



December 2022, County of Mendocino Cannabis Department (MCD) Update

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The County of Mendocino Cannabis Department (MCD) Has Moved to Willits

On November 14, 2022, the County of Mendocino Cannabis Department (MCD) moved from 579 Low Gap Road in Ukiah, California to the Willits Justice Center (WJC), located in the City of Willits. The MCD counter was closed from November 15 – 25, 2022, due to the move and the Thanksgiving Holiday.

New location!

Willits Justice Center (WJC)

125 East Commercial Street, 2nd Floor
Willits, California 95490

Same phone number!

707-234-6680

Same email addresses!

MCDPOD@mendocinocounty.org

For application, permitting, and cannabis planning related questions and communications.

CannabisProgram@mendocinocounty.org

For general inquiries and grant related questions and communications.

New MCD counter hours effective as of December 6, 2022!

Monday	By appointment only.
Tuesday	9:00 am – noon & 1:00 pm – 4:00 pm
Wednesday	9:00 am – noon & 1:00 pm – 4:00 pm
Thursday	9:00 am – noon & 1:00 pm – 4:00 pm
Friday	By appointment only.

The MCD counter will be closed December 23, 2022 – January 6, 2023, in observation of the Christmas and New Year Holidays, and for staff training.

MCD Staffing

In October 2021, when the Board of Supervisors transitioned the Cannabis Program from a division of Planning and Building Services to the County of Mendocino Cannabis Department (MCD), the Board also approved a staffing plan for twenty-two fulltime employees. By July 2022, the MCD had reached maximum occupancy at its Ukiah offices. The recent move to the Willits Justice Center provides the office space necessary to actively recruit and hire new staff.

Year	Month	Staff Person	Position
2018	July	1. Nicholas Duncan	Planner II
2019	February	2. Gabriella Eaton	Planner II
2021	March	3. Kristin Nevedal	Director
	November	4. William Riley	Program Administrator
	December	5. Diana De Los Santos	Planner I

2022	February	6. Audrey Gardner	Department Analyst
	April	7. Angelina Lane	Planner Tech II
	May	8. Tarah Rhine	Planner Cartographer
		9. Kasie Miller	Planner Tech I
		10. David Strock	Planner Tech I
	July	11. Gregory Withrow	Planner II
	September	12. Heidi Cremelle	Administrative Assistant
		13. Elora Babbini	Chief Planner
	November	14. Trish Tracy	Staff Assistant III
Actively Recruiting		15. Vacant	Senior Program Manager
		16. Vacant	Senior Planner
		17. Vacant	Office Services Supervisor
		18. Vacant	Department Analyst (underfill Planner II)
		19. Vacant	Planner I/II
		20. Vacant	Planner I/II
		21. Vacant	Administrative Assistant
		22. Vacant	Staff Assistant III

Request For Qualifications – Cannabis Planning Services

On June 17, 2022, the County opened RFQ number MCP-22-001, requesting submissions for Cannabis Planning Services. The RFQ closed on July 22, 2022. In September, the review panel completed the review of the five submissions received and MCD staff began working on contract negotiations.

Currently MCD staff is working with County Counsel to address any potential conflict of interest issues that may restrict and to wrap up contract negotiations. We hope to bring contracts to the board in the early part of 2023.

Accela Application Management Platform

On December 6, 2022, the Board of Supervisors approved a three-year agreement with Carahsoft, an Accela software and services provider. The Department will be working with Accela in January and February of 2023 to implement the software which will provide application and permit tracking accessible by both the department and the public, a public facing electronic application portal, a project management platform for department staff, an electronic field inspection application, an automated notification system to assist permit holders with maintaining annual permits, and an electronic shopping cart that will expand payment options for applicants.

Application Review Update

In Good Standing Portal

On November 1, 2022, in partnership with Informational Services (IS), MCD staff launched the In Good Standing (IGS) Application Portal to assist Phase 1 and Phase 2 applicants with completing their commercial cannabis cultivation applications. MCD staff receives IGS Portal submissions every two weeks for review and reopens the IGS Portal every two weeks for applicants needing to make corrections to their application. The IGS Portal will remain open until 11:59 PM on January 31, 2022. More information about the IGS Portal can be found on the MCD's [Cannabis Application Portal System](#) webpage.

In Good Standing Applications	122
De-prioritized In Good Standing Applications	55
• Delinquent taxes	38
• DCC Compliance issues	50
In Good Standing Portal Submissions (November 14, 2022)	6
• Number of submissions deprioritized and not reviewed	0
• Complete Applications	0
• Incomplete Applications	6
In Good Standing Portal Submission (December 5, 2022)*	16
• Number of submissions deprioritized and not reviewed	1

**These submissions were not reviewed before publication of this update*

De-Prioritization Program

On May 17, 2022, the County of Mendocino Board of Supervisors directed staff to prioritize the processing of applications that have active Department of Cannabis Control licenses and have paid any associated local cannabis business tax.

Immediately following the directive, the MCD received tax rolls from the TTC and started reconciling the lists with application and permit numbers on file with the MCD.

In June 2022, MCD staff sent de-prioritization letters to applicants with delinquent taxes and/or DCC compliance deficiencies, who had submitted to the 2022 Corrections Portal. In July 2022, de-prioritization letters were sent to applicants with delinquent taxes and/or DCC compliance deficiencies, with an application status of In Good Standing. And in October 2022, de-prioritization letters were sent to all applicants and permit holders with delinquent taxes and/or DCC compliance deficiencies. In December 2022, MCD staff sent another round of de-prioritization notices to applicants and permit holders with delinquent taxes and/or DCC compliance deficiencies. The table below provides details regarding the number of application and permits that have been deprioritized and successfully reprioritized.

Description	Subtotals	Delinquent Taxes	DCC License Compliance	Total De-Prioritized
Active Applications & Permits (10/28/2022)	863	428	412	590
Active Applications & Permits (11/7/2022)	863	365	348	512
Active Applications & Permits (11/17/2022)	850	338	295	481
Active Applications & Permits (12/6/2022)	811	312	264	407
Issued Permits (10/28/2022)	262	114	153	171
Issued Permits (11/7/2022)	262	72	93	120
Issued Permits (11/17/2022)	243	65	79	104
Issued Permits (12/6/2022)	242	55	66	86
Applications (10/28/2022)	601	314	259	416
Applications (11/7/2022)	600	294	256	393
Applications (11/17/2022)	587	273	216	346
Applications (12/6/2022)	569	257	198	321

Annual Permit & Application Review

MCD staff continues to process renewal applications, modification applications, and transfer applications. Currently a number of issued permits have expired yet no renewal application has been received. In an effort to ensure annual permits are renewed the department has sent notices to permit holders with expired permits, permits that are about to expire, and to applicants with permits that expire within 60- or 90-days. MCD staff has also been directed to complete the review of any Appendix G Checklist submission previously assigned to the planner.

Application review, for applications not previously issued, will begin in the first quarter of 2023, and will be prioritized based on when the local applicant's state issued provisional license is scheduled to expire. The following tables provide additional information regarding issued permits, application statuses, and the MCD's projected timeline for reviewing applications not previously issued.

Issued Annual Permits	
Total Issued	242
Total Valid Annual Permits	23
Total Expired	219
• Number of expired permits that are deprioritized	83
Renewal Applications	
Renewal Applications Received	153
Renewal Applications Under Review	104
Modification Applications	
Modification Applications Received	29
Modification Applications Under Review	14
California Environmental Quality Act (CEQA) – Appendix G Checklist	
Appendix G Checklists Received	34
Appendix G Checklists Under Review	0

Timeline for DCC Provisional License Renewals	Est. Applications	Est. Number of Weeks	Projected Timeline
July 2023 License Renewals	33	8	January -February 2023
August 2023 License Renewals	17	4	March 2023
September 2023 License Renewals	30	7	April - May 2023
October 2023 License Renewals	6	1	June 2023
November 2023 License Renewals	11	3	June 2023
December 2023 License Renewals	22	5	July - August 2023
January 2024 License Renewals	22	5	August - September 2023
February 2024 License Renewals	14	3	October 2023
March 2024 License Renewals	19	4	November 2023
April 2024 License Renewals	22	5	December 2023 January 2024
May 2024 License Renewals	32	7	January – February 2024
June 2024 License Renewals	28	6	March – April 2024
Subtotals	256	59	1.25 Years

The above numbers are based on the following assumptions: 200 Staff Hours / Application; 11 Full Time Planners plus 20 Contract Planners; and assumes an 80% productivity rate

Vegetation Modification

MCD staff, County Counsel, and outside counsel have been working diligently to update policies related to tree species of concern clearing restrictions established by Chapter 10A.17 and the programmatic mitigated negative declaration. Proposed updated policies will come before the General Government Standing Committee and the Board of Supervisors before MCD staff implements any new policy. There are

currently twenty-six (26) applications that have been identified as having conducted vegetation modification that may be affected by any new or revised policy, of which thirteen (13) have been deprioritized.

Local Equity Entrepreneur Program (LEEP) Update

LEEP Eligibility Progress

Equity Eligibility Certification	January	February	March	April	May	July	August	November
Certified Equity Eligible	91	121	131	150	167	189	206	214
Completed Applications	165	204	212	225	247	278	283	308

LEEP Funding to Date

Direct Grants & Workforce Development	\$3,563,186
Round 1	\$1,096,579
Round 2	\$565,820
Round 3	\$1,900,787
Waiver Program & State Licensing / Permit Fees	\$1,433,606
Round 1	\$700,000
Round 2	\$100,000
Round 3	\$633,606
Technical Assistance	\$602,097
Round 1*	\$224,570
Round 2*	\$83,227
Round 3	\$294,300
Administrative Services (County Staff & Contract Administrators)	\$423,108
Round 1	\$224,570
Round 2	\$83,227
Round 3	\$115,311

*These rounds of funding were reallocated to Direct Grants & Workforce Development

LEEP Spend Down Progress

Direct Grants & Workforce Development	\$3,870,983**
44 Grant Awards Issued to Date	(\$2,191,674.87)
18 Grant Approved Grant Agreements in Cobblestone	(\$892,161.50)
Remaining Balance	\$787,147.63
Waiver Program & State Licensing / Permit Fees	\$1,433,606
433 Waivers Awarded	(\$554,965.11)
Remaining Balance	\$878,641

Technical Assistance	\$602,097
Less Round 1 & 2 Funding Reallocation	(\$307,797)
Remaining Balance	\$294,300
Administrative Services (County Staff & Contract Administrators)	\$423,108
Contract Administrator Invoice Totals	(\$294,791.00)
Part-Time Department Analyst (through May 2021)	(\$13,032.91)
Remaining Balance	\$115,284.09

*** Includes reallocation of Round 1 & 2 Technical Assistance Funds*

LEEP Waiver Progress

WAIVER TYPE	Waiver Numbers (09.02.22)	Waiver Amounts (09.02.22)	Waiver Numbers (11.29.22)	Waiver Amounts (11.29.22)
Dept. of AG	21	(\$2,600.40)	22	(\$2,712.60)
PBS	91	(\$33,598.09)	132	(\$51,248.21)
TTC	197	(\$422,272.94)	220	(\$458,590.97)
MCD	26	(\$18,213.44)	59	(\$42,413.33)
Waiver Sub-totals	335	(\$476,684.87)	433	(\$554,965.11)

Local Jurisdiction Assistance Grant Program (LJAGP)

On December 6, 2022, the Board of Supervisors approved the LJAGP Direct Grant & Waiver Program Manual and directed MCD staff to develop an application guidance document that will be provided to the public during the MCD's next public meeting and be referred to the January 2023, General Government Committee meeting.

Public Outreach

Over the course of the 2022 calendar year, MCD staff hosted and co-hosted thirty-seven (37) public meetings which are described in the table below. Each public meeting was notified using the County's [e-notification system](#) Canna Notes and posted to the [MCD 2022 Cannabis Department Events](#) page along with the meeting agenda, call-in and log-on information, meeting slides, and the link to the County's YouTube channel where the public can view the meeting at a later date. Time is reserved at the end of each meeting for oral and written discussion.

January 19, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
February 9, 2022	Cannabis Ad Hoc & MCP Update, from 3:30 - 5:00 pm PT Agenda: Important Dates, Renewal Applications, Modification Applications, Transfer / Reassignment Applications, Notice of Application Stay (NAS), Notice of Non-Cultivation, Withdrawal, Tree Removal / Vegetation Modification, Portal Update, and Q & A

February 16, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
February 18, 2022	MCP Weekly Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, Website Tour, Following Options (public comment), Future Agenda Items (public comment)
February 23, 2022	Local Jurisdiction Assistance Grant Program (LJAGP) / Direct Grant Development Meeting, from 3:30 - 5:00 pm PT Agenda: Join the Webinar, Overview of Direct Grant Program - Project Allowances, Qualifying Criteria (public comment), Maximum Direct Grant Award Amount & Payment Terms / Schedule (public comment), Benefits to Equity Eligible Applicants (public comment), Fee Waivers (public comment)
February 25, 2022	MCP Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates (public comment), Vegetation Modification / Prohibited Tree Clearing (public comment), Future Agenda Items (public comment)
March 4, 2022	MCP Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In; Updates; Provisional Licenses & CEQA (public comment); Future Agenda Items (public comment)
March 11, 2022	MCP Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, Updated Phase 1 & 2 Application Checklist (This item will include a brief update on Contiguous Expansion Affidavit.)(public comment), Future Agenda Items (public comment)
March 16, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
March 18, 2022	MCD Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, LEEP Policy Manual (public comment), Future Agenda Items (public comment)
March 25, 2022	MCD Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle in, Updates, Portal (public comment), Future Agenda Items (public comment)
April 1, 2022	MCD Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, LEEP Manual Update & Implementation (public comment), Future Agenda Items (public comment)
April 8, 2022	MCD Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, Modification Page (Public Comment), CEQA (Public Comment), Future Agenda Items (Public Comment)

April 15, 2022	MCD Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, Navigating the Corrections Portal Questionnaire Page (Public Comment), Renewals (Public Comment), Future Agenda Items (Public Comment)
April 20, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: Funding Sources, Program Statistics, Updates, Q&A
April 22, 2022	MCD Weekly Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, Staffing, Projected Application Review Timelines (public comment)
May 6, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, State Timelines (Public Comment), Local Processing Strategy (Public Comment)
May 13, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Settle In, Updates, Overview: Preparing Criteria for Submittal (Public Comment), Submitting Appendix G Materials (Public Comment), Future Agenda Items (Public Comment)
May 25, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
May 27, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Updates, Part 1: Sensitive Species Habitat Review and Appendix G Checklist (public comments, Future Agenda Items (Public Comment)
June 3, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Updates, Part 2: Sensitive Species Habitat Review and Appendix G Checklist (public comments), Future Agenda Items (public comments)
June 17, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: General Updates; Public Outreach; LEEP Updates; Streamlining Application Submittal, Application Review, and Annual Compliance Inspections; Public Comment
June 22, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
June 24, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Department Updates (public comment); Future Agenda Items (Public Comment)
July 8, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Updates, DCC Draft Permanent Regulations, MCD Application Review, Public Comment

July 27, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
August 26, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Department Updates, LEEP Updates, Following Program Launch, Public Comment
September 9, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Department Updates, Appendix G CEQA Checklist, Public Comment
September 21, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
September 21, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: General Updates, In Good Standing Plan, Public Comment
October 14, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: General Updates, In Good Standing Portal, Public Comment
October 19, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
October 28, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: General Updates, In Good Standing Portal, De-prioritizations, Public Comment
November 18, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: Department Updates, Active AG & Renewal Application Data, De-prioritization Information, IGS Portal, Priority Review Plan, Following, Discussion/Q&A
November 30, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A
December 2, 2022	MCD Public Meeting, from 8:30 - 10:00 am PT Agenda: General Updates, LJAGP Application Review, LJAGP Submission Process, Public Comment
December 21, 2022	Local Equity Entrepreneur Program (LEEP) Meeting, from 3:30 - 5:00 pm PT Agenda: LEEP Funding Sources, LEEP Program Statistics, LEEP Program Updates, and Q & A

In addition to public meetings, the MCD in partnership with the Department of Fish and Wildlife (DFW), organized and hosted a series of Technical Assistance Pop-Ups at various locations throughout the County that focused on assisting applicants and permit holders with achieving local permits, California Environmental Quality Act (CEQA) compliance, annual state licenses, environmental permits, and grant funding. Technical Assistance Pop-Up meetings were available to applicants and permit holders with active AG numbers and were by appointment ONLY. Multiple agencies joined MCD and DFW staff for this meeting series including the Department of Cannabis Control (DCC), the State Water Resource Control Board (SWRCB) Water Rights Division and Water Quality Division, and Mendocino County Planning and Building Services. Technical Assistance meetings were scheduled for fifty-five (55) minutes each starting at 8:00 am, with the last meeting of each day scheduled at 4:00 pm. Technical Assistance meetings were in person and offered in Ukiah, Willits, Covelo, Fort Bragg, and Laytonville.

State Licensing Timelines

The Department of Cannabis Control (DCC) may not renew a provisional license after January 1, 2025, and no provisional license shall be effective after January 1, 2026.

Timelines for Issuing New Provisional Licenses	Application Deadline	Issuance Deadline	Renewal Deadline
New Applications (General) - All new applicants for commercial cannabis licenses with some exceptions	March 30, 2022	June 30, 2022	January 1, 2025
Small Cultivator Exception - Applicants with less than 20,000 sq. ft. of outdoor canopy	June 30, 2022	September 30, 2022	January 1, 2025
Local Equity Applicant Exception - Local equity applicants who meet the requirements of a jurisdiction's local equity program where they operate and would not cause the applicant to hold multiple cultivations licenses that exceed one acre of total canopy for outdoor or 22,000 sq. ft. for mixed-light or indoor	March 31, 2023	June 30, 2023	January 1, 2025

CEQA Progress for New and Renewed Provisional Licenses
New Provisional Licenses & Renewals <u>Until</u> June 30, 2022
<p>If CEQA is not complete</p> <ol style="list-style-type: none"> 1. Evidence that CEQA compliance is underway. 2. Evidence that compliance with local ordinances is completed or underway.
New Provisional Licenses & Renewals <u>from</u> July 1, 2022 - June 30, 2023
<p>If CEQA is not complete, a determination from the DCC that one of the following requirements has been met:</p> <ol style="list-style-type: none"> 1. The lead agency is in the process of preparing a site-specific initial study, addendum, or checklist; or 2. The lead agency (local jurisdiction) has made substantial progress during the previous 12-months toward completing project-specific environmental review by drafting, preparing, or circulating for public review an environmental document; or 3. If the DCC is the lead agency, information requested by the DCC of the provisional licensee that demonstrates the furtherance of environmental review; or 4. Information submitted to the DCC by the provisional licensee applicant that demonstrates evidence of substantial progress toward compliance with CEQA during the previous 12-month term
Renewals <u>On or After</u> July 1, 2023
<p>If CEQA is not complete, a determination from the DCC that one of the following requirements has been met:</p> <ol style="list-style-type: none"> 1. The lead agency for the license has prepared and circulated for public review a negative declaration or a mitigated negative declaration. 2. The lead agency for the license has determined that an environmental impact report (EIR) is required and has either made substantial progress in preparing that EIR, or has a contract or contracts with consultants in place for the preparation of that EIR 3. The lead agency has certified to the DCC that it has conducted a reasonably comprehensive site-specific review and has reviewed, prepared, and deemed complete an initial study, addendum, or checklist which demonstrates consistency with a previously circulated and adopted negative declaration, mitigated negative declaration, or environmental impact report 4. The lead agency for the license has reviewed, prepared, and deemed complete a notice of exemption, except for ministerial projects not subject to CEQA

Department of Fish and Wildlife Progress – For Cultivation Related Activities**New Provisional Licenses & Renewals Until June 30, 2023**

For cultivation activities, any of the following documents:

1. A final Lake or Streambed Alteration Agreement (LSAA); or
2. A draft LSAA signed and returned to the Department of Fish and Wildlife (DFW); or
3. Written verification by the DFW that a LSAA is not needed; or
4. Written verification by DFW that the applicant has submitted a notification as prescribed, submitted payment of applicable fees, and is responsive

Renewals On or After July 1, 2023

For cultivation activities, any of the following documents:

1. A final streambed alteration agreement (LSAA); or
2. A draft LSAA signed and returned to the Department of Fish and Wildlife (DFW); or
3. Written verification by the DFW that a LSAA is not needed.

New License & Provisional Renewal Restrictions

A provisional license shall not be renewed if the DCC is notified of either or both of the following:

1. The State Water Resources Control Board has notified the DCC that the provisional licensee is not in compliance with (a) or (b) of Section 26060.1 or the principles, guidelines, and requirements established pursuant to 13149 of the Water Code.
2. The Department of fish and Wildlife has notified the DCC that the provisional licensee is not in compliance with any final streambed alteration agreement, any conditions set forth in a signed draft streambed alteration agreement, or a condition established pursuant to subdivision (a) or paragraphs (1) and (2) of subdivision (b) of Business and Professions Code Section 26060.1