Industrial Hemp Program

FEBRUARY 18, 2020, 10:00 A.M.
STANISLAUS COUNTY AGRICULTURAL COMMISSIONER
Topics

- 2019 Pilot Program update
- Survey Results
- California Industrial Hemp Law
- California Emergency regulations
- Federal Interim Final Rule (regulations)
- Stanislaus County Ordinance (County Code 6.85)
- Fees
- Resources and contact information
2019 Pilot Program Update

Stanislaus County:
- 32 entities registered and licensed
- 21 entities planted a crop
- 257 acres were registered
- 159 acres or 62% were planted
- 143 acres or 90% harvested
- 18 acres – Established Agricultural Research Institutions (EARI) - exempt from registration

Statewide: (As of February 5, 2020)
- 40,736 registered acres
- Kern and Riverside Counties both exceed 8,000 acres
Pilot Program Compliance Issues

- 24 violations were documented
  - Missing signage (9)
  - Failure to submit a harvest report (6)
  - Exceeding the 0.3% THC limit (4)
  - Providing incorrect information on registration forms (2)
  - Harvesting without obtaining a THC test report (1)
  - Planting prior to registration (1)
  - Harvesting after the 30-day harvest window (1)
- 16 acres were ordered destroyed for exceeding THC content or for failure to obtain a THC test report
- 2 illegal pesticide applications were documented
- A shipment of plants ordered destroyed for violation of an inter-state agricultural quarantine
Grower Survey Results

- Surveys included 21 growers and 121 individuals who expressed interest in growing
- 68% of growers planted less acres than what they registered
  - Too late to plant
  - Problems getting seed or plants
  - Market risk
  - Affordability and dead nursery stock.
- 50% grew for CBD biomass/oil, 33% for smokable bud, 13% for starter plants and fiber.
- 24% of growers reported theft and 50% utilized additional security measures.
- 2020 acreage requested - 84% for more than 12 acres, 48% between 1 and 40 acres
Neighbor Survey Results

Surveyed 187 neighbors adjacent to industrial hemp sites

- 54% of the 87 neighbors that responded had no issues with nearby industrial hemp sites
- 31% expressed being negatively affected by odor and 5% reported the issue to government
- 15% had concerns regarding security and/or safety
- 15% expressed being negatively affected by lights and generators running at all hours
- 15% noted an increase in traffic on their road
- 30% expressed various concerns including need for buffers, unsavory people in the area, trespass issues, increased trash, health concerns and the need for notification regarding hemp sites.
State Law Changes

Senate Bill 153
- Felony conviction involving a controlled substance - ineligible for 10 years following conviction

Upon Approval of State Industrial Hemp Plan
- 3 negligent violations within 5-year period – ineligible for 5 years
- Intentional, recklessness or gross negligent violations – report to Federal & State Attorney General
- EARI definition more restrictive
- EARI required to register with Ag Commissioner
- EARI required to submit research, testing and destruction plans
State Emergency Regulations

Approval expected by February 20, 2020

- Registration applications must list employer identification number (EIN)
- “Criminal history report” required for all “key participants”
  - Defined as a “Federal Bureau of Investigation Identity History Summary”
  - Required by April 30, 2020 for current registrants – or registration revoked
  - Required with registration application for new registrants
  - Dated within 60 days of registration application
  - May take 30-60 days to obtain criminal history report
  - Visit FBI website or Live Scan locations
Federal Interim Final Rule (Regulations)

- Sample flower portion of plant only (higher THC results?)
- Increased number of samples, e.g. 36 samples required on 40-acre site vs. the current 5 samples
- 15-day sample-to-harvest window
- Testing required at Federal Drug Enforcement Agency Certified Laboratory
Current County Ordinance

- County License Required: Pertains to Growers/Hemp Breeders only
- 12 acres - maximum planting
- 10 acres - minimum parcel size
- A2-zoning (General Agricultural)
- Outside Sphere of Influence of any city
- Outside Urban Transition designation of any city
- Expires May 1, 2020
Proposed Changes - County Ordinance

◦ Increase the maximum acres allowed per license
◦ Include EARI in 2020 pilot program
◦ Require EARI sampling, testing, research and destruction plans
◦ Grounds for suspension or revocation of license
  ◦ Failure to comply with County registration, license, permit, land use condition
  ◦ Failure to destroy a crop
  ◦ Failure to submit reports
  ◦ Failure to obtain THC test report
  ◦ Providing false information on application
◦ Deadline to submit a license application – July 1, 2020
◦ License expires May 1, 2021
Fees

- **Registration:**
  - $900 Per registration
    - Fee covers registration review and issuance, amendments, outreach

- **County Industrial Hemp License:**
  - No Fee

- **Sampling and Destruction:**
  - Weighted labor rate - $68.00 per Inspector/per hour of inspection and travel time
  - Minimum one-quarter hour travel, one-half hour inspection for two Inspectors ($102.00)
Resources & Contact Info:

Ag Commissioner Webpage: [http://www.stanag.org/industrial-hemp.shtm](http://www.stanag.org/industrial-hemp.shtm)
   (County license, County ordinance, required reports)

Ag Commissioner Phone: (209) 525-4730

Ag Commissioner Email: [Agcom50@stancounty.com](mailto:Agcom50@stancounty.com)

CDFA Webpage: [https://www.cdfa.ca.gov/plant/industrialhemp/](https://www.cdfa.ca.gov/plant/industrialhemp/)
   (Registration application, required reports, laws and regulations)


Live Scan locations: [https://oag.ca.gov/fingerprints/locations?county=Stanislaus](https://oag.ca.gov/fingerprints/locations?county=Stanislaus)