



Stanislaus County Agricultural Commissioner Industrial Hemp Regulations

Established Agricultural Research Institution

Definitions:

"Established agricultural research institution" has the same meaning as in Section 81000 of the California Food and Agricultural Code.

"Research plan" means a strategy devised by an established agricultural research institution, or applicant established agricultural research institution, detailing its planned approach to growing or cultivating hemp for academic or agricultural research.

License Requirements:

- (a) (1) Before cultivating hemp for agricultural or academic research, an established agricultural research institution shall license with the Agricultural Commissioner.
- (2) The license application shall include all of the following:
 - (A) The name, physical address, and mailing address of the applicant as well as a primary contact name and telephone number.
 - (B) The legal description, Global Positioning System coordinates, and map of the geographic area where the applicant plans to engage in hemp cultivation or storage, or both.
 - (C) A research plan that shall include all of the following:
 - (i) The hemp varieties that will be used and, if applicable, how those varieties will be used for purposes of agricultural or academic research.
 - (ii) A plan for testing all of the plants cultivated.
 - (iii) The measures that will be taken to destroy any plants with THC concentrations that test above 0.3 percent.
 - (iv) The measures that will be taken to prevent the unlawful use of hemp.
 - (v) A procedure for the maintenance of records documenting the agricultural or academic research.
 - (D) Documentation to support established agricultural research institution affiliation.
- (3) A licensed established agricultural research institution shall obtain laboratory results in accordance with its approved research plan.

- (4) A license shall expire one-year from the date of issuance.
- (b) If the commissioner determines that the requirements for licensing are met and that the applicant is eligible to participate in the hemp program, the commissioner shall issue a license to the applicant.
- (c) A licensee that wishes to change or alter the land area on which they conduct hemp cultivation or storage, or both, shall, before any alteration or change, submit to the commissioner an updated license application with the legal description, Global Positioning System coordinates, and map specifying the proposed land change or alteration. Once the commissioner has received the change to the license application and the commissioner determines that the requirements are met, the commissioner shall notify the licensee that it may cultivate hemp on the changed or altered land area.
- (d) A licensee conducting agricultural or academic research who wishes to change any provision of the research plan shall submit to the commissioner a revised research plan. Once the commissioner has received the revised research plan, and the commissioner determines that the requirements are met, the commissioner shall notify the licensee that it may cultivate under the revised research plan.
- (e) All records pertaining to the research plan shall be kept and maintained by the established agricultural research institution and be available upon request by the commissioner or a law enforcement agency.
- (f) A licensee that no longer meets the definition of an established agricultural research institution shall notify the agricultural commissioner within 24 hours.

Bond/Security

As specified in Stanislaus County Code 6.85.050, before a license is issued for industrial hemp cultivation, the applicant shall submit a bond or other form of security acceptable to the Agricultural Commissioner. The premium for the bond/security is established according to the following schedule:

Cumulative Cultivation Site Acreage	Minimum Bond Value
0.1 acre to 10 acres	\$2,500
> 10 acres to 20 acres	\$4,500
> 20 acres to 30 acres	\$7,000
> 30 acres to 40 acres	\$9,000

The Agricultural Commissioner may require an increase in the bond or other form of security in the event the applicant increases the acres under cultivation after a license or registration is issued. The established minimum bond value is subject to adjustment by the agricultural commissioner at the conclusion of the licensing period.

Setbacks


As specified in Stanislaus County Code 6.85.060, all required setbacks shall be determined at the time of the initial licensing and shall be applicable to all future annual licenses issued consecutively.

Registrants that received a license during the initial pilot program (2019) or the extended pilot program (2020), maintained that license in an active status, and have annually renewed that license in consecutive years are not subject to setbacks adopted in the permanent ordinance (2021), provided that there are no alterations to the prior approved cultivation site(s). Any changes made to a previously approved cultivation site(s) or addition of other cultivation sites will cause setbacks to apply to all cultivation sites under that specific license. This may result in forced removal of industrial hemp plants that do not meet setback standards.

Fees

The Agricultural Commissioner's Office may charge for any services provided under the Hemp program, as established by the County Board of Supervisors by resolution or ordinance. Services subject to fees may include, but are not limited to, registration, licensing, sampling, testing, inspections, monitoring, and enforcement.

Note: Authority cited: Chapter 6.85, Stanislaus County Code.

 Date 4/29/2021
KAMALJIT BAGRI
Agricultural Commissioner / Sealer of Weights and Measures
Stanislaus, State of California

ATTEST:

ELIZABETH KING, Clerk of the
Board of Supervisors of the County of Stanislaus,
State of California

By 
Liz King Clerk of the Board