

## Waterboard vs. DCC Definitions

| <b>Waterboard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>DCC</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Comments</b>                                                                                                                                                                     |
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| <p><b>9. Cannabis Cultivation</b> – Any activity involving or necessary for the planting, growing, pruning, harvesting, drying, curing, or trimming of cannabis. This term includes, but is not limited to: (1) water diversions for cannabis cultivation, and (2) activities that prepare or develop a cannabis cultivation site or otherwise support cannabis cultivation and which discharge or threaten to discharge waste to waters of the state.</p>                                                                                                               | <p>(o) “Commercial cannabis activity” includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis or cannabis products as provided for in this division, or acting as a cannabis event organizer for temporary cannabis events.</p> <p>(q) “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.</p> | <p>These definitions are similar.</p> <p>Note - Waterboard includes activities supporting cannabis cultivation, which would also cover cannabis events from the DCC definition.</p> |
| <p><b>10. Cannabis Cultivation Area</b> – is defined by the following:</p> <p>a) For in-ground plants, the cultivation area is defined by the perimeter of the area planted, including any immediately adjacent surrounding access pathways.</p> <p>b) For plants grown outdoors in containers (e.g., pots, grow bags, etc.) the cultivation area is defined by the perimeter of the area that contains the containers, including any immediately adjacent surrounding access pathways. The area is not limited to the sum of the area of each individual container.</p> | <p>(q) “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.</p>                                                                                                                                                                                                                                                                                                                                                      | <p>Waterboard is more specific.</p>                                                                                                                                                 |

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| <p>c) For plants grown indoors, that do not qualify for the conditional exemption under the Cannabis Cultivation General Order, the cultivation area is defined by the entire area contained in the structure where cultivation occurs, excluding any area used solely for activities that are not cultivation activities (e.g., office space). Areas used for storage of materials, equipment, or items related to cannabis cultivation shall be included in the cultivation area calculation.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                            |
| <p><b>11. Cannabis Cultivation Site</b> – A location where cannabis is planted, grown, pruned, harvested, dried, cured, graded, or trimmed, or where any combination of these activities occurs.</p>                                                                                                                                                                                                                                                                                                | <p>(r) “Cultivation site” means a location where commercial cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities occurs.</p> <p>(ccc) “Premises” means the designated structure(s) and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee.</p> | <p>Same wording.</p> <p>DCC also has a definition for “Premises”, Waterboard does not.</p>                                                 |
| <p><b>12. Cannabis Cultivator</b> – Any person or entity engaged in cultivating cannabis who diverts water (i.e., diverter) or discharges or threatens to discharge waste (i.e., discharger). This</p>                                                                                                                                                                                                                                                                                              | <p>(e) “Applicant” means an owner that is applying for a Department-issued license.</p> <p>(t) “Designated responsible party” means the individual identified by the commercial</p>                                                                                                                                                                                                                                                                                                                                                                  | <p>DCC does not have a definition for “Cannabis Cultivator” but does define “Applicant” “Designated responsible party” and “Licensee”.</p> |

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| <p>term includes business entities; employees; contractors; landowners; cultivators; lessees; and tenants of private land where cannabis is cultivated and of lands that are modified or maintained to facilitate cannabis cultivation.</p> <p><b>52. Landowner</b> – Any person or entity who owns, in whole or in part, the parcel of land on which cannabis cultivation is occurring or will occur. A landowner need not be a cannabis cultivator.</p> | <p>cannabis business who has legal authority to bind the commercial cannabis business and who is the primary contact for the application and license-related issues.</p> <p>(jj) “Licensee” means any person holding a license issued under the Act.</p> | <p>Waterboard also distinguishes the “Landowner” while DCC does not have a definition for this.</p> |
| <p><b>13. Cannabis Canopy Area (Canopy Area)</b> – The anticipated canopy acreage at plant maturity.</p>                                                                                                                                                                                                                                                                                                                                                  | <p>(m) “Canopy” means the designated area(s) at a licensed premises that will contain mature plants at any point in time.</p>                                                                                                                            | <p>Slightly different definition</p>                                                                |