



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
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San Diego, CA 92123  
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[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



July 9, 2018

**Subject: Commercial Cannabis Cultivation Licensing Guidance for Compliance with Section 1602 of the Fish and Game Code**

Dear Prospective Cannabis Cultivation Licensee:

Fish and Game Code requires an entity to notify the California Department of Fish and Wildlife (CDFW) before commencing an activity that will:

- Substantially divert or obstruct the natural flow or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake.
- Deposit or dispose of debris, waste, or other material where it may pass into any river, stream, or lake.

California Department of Food and Agriculture (CDFA) will begin issuing state annual licenses for cannabis cultivation. CDFA annual licenses will require the applicant to demonstrate compliance with Fish and Game Code section 1602.

Compliance with Fish and Game Code section 1602 can be demonstrated with a CDFW Lake and Streambed Alteration (LSA) Agreement or written verification that an LSA Agreement is not required. Please note that while CDFA does not require compliance with Fish and Game Code section 1602 for issuance of a temporary license, entities are still required to notify CDFW if their activity will alter a river, stream, or lake as specified above.

To comply with Fish and Game Code section 1602:

- Submit an LSA Notification (application and fee) to CDFW. Your LSA Notification must be received by the regional office serving the area where the cannabis cultivation will occur. The LSA Notification application, instructions, required fees, and locations of CDFW regional offices are available at <http://www.wildlife.ca.gov/Conservation/LSA>.
- Ensure that your LSA Notification is complete by following the instructions. Also, identify all existing and proposed project infrastructure and activities associated with cannabis cultivation and site access. Activities include but are not limited to water diversion and storage, road construction, stream crossings (bridges, culverts, rock fords), and riparian vegetation removal.

Upon receipt of a complete LSA Notification, CDFW will begin review and may conduct a site visit. Based on CDFW findings, a prospective licensee will receive either (a) an LSA Agreement or (b) written verification that an LSA Agreement is not required.

An LSA Agreement is required when CDFW determines that the activity, as described in a complete LSA Notification, will (1) substantially alter a river, stream, or lake and (2) may substantially adversely affect existing fish or wildlife resources, as specified in section 1602 of the Fish and Game Code. An LSA Agreement identifies covered activities and measures necessary to protect fish and wildlife resources, which may limit the work period.

If you have an existing LSA Agreement, be sure that it covers all of your activities and that it has not expired. If not all activities are covered, you will need to submit a new LSA Notification and obtain an LSA Agreement to cover the additional activities and ensure compliance with Fish and Game Code section 1602, as required in a CDFA annual license.

CDFW has available an online LSA Notification process and a General Agreement for cannabis cultivation. The General Agreement is an expedited process to obtain an LSA Agreement for those cannabis cultivation sites and activities that meet specific criteria.

For more information and updates, please visit CDFW's websites:

LSA at: <http://www.wildlife.ca.gov/Conservation/LSA>  
Cannabis at: <https://www.wildlife.ca.gov/Conservation/Cannabis>

CDFW appreciates your cooperation in addressing resource and permitting concerns associated with cannabis cultivation. If you have any questions regarding this letter, please call (858) 467-4201 or email [R5LakeandStreambed@wildlife.ca.gov](mailto:R5LakeandStreambed@wildlife.ca.gov).

Sincerely,



Edmund Pert  
Regional Manager  
South Coast Region