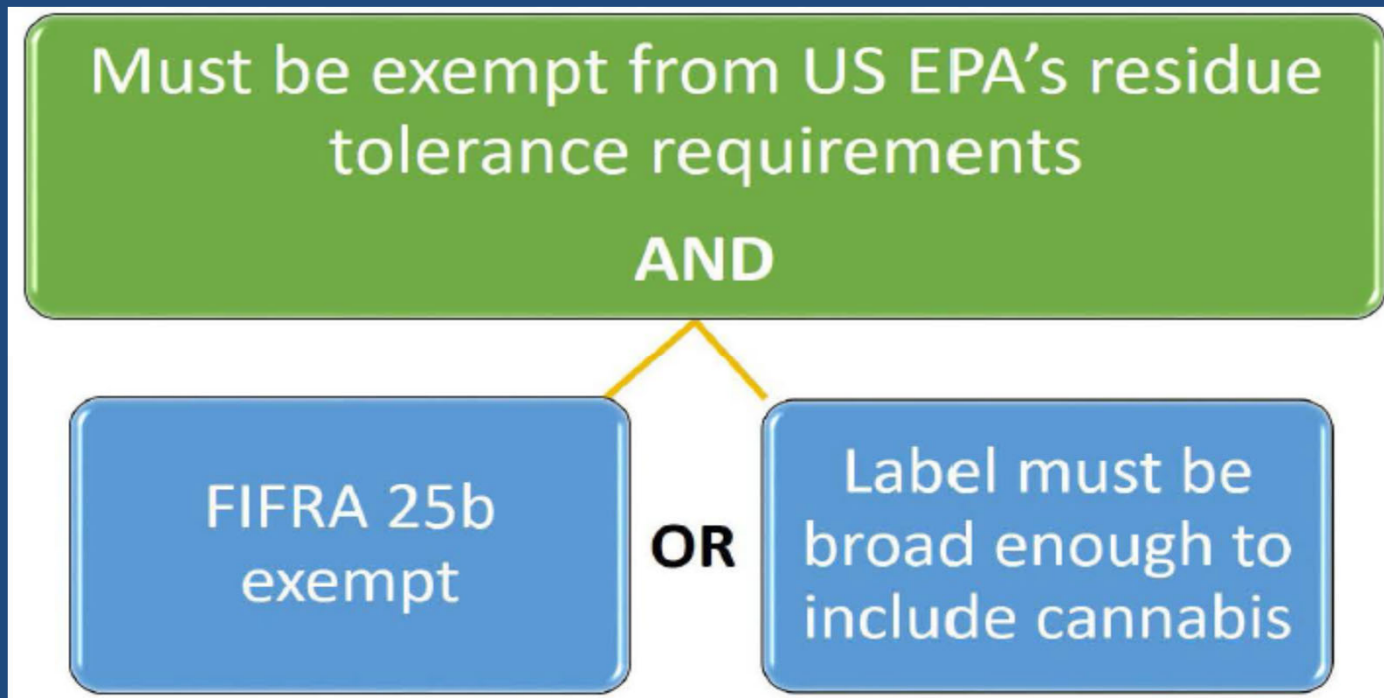


What are the requirements to purchase and use pesticides on commercial cannabis?

- If you intend to purchase and apply pesticides as part of your *commercial cannabis* growing operation, you will need to:
 1. Obtain an Operator Identification Number from the CAC.
 2. Follow pesticide label requirements.
 3. Follow applicable state pesticide regulations.
 4. Submit monthly pesticide use reports.
 - 5.* Obtain Qualified/Private Applicator Certification and conduct employee pesticide safety training annually.
- * If your operation employs anyone who will handle pesticides or work in treated fields/greenhouses.

What pesticides can be used for cannabis cultivation?

- Registered pesticide labels are federal documents. Currently, you will not find any registered pesticide labeling that authorizes the use of any pesticide specifically on cannabis.
- A pesticide product can legally be applied to cannabis under state law if the active ingredient found in the product is exempt from residue tolerance requirements and the product is either exempt from registration requirements or registered for a use that is broad enough to include use on cannabis.



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**175 Westridge Drive
Watsonville, CA 95076
(831) 763-8080**

www.agdept.com

Weights & Measures





Topics

- Scale Requirements

- Weighmaster License

- W&M Labeling

(Federal Packaging and Labeling Act)

Scale Requirements - NTEP

- ▶ Must be NTEP approved (National Type Evaluation Program)
 - ▶ Should have NTEP CC# (Certificate of Conformance)
 - ▶ CC# always has the format YY-### (e.g. 19-001)
 - ▶ CC# can be confirmed at www.ncwm.net/certificates





NTEP Certificates of Conformance Database Search

Search Tips: [How to Use the NTEP Database \(Slides\)](#)

- To ensure the most current Certificate of Conformance is found, **only** enter the **first five digits**. (i.e. 00-000)
- Enter data into at least one field to begin search.
- To ensure the broadest search, enter the **fewest** criteria. (i.e. CC Number or Manufacturer)
- Enter partial names, certificate or model numbers to expand your search.
- Drop-down menu functionality may be affected by older versions of Internet Explorer (IE).

Active Status: Devices are being manufactured or re-manufactured for commercial application under an NTEP Certificate of Conformance. This means that the Certificate is in force and all fees have been paid.

Inactive Status: An inactive Certificate of Conformance is a Certificate which was previously active, but the devices are no longer being manufactured for commercial applications subject to local regulations or laws; however, devices already manufactured, installed or in inventory, but not yet sold, may be used, sold, repaired and resold under inactive Certificates of Conformance.

For assistance with your search, contact NCWM at (402) 434-4880 or info@ncwm.net.

[NTEP Certificates issued during the month of November 2018](#)

CC Number Status Manufacturer Model Number Device Type Keyword



NTEP
NTEP CERTIFICATE SEARCH
NTEP APPLICATIONS

MEMBERS
MEMBER DIRECTORY
JOIN NOW!

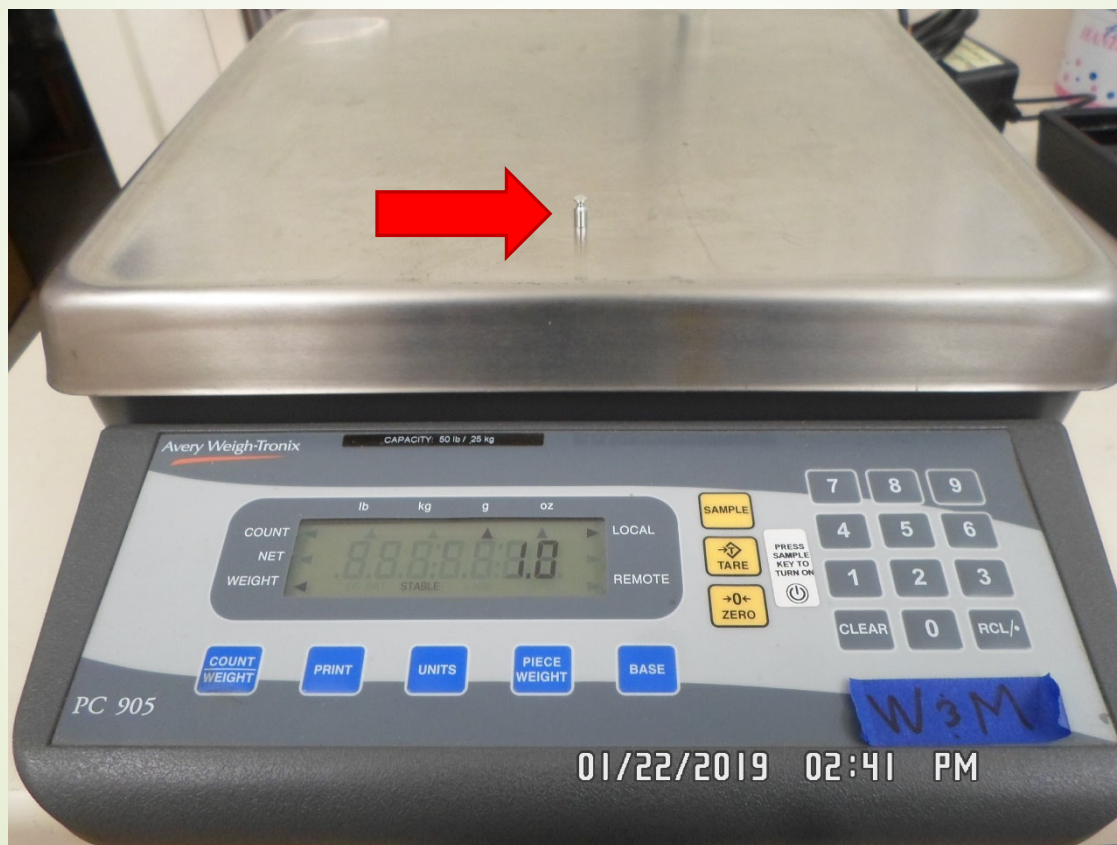
PUBLICATIONS
NCWM PUBLICATION 14
NIST HANDBOOKS

MEETINGS
2019 INTERIM MEETING REGISTRATION
2019 ANNUAL MEETING REGISTRATION

< JANUARY 2019 >

S	M	T	W	T	F	S
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2

Scale Requirements – Sensitivity



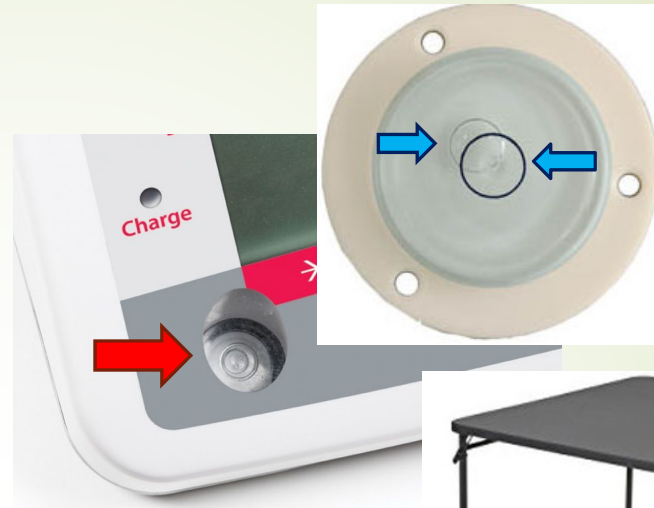
Scale Requirements – Sensitivity

- The bracket around hundredths (0.00) indicate it is not legal for trade
- Only certified to tenths but less uncertainty



Scale Requirements - Environment

- Always maintain a level scale
- Keep scale on a stable surface
- Protect scale from crosswinds





Weighmaster License

- Issued by CDFA DMS (Division of Measurement Standards)
- www.cdfa.ca.gov/dms/
- Enforced by county W&M



[CDFA Home](#) > [Division of Measurement Standards](#)

DIVISION OF MEASUREMENT STANDARDS (DMS)

6790 Florin Perkins Road, Suite 100, Sacramento, CA 95828 • 916-229-3000 • dms@cdfa.ca.gov

Enforcement of California weights and measures laws and regulations is the responsibility of the Division of Measurement Standards (DMS). The Division's activities are designed to:

- **Ensure the accuracy of commercial weighing and measuring devices.**
- **Verify the quantity of both bulk and packaged commodities.**
- **Enforce the quality, advertising and labeling standards for most petroleum products.**

The Division works closely with county sealers of weights and measures who, under the supervision and direction of the Secretary of Food and Agriculture, carry out the vast majority of weights and measures enforcement activities at the local level. Ensuring fair competition for industry and accurate value comparison for consumers are the primary functions of the county/state programs.

[About DMS](#) [Consumers](#) [Business](#) [Government](#) [Related Links](#)

- [DMS Office Locations](#)
- [Our Mission, Vision and Values](#)
- [Early History of Weights and Measures](#)
- [Laws and Regulations](#)
- [Regulation Proposals](#)
- [Metrology Scope of Recognition & Accreditation](#)
- [Kid's Corner](#)



Director
Kristin Macey
[View her Video](#)

QUICK LINKS

NEW: [Cannabis](#)

UPDATE: [NTEP Class I and II Scales \(November 2018\)](#)

[Registered Service Agent Online Exam](#)

[File A Complaint](#)

[Listing of Public Scales](#)

[Online Weighmaster Renewal](#)

[Hydrogen Fuel](#)

[Developmental Fuel Variances](#)

[DMS Policy and Procedural Guidelines \(DMS Notices\)](#)

CALIFORNIA AND THE 2014 FARM BILL

[California Business Portal](#)

[California & 2014 Farm Bill](#)

[Invasive Species Council of California](#)

[Cal Ag Production Statistics 2011-12](#)

[Employment/Recruiting Opportunities](#)

[Become a fan of CDFA on Facebook](#)



DIVISION OF MEASUREMENT STANDARDS: Weighmaster Enforcement Program



The Weighmaster Enforcement program assures that commercial transactions based on quantities certified on a Weighmaster Certificate are accurate. The program licenses Weighmasters, individuals or firms who weigh or measure bulk commodities and issue certificates of accuracy. Program activities include reweighing of vehicles and containers to verify the net weight statements on Weighmaster Certificates and routine as well as spot inspection of establishments involved in bulk sales.

California Business and Professions Code, Division 5, Chapter 7, requires all businesses operating as a Weighmaster to be licensed.

[Consumers](#) [Business](#) [Government](#)

- Consumer Information Guide
- Complaint Form
- Planning A Move?
- Public Scales Listing
- CalRecycle (Bottles and Cans)
- CalRecycle (E-Waste)
- Electronic Waste Management

MORE RESOURCES

Cannabis

[File a Complaint](#)

LICENSING INFO

NEW Weighmaster FAQs

[Online Weighmaster Application, Renewals and Updates](#)

[Weighmaster Application Form \(Printable Copy\)](#)

[Weighmaster Cancellation Form](#)

TARE INFO

[Common Tare Brochure](#)

[Common Tare Notice](#)

[Predetermined Tare Brochure](#)

[Seasonal Tares Brochure](#)

SCRAP BUSINESSES

[CalRecycle](#)

[Weighmaster E-Waste Program](#)

[Storm Water Permit Information Handout](#)

[Scrap Theft Alert Registration](#)

OTHER INFO

[DMS Policy and Procedural Guidelines \(DMS Notices\)](#)

[Weighmaster Certificate Sample](#)

[Weighmaster/Deputy Requirements](#)

WEIGHMASTER LAWS

[Division 5, Weights and Measures, Chapter 7, Weighmasters \(12700-12750\)](#)





DIVISION OF MEASUREMENT STANDARDS

6790 Florin Perkins Road, Suite 100, Sacramento, CA 95828 • 916-229-3000 • dms@cdfa.ca.gov

New Online Weighmaster Application, Renewal and Update

The Division of Measurement Standards (DMS) now offers the ability to apply, renew, and/or update Weighmaster Licenses online.



Apply

[Apply for a new Weighmaster License.](#)

To apply for an online Weighmaster License, you may need the following information to complete your application. Any required documents can be uploaded during the application process.

- Copy of Fictitious Business Name Statement if using a "Doing Business As (DBA)" name
- Copy of current Business License for each location if operating as a Junk Dealer / Recycler
- Copy of Pawn Brokers / Secondhand Dealers License issued by the Department of Justice if requesting a Junk Dealer / Recycler exemption
- Email address registered with [Scrap Theft Alert](#) if business is a Junk Dealer / Recycler
- Full (FIRST AND LAST) names for all Deputy Weighmasters

Renew/Update

[Log in to your Weighmaster License to make updates or pay for](#)

On the **NEW** Weighmaster update page, you may pay for your annual renewal or do any of the following:

- Update Weighmaster License information
- Add and delete Deputy Weighmasters
- Add and delete locations
- Attach additional required information (Business License/Fictitious Business Name Statement, etc.)
- Pay for annual renewal
- Make required declarations for Junk Dealer / Recycler Weighmasters
- Pay for any fees due

QUICK LINKS

- [Weighmaster Enforcement Program](#)
- [Weighmaster Application Form \(Printable Copy\)](#)
- [Weighmaster Cancellation Form](#)
- [Weighmaster/Deputy Requirements](#)
- [Weighmaster Instructions to Deputies](#)
- [Common Tare Brochure](#)
- [Common Tare Notice](#)
- [Weighmaster E-Waste Program](#)
- [Predetermined Tare Brochure](#)
- [Seasonal Tares Brochure](#)
- [Storm Water Permit Information Handout](#)
- [Weighmaster Certificate Sample](#)
- [Scrap Theft Alert Registration](#)
- [CalRecycle](#)
- [File a Complaint](#)
- [DMS Policy and Procedural Guidelines \(DMS Notices\)](#)
- WEIGHMASTER LAW**
 - [Division 5, Weights and Measures, Chapter 7, Weighmasters \(12700-12737\)](#)
 - [Division 8, Special Business Regulations, Chapter 9, Article 3 Junk \(21600-21610\)](#)
- WEIGHMASTER REGULATIONS**
 - [Chapter 9 Weighmaster Enforcement](#)





Labeling Requirements



I.R.Q




Identity



Responsibility



Quantity



Labeling – Identity Statement


- ▶ Definition according to regulations:
 - ▶ (a) the name specified in or required by any applicable federal or state law or regulation or, in the absence of this;
 - ▶ (b) the common or usual name or, in the absence of this;
 - ▶ (c) the generic name or other appropriate description, including a statement of function (such as “cleaning powder”).

- ▶ Bottom line: A customer who doesn't know what the product is, should be able to find out by an Identity Statement.



Labeling – Responsibility

- ▶ Name of Company
 - ▶ Corporate Name or DBA
- ▶ Address
 - ▶ Street Address*
 - ▶ City
 - ▶ State
 - ▶ ZIP
 - ▶ *May be omitted if available on an easily accessible database/resource



Labeling - Quantity

- ▶ How much is in package, i.e. net contents
 - ▶ Most errors occur here
- ▶ Some Quantity Statement requirements:
 - ▶ Minimum height
 - ▶ Lower 30% of principal display
 - ▶ Contrast
 - ▶ Free Space



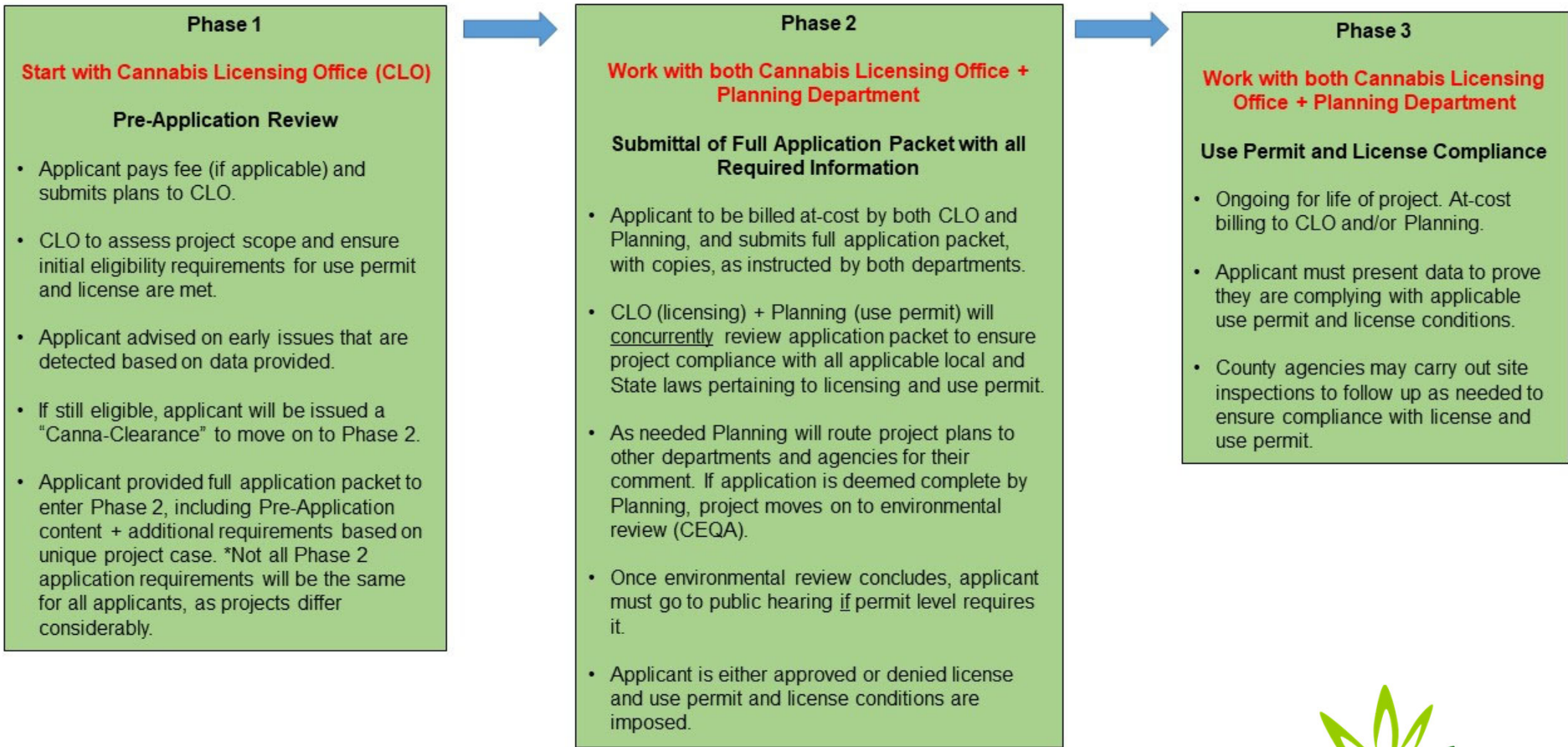
Weights & Measures Contact Info

- David George or Andrew Kimura
- (831) 454 - 2383
- David.George@santacruzcounty.us
- Andrew.Kimura@santacruzcounty.us



January 2019 Santa Cruz County Cannabis Registrant Workshop

PHASE 1 PRE-APPLICATIONS PROCESS, CANNA-LORI INSTRUCTIONS, USE PERMIT PROCESS, BMOP, SECURITY PLANS, INTERSECTION OF LOCAL AND STATE REGULATIONS, ADDITIONAL REGULATIONS, STATE DEADLINES, UPDATED MEDICAL LAWS



Phase 1 Pre- Application Process

APPOINTMENT &
MATERIALS

FIRE AGENCY
SCREENING

PRE-
APPLICATION
LETTER

CANNA-LORI

Phase 1 Pre-Application Basics

Appointment Required

- ▶ michael.sapunor@santacruzcounty.us
- ▶ 2-3 week est. appt. waiting period
- ▶ \$1,500 application fee
- ▶ 4-6 week est. review time

Materials Required

- ▶ See “Application/Resources” Tab on CLO website:
<http://www.co.santa-cruz.ca.us/CannabisLicensingOffice>
- ▶ Pre-application packet (38 pp.)
- ▶ Project description, Site Plan
- ▶ Security requirements
- ▶ Fire Agency Pre-survey (Cal Fire)



Pre-Application Resources

Planning Dept

- ▶ <http://www.sccoplanning.com/>
- ▶ Planning “GIS-Web”
 - ▶ Parcel-specific maps and property info.
- ▶ Planning Dept. records room
- ▶ Zoning Counter (M-Th, 8:00-11:30, 1:00-3:30; closed Friday).

Cannabis Licensing Office

- ▶ <http://www.co.santa-cruz.ca.us/CannabisLicensingOffice.aspx>
 - ▶ “Non-Retail Licenses” tab
 - ▶ Ordinances and B.M.O.P. text
 - ▶ Staff contact info.
- ▶ CLO Counter (M-Th, 8:00-12:00pm; closed Friday)



Fire Agency Cannabis Pre-Survey

Cal Fire- contact

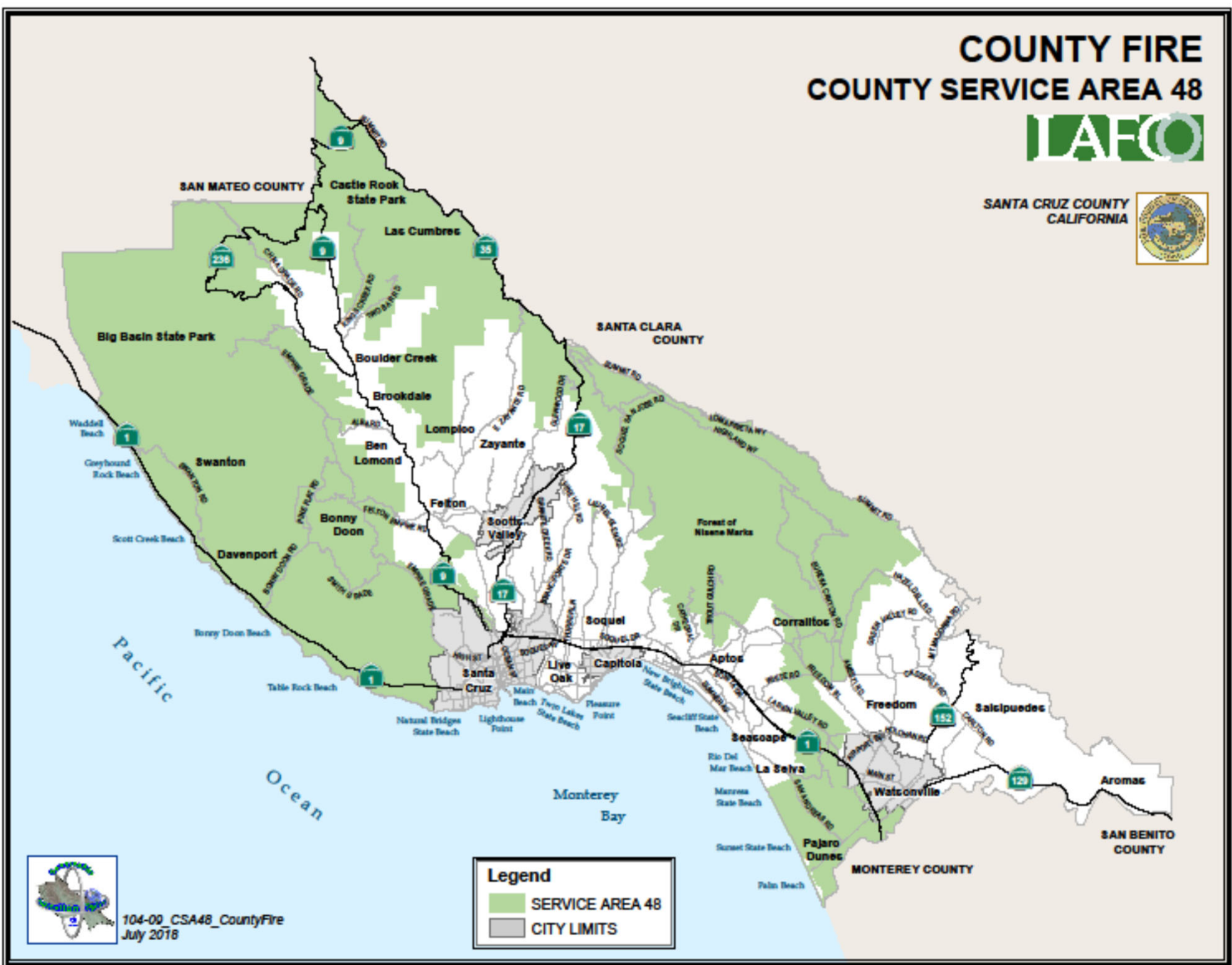
- ▶ Chris Walters, Deputy Fire Marshall
(831) 335-6748



COUNTY FIRE COUNTY SERVICE AREA 48



SANTA CRUZ COUNTY
CALIFORNIA



104-09_CSA48_CountyFire
July 2018

Legend

- SERVICE AREA 48
- CITY LIMITS

CLO Pre-Application Review

- ▶ Application Completeness
 - ▶ Site plan, etc.
- ▶ Cannabis Development Codes
 - ▶ Chapter 7.128 (Cannabis non-retail businesses)
 - ▶ Chapter 13.10 (Commercial uses, site standards)
 - ▶ Chapter 16.0 (Environmental and resource protection)



Pre-Application Review Letter

- ▶ Identifies key issues for Phase 2 “Development Permit” review

- ▶ Next Steps:
 - ▶ Zoning Counter Review: (pre-app letter and CANNA-LORI)
 - ▶ No appointment required- 4th Floor Planning walk-in counter hours
 - ▶ M – Th, 8:00-11:30am; 1:00-3:30pm
 - ▶ Obtain Fees and Routing information from Planner



Canna - LORI

- ▶ “List of Required Information” (aka “LORI”) for Phase 2 plans:
 - ▶ The CANNA-LORI is the set of instructions used by the professional(s) who prepare(s) your project plans
 - ▶ Tailored to your project proposal and site/location
 - ▶ B.M.O.P. sheet (siting criteria, site design, construction reqmnts., operational reqmnts.)
 - ▶ Not a final list; can be revised by Planning staff
 - ▶ Basis for estimating PLN review fees and inter-agency routing (# plan sets)
 - ▶ “heads up” re. biotic reports, odor plans, technical studies



Phase 2 Professional Resources

- ▶ **“Plans and specifications must contain the signed statement (or signature and license number) that the preparer is licensed under Chapter 3 of Division 3 of the California Business and Professions Code to prepare such plans and specifications unless your proposal qualifies for one of the exceptions listed under Section 18.10.210(a)(5) of the County Code.”**
- ▶ Land Use Consultants – Development project manager/facilitator
- ▶ Engineers – Grading Plan, Stormwater Plan, Odor Mitigation
- ▶ Architects- prelim. Building Plans, Accessibility, Design Review materials
- ▶ Biologists- Biotic Site Assessments



COMPLETENESS IS
KEY
THE PROCESS
THE CODES

Obtaining your Use Permit

Best Management and Operational Practices (BMOP) Plan

- ▶ Implementation of the BMOP – shared responsibility of the planning department and Cannabis Licensing
- ▶ BMOP includes
 - ▶ Sitting Criteria - Location
 - ▶ Site Design
 - ▶ Construction Requirements
 - ▶ Operational Requirements

BMOP – Siting Criteria

- ▶ Avoidance of Excessive Grading
 - ▶ Consideration for access roads associated w/ development
- ▶ Site Disturbance
 - ▶ Clustering Development / reducing impacts to native soils
- ▶ Biological Assessments
 - ▶ Required for land alteration at site considered "sensitive habitat" per SCCC 16.32
- ▶ Archeological and Paleontological Surveys
- ▶ Historic Assessments of Structures 50+ years old



BMOP – Site Design

- ▶ Fence and Security Requirements
 - ▶ Wildlife friendly fencing
 - ▶ Security lighting
- ▶ Permeable vs Impermeable materials
 - ▶ Goal is to avoid impacts to native soil
- ▶ Visual Screening of Cannabis Infrastructure
- ▶ Storm Water Drainage
 - ▶ Requirements for site development differ based on size at County & Water Board
 - ▶ Cannabis General Permit has requirements for operations
- ▶ Water Storage
 - ▶ Rainwater Collection is required on all available structures associated with cannabis
 - ▶ Tanks have planning and building permit requirements



BMOP – Construction Requirements

- ▶ Same as other commercial business
- ▶ Construction Storm Water
- ▶ Work Hour Restrictions
- ▶ Post Construction Revegetation

BMOP – Operational Compliance

- ▶ Employee
 - ▶ Reduce emissions associated with trips to and from facilities
- ▶ Herbivory Prevention Plan
 - ▶ Deer and rat controls – Structural / Biological
- ▶ Riparian Buffer Controls
- ▶ Lighting Mitigation – no supplemental lighting to be seen outside of structures
- ▶ Pesticide / Haz Mat Storage
- ▶ Odor Abatement

BMOP – Odor Abatement

- ▶ Required to reduce odors within residential areas (BMOP)
- ▶ PE or CIH must review and certify design (BMOP)
- ▶ All indoor facilities must use a commercial air scrubbing device or filtration system 7.128.170(Q)

MITIGATION OF ODORS

7.128.170 (Q)

- ▶ Cultivation / Manufacturing / Distribution /
- ▶ Every cannabis license type affected
- ▶ Exhaust points must have odor mitigation
- ▶ Outdoor and greenhouse cultivation operations are regulated
- ▶ Greenhouse operations are indoor operations per 7.128.030 (U)



MASSIVE GREENHOUSE = ODOR



Odor Mitigation Options

Carbon Filtration

- ▶ Standard Granular Activated Carbon Filters
- ▶ Vapor Phase Granular Activated Carbon Filter
- ▶ Greenhouse applications exist for both

New Technologies

- ▶ Ionic Oxidation Filters
- ▶ Photocatalytic Oxidation – TiO₂
- ▶ Internal grow room scrubbers and exhaust point scrubbers

Odor Mitigation = MBARD Permit

Cultivation

- ▶ Indoor and Greenhouse Cultivation with exhaust points
- ▶ Drying and processing rooms w/ odor controls

Manufacturing

- ▶ Processing (grinding)
- ▶ Extraction Operations
- ▶ Distillation Operations

HAZARDOUS MATERIALS AND WASTE

APPLICABILITY FOR
CULTIVATORS AND
MANUFACTURERS



CULTIVATION OPERATIONS

- ▶ Pesticides are a special kind of hazard
 - ▶ Pesticide containers can not be thrown away like trash, they must be properly disposed of
- ▶ Many nutrients classify as a hazardous material
 - ▶ Threshold quantities are key
 - ▶ Evaluating your cultivation site's storage needs versus wants can save you time and money by maintaining inventories below reportable limits (55 gallons / 500 pounds / 200 feet of compressed gas)
 - ▶ Potential to use non-hazardous nutrients may be worth exploring



CANNABIS MANUFACTURING

▶ Common pitfalls



- ▶ Butane / propane / ethanol storage quantities within the CBC are much lower than what most manufacturers wants and needs are
- ▶ CBC limits for ethanol in type H facility = 120 gal (w/in closed loop and storage)
 - ▶ Propane / Butane = 1000 cu/ft (within closed loop and storage)
 - ▶ Exceeding these limits can trigger multiple fire codes issues associated with section 415 of the IBC

Type H Facility – High Hazard

- ▶ Additional requirements for site design and chemical storage
- ▶ Design requirements need to be identified early on as building retro-fits are costly
- ▶ Not all engineers and architects are aware of this
- ▶ Design requirements include door swing based on nearest exit
- ▶ Storage requirements can include additional ventilation, chemical compatibility, seismic anchorage

CANNABIS MANUFACTURING

- ▶ Post extraction waste
 - ▶ Third party cannabis specific waste haulers can be cost prohibitive
 - ▶ Evaluating chemical properties of waste may seem cost prohibitive but its likely a long term saving
 - ▶ Waste may be non-hazardous and available for composting at a minimal cost
 - ▶ Factors to consider- physical properties of extraction material and waste storage options
 - ▶ Non-hazardous biomass can likely be shipped to a local composting site via the municipal hauler once the material has been classified
 - ▶ Current policy objectives include Environmental Health Department allowing Waste Determinations on post extraction waste



DEPARTMENT OF FISH AND WILDLIFE PERMITTING

- ▶ Rural sites, wells and 1602 permits



1602 PERMITS – LAKE AND STREAMBED ALTERATION AGREEMENTS

- ▶ Department of Fish and Wildlife online notification system
 - ▶ Straight forward notification process for sites with municipal water supplies
 - ▶ These site provide a self-certification that they will not be impacting a lake or streambed
- ▶ Sites on wells pose certain risks
 - ▶ Shallow wells can have hydraulic conductivity with surface waters
 - ▶ These evaluations can benefit from State licensed professional because the DFW will assess the site based on well logs provided



1602 PERMIT TYPES

▶ General Agreement

- ▶ Similar to a Water Board general permit
 - ▶ Everyone who qualifies follows the same rules
 - ▶ CEQA exempt
 - ▶ 5 year terms

▶ Standard Agreement

- ▶ Project specific – similar to a Water Board individual waste discharge permit
 - ▶ CEQA process must be followed
 - ▶ Short (<5 years) and Long (>5 years) Permit terms



Cannabis General Permit

State Water
Resource Control
Board

- ▶ Applicable to all Cultivation Operations

General Permit Applicability

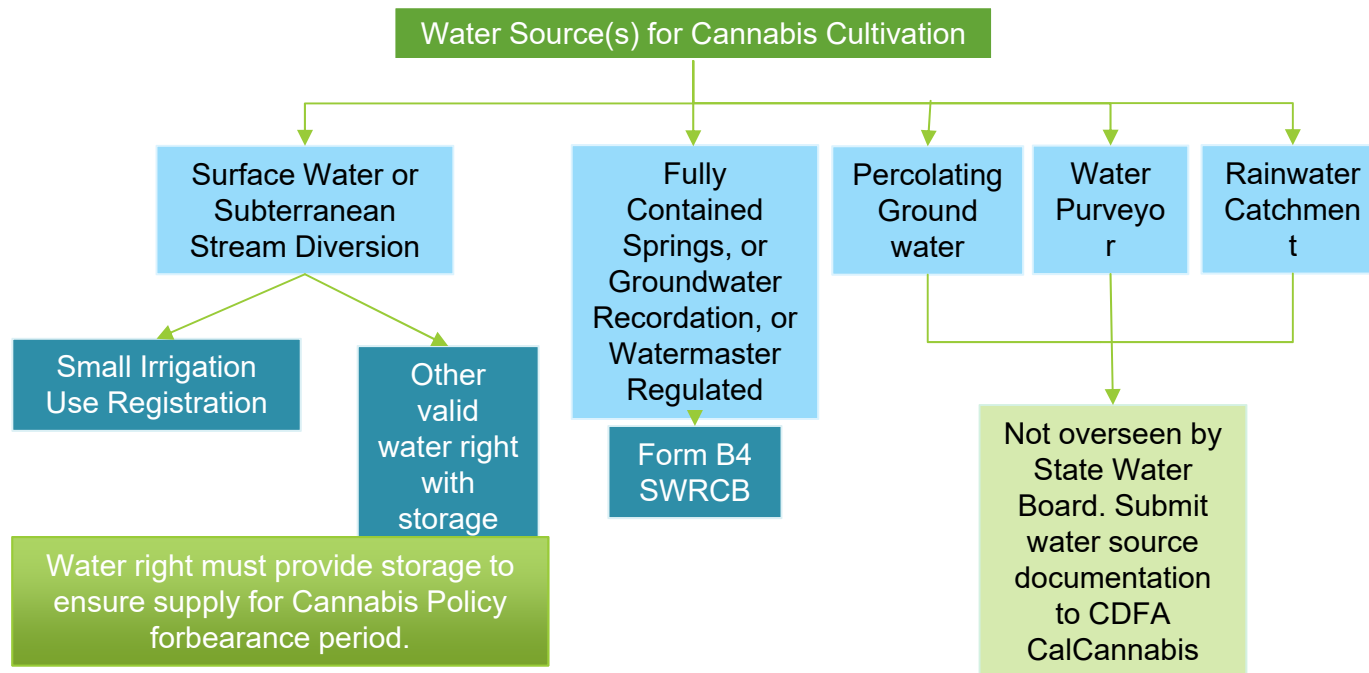
- ▶ ALL commercial cannabis cultivators must apply for coverage
 - ▶ Outdoor sites (> 2,000 sq ft) – Apply and enroll in General Order as tier 1 or 2
 - ▶ Outdoor sites (< 2,000 sq ft) – Apply and obtain waiver
 - ▶ Indoor sites – Apply and obtain waiver with a municipal sanitary sewer connection
- ▶ Indoor cultivation defined as:
 - ▶ Cultivation within a permanent structure AND
 - ▶ With a relatively impermeable floor
- ▶ Greenhouses with dirt floors are considered outdoor and must enroll in the General Order as either tier 1 or tier 2

Waste Disposal Options and Additional Coverage

- ▶ Indoor waste disposal options
 - ▶ Community sewer system
 - ▶ On-site treatment (i.e. septic)
 - ▶ Store and haul
- ▶ Indoor and Outdoor Sites: The General Order does not cover ALL discharges on a site. Additional coverage may be needed. Examples include:
 - ▶ Reverse Osmosis residuals
 - ▶ Filter wash water
 - ▶ Onsite treatment systems (i.e. septic systems)

▶ Some types of discharges may require additional permitting beyond General Order

When you need a water right





Questions