

Why Drug Policy Action Supports Prop. 64: It Protects California's Environment and Natural Resources

Californians for Responsible Marijuana Reform.

Brought to you by Drug Policy Action.

For the last twenty years the marijuana industry in California has boomed with little regulation, much to the detriment of the state's environment and scarce water resources. Proposition 64, or the Adult Use of Marijuana Act ("Prop. 64"), together with the medical marijuana regulation bills recently passed by the state legislature and signed by Governor Brown, will prevent environmental damage by establishing the strictest environmental controls of any marijuana law reform. It will dedicate new tax revenue to environmental restoration, remediation, water protection, and state parks.

Overview of Prop. 64—Regulating Medical and Nonmedical Marijuana Together

Prop. 64 will allow the responsible use of marijuana by adults 21 and over within a tightly regulated system. It will allow adults to legally possess, transport, purchase, consume and share up to one ounce of marijuana and eight grams of concentrated marijuana. Adults 21 and over may also legally grow up to six plants at their homes. The newly-formed Bureau of Marijuana Control (established within the Department of Consumer Affairs) will work with the Departments of Public Health and Food & Agriculture, and with the Division of Occupational Safety & Health, to oversee regulation for both medical and nonmedical marijuana.

Prop. 64 Creates Strong Environmental Protections

The Bureau of Marijuana Control—and the Departments of Food & Agriculture, Fish & Wildlife, and Pesticide Regulation—will set statewide regulations to implement environmental regulation, enforcement and restoration to rectify decades of environmental harm caused by illegal marijuana grows. The Bureau will ensure compliance with state laws and regulations related to environmental impacts, water quality and flow, natural resource protection,

application of pesticides, land conversion, and riparian habitat protection. Licensees must comply with these regulations or risk losing their license, and/or be punished by hefty civil fines or criminal prosecution. Enforcement and regulation will be funded by licensing fees and marijuana tax revenue.

Prop. 64 Directs Millions in New Investment in Cleanup and Protection of the Environment

Prop. 64 imposes a 15 percent excise tax on all retail sales of marijuana (both medical and nonmedical), in addition to the state sales tax and a separate tax on cultivation. The independent nonpartisan Legislative Analyst's Office estimates that this will generate up to a billion dollars in new revenue each year. After funding regulation, enforcement and research into environmental and other impacts of the regulation of marijuana in California, twenty percent of the remainder of the revenue will be dedicated to a special Environmental Restoration and Protection Account to fund cleanup, remediation and restoration of environmental damage in our state's watersheds. Funds will also be used to staff and improve state parks.

Prop. 64 Mandates that State Agencies Consider Environmental Impact Before Issuing Licenses

At the time of application for a new license, or at renewal, each licensing authority must consider whether a license could result in a violation of any environmental protection law. Any application for a cultivation, manufacturing or distribution license must also include a detailed description of the applicant's source(s) of water, including a certification that their proposed use of water is legal.