



# DEPARTMENT OF CONSERVATION

## DIVISION OF LAND RESOURCE PROTECTION

### Cultivation of Medical Marijuana and the Williamson Act



The passage in 2015 of Senate Bill 643 (Chap. 719) and Assembly Bills 243 (Chap. 688) and 266 (Chap. 689), established a comprehensive licensing and regulatory framework for the cultivation, manufacture, transportation, storage, distribution, and sale of medical marijuana. Numerous state agencies, including the Department of Food and Agriculture, administer the program. Questions about licensing and requirements related to the cultivation of medical marijuana should be directed to the Department of Food and Agriculture or the other state agencies that administer the medical marijuana program.

Multiple cities and counties have sought guidance from the Department of Conservation on whether the Williamson Act allows for the cultivation of medical marijuana on contracted property.<sup>1</sup> Medical marijuana is an agricultural product, under both the 2015 medical marijuana statutes and the Williamson Act.<sup>2</sup> Therefore, nothing in the Williamson Act prohibits the growth of medical marijuana on land enrolled in the Williamson Act. A city or county's participation in the Williamson Act does not alter a local government's authority to place conditions on crop types and agricultural practices allowed in areas under their jurisdiction.

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<sup>1</sup> The Williamson Act, also known as the Land Conservation Act of 1965, is codified in the California Government Code, sections 51200 through 51297.4.

<sup>2</sup> Health & Safety Code § 11362.777(a); Bus. & Prof. Code § 19300.5 (Medical Marijuana Regulation and Safety Act); Gov't Code § 51201 (Williamson Act)