

Requirements for Provisional Licenses

Assembly Bill 141 and Senate Bill 160 (2021) modified requirements for provisional licenses. Licensees must now meet additional criteria to renew a provisional license to ensure progress is being made toward annual licensure. Provisional licenses will sunset in stages over time. A summary of criteria and timelines related to provisional licenses is outlined below.

Application Requirements

All license types:

The applicant must submit a complete license application for annual licensure to the Department of Cannabis Control (DCC). A complete application includes all information requested by the Department, including those specifically required for a provisional license in statute listed below:

- Evidence that California Environmental Quality Act (CEQA) compliance is underway, if not complete
- Evidence that compliance with local ordinances is underway, if not complete
- A notarized statement that the applicant either:
 - Has 20 or more employees and will enter into or already has entered into, and will abide by the terms of, a labor peace agreement, or
 - Has fewer than 20 employees and will enter into, and abide by the terms of, a labor peace agreement within 60 days of hiring its 20th employee
- A statement that the applicant employs, or will employ within one year, a supervisor and an employee who have completed a Cal/OSHA 30-hour general industry training course

Additional requirements for cultivation license types:

The applicant must submit **one** of the following:

- A final Streambed Alteration Agreement issued by the California Department of Fish and Wildlife (CDFW)
- A draft Streambed Alteration Agreement provided by CDFW that has been signed and returned to CDFW
- Written verification from CDFW that a streambed alteration agreement is not needed
- Written verification from CDFW that the applicant has done all of the following:
 - Submitted the notification required in Fish and Game Code § 1602;
 - Submitted the required fees; and



- Is responsive to CDFW. *An applicant is considered non-responsive if any requested information is not received within 60 days, or the submitted notification has been deemed incomplete a second time.*

Renewal Requirements: July 1, 2022 – June 30, 2023

All license types:

Progress towards compliance with CEQA must be shown through **one** of the following ways:

- The Lead Agency (either DCC or the local jurisdiction) is in the process of preparing a site-specific initial study, addendum, or checklist to demonstrate the project is consistent with previously circulated and adopted a negative declaration, mitigated negative declaration, or environmental impact report (EIR)
- If the Lead Agency is the local jurisdiction: the local jurisdiction has drafted, prepared, or circulated for public review an environmental review document
- If the Lead Agency is DCC: the applicant has submitted any information requested by DCC that demonstrates furtherance of environmental review
- Other information that demonstrates substantial progress toward CEQA compliance during the previous 12-month license period

Additional requirements for cultivation license types:

The licensee must provide **one** of the following:

- A final Streambed Alteration Agreement issued by CDFW
- A draft Streambed Alteration Agreement provided by CDFW that has been signed and returned to CDFW
- Written verification from CDFW that the applicant submitted the notification required in Fish and Game Code §1602
- Written verification from CDFW that a Streambed Alteration Agreement is not needed

Renewal Requirements: July 1, 2023 – December 31, 2024

All license types:

Progress towards compliance with CEQA must be shown through **one** of the following ways:

- The Lead Agency has prepared and circulated for public review a negative declaration or mitigated negative declaration
- The Lead Agency has determined that an EIR is required and has either:
 - Made substantial progress in preparing an EIR, or
 - Has a contract in place for EIR preparation



- The Lead Agency certifies that it has conducted a reasonably comprehensive site-specific review and deemed complete an initial study, addendum, or checklist to demonstrate the project is consistent with previously circulated and adopted negative declaration, mitigated negative declaration, or EIR
- The Lead Agency has reviewed, prepared, and deemed complete a notice of exemption

Additional requirements for cultivation license types:

The licensee must provide **one** of the following:

- A Final Streambed Alteration Agreement issued by CDFW
- A Draft Streambed Alteration Agreement provided by CDFW that has been signed and returned to CDFW
- Written verification from CDFW that a Streambed Alteration Agreement is not needed

The Department of Cannabis Control (DCC) licenses and regulates commercial cannabis activity within California. To learn more about the California cannabis market, state licenses or laws, visit cannabis.ca.gov. Email licensing questions to licensing@cannabis.ca.gov or call 1-844-61-CA-DCC (1-844-612-2322).

