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ARKANSAS HEMP PROGRAM: 2023 APPLICATION INSTRUCTIONS PACKET (Fiscal Year 2023 – Fiscal Year 2024)

This application instructions packet is intended to act as a resource for any applicant applying for a Hemp License (whether Grower License or Processor/Handler License) with the Arkansas Department of Agriculture's Hemp Program. Important information covered in this instructions packet includes: general Hemp Program website information, the 2023 Hemp Program Orientation PowerPoint, application deadlines, how to obtain an Arkansas State Police Criminal History Background Check, how to submit an application form to the Hemp Program, Program Fees, Program application review policies, instructions on how to make an aerial "Location ID" map required to be submitted with the application, an example "Location ID" aerial map, etc.

Quick AR Hemp Program Update:

Throughout 2019 - 2022, the Arkansas Department of Agriculture's Hemp Program has been diligently working to create a state hemp production plan that complies with both state and federal hemp laws. On December 9th, 2021, the Department received word from the USDA-AMS U.S. Hemp Production Program that Arkansas's state hemp production plan had been approved under the 2018 Farm Bill authority. This means that the Arkansas Department of Agriculture is permitted to continue regulating hemp production in Arkansas, as permitted by the AR Hemp Production Act of 2021 (A.C.A. § 2-15-501 *et seq.*).

Although the Program is moving away from research plan requirements under the Pilot Hemp Research Program, the general Hemp Program will not drastically change from the way the Department has conducted the Program in seasons' past. The Hemp Research Program Rules are still in effect for an additional season, but the Department does anticipate hemp rulemaking procedures to start again after the next legislative season.

A shortlist of Program Updates for 2023 includes, but is not limited to:

- The Department proposed new hemp rules before the Arkansas State Plant Board in early 2022
- The proposed new hemp rules were approved by the Plant Board, but pulled from final approval by the Department
- The Department anticipates hemp rulemaking procedures to begin again after the 2023 Legislative Session
- Licensee information being reported to the USDA-AMS Hemp Program
- No longer permitting the resampling and retesting of intact or hanging plants via Post-Harvest resampling procedures (See *2023 Sampling, Testing, Remediation & Disposal Guidelines*)
- Department may issue Corrective Action Plans (CAP) for negligent violations of Program Rules

Hemp Program Website & Orientation PowerPoint:

All information surrounding the Hemp Program can be found on the Arkansas Department of Agriculture's website on the "Hemp Home" webpage:

<https://www.agriculture.arkansas.gov/hemp-home>

This website contains links to the Hemp Program Rules & AR Hemp Production Act, the 2023 Hemp Grower Application, the 2023 Hemp Processor/Handler Application, all Licensee Request Forms & Report Forms, Summary of Varieties List, current licensee lists, Program Fees information, resource links, etc.

There is a lot of information surrounding the Hemp Program, so all applicants and renewing licensees are **highly** encouraged to review the 2023 Hemp Program Orientation PowerPoint *prior* to applying for or renewing a Hemp License with the Program.

Application Information & General Instructions:

PROGRAM RULES:

*You **MUST** review the Program Rules prior to applying for licensure with the Program. Your application serves as a Licensing Agreement between you (the applicant) and the Department. Included within the application is the acknowledgement that you, the applicant, have read and understand the Program Rules, and that you agree to abide by Program Rules for the duration of the issued license.*

You should be especially familiar with Section 12: Restrictions on Sale or Transfer as well as Section 17: Prohibitions Summarized prior to applying for licensure with the Program

PROGRAM FEES:

The Arkansas State Plant Board approved fees to implement the Program, effective May 30th, 2020. *Prior to applying for licensure with the Program, you **must** review the Program Fee structure detailed in Section 14: Fees and Services of the Industrial Hemp Research Program Rules and budget your operations accordingly.*

If approved for licensure with the Program, you will be issued a Licensing Invoice detailing (1) the \$200 licensing fee payment, (2) applied acreage fee or applied processor/handler fee, and (3) \$100 Location ID/GPS Verification fee for **each** Storage Location ID and Greenhouse Location ID requested for licensure. A license will not be issued until the Licensing Invoice is paid in full by the due date indicated on the invoice, which is about 30 days from the date the invoice is generated.

For your convenience and budgetary purposes, please find the detailed **Program Fee Chart** located on the next page.

HEMP PROGRAM FEES CHART

FEE DESCRIPTION	FEE AMOUNT	LICENSE TYPE	PROGRAM INVOICING TYPE
APPLICATION FEE	\$50.00	BOTH	N/A
LICENSE FEE	\$200.00	BOTH	LICENSING INVOICE
SITE MODIFICATION FEE	\$200.00	BOTH	SITE MODIFICATION INVOICE
APPLIED ACREAGE FEE	\$50.00 - \$1,000.00	GROWER LICENSE ONLY	LICENSING INVOICE OR SITE MODIFICATION INVOICE
APPLIED GREENHOUSE FEE	\$100.00 / EACH	GROWER LICENSE ONLY	LICENSING INVOICE OR SITE MODIFICATION INVOICE
GPS VERIFICATION FEE <u>(EACH STORAGE LOCATION ID)</u>	\$100.00 / EACH	BOTH	LICENSING INVOICE OR SITE MODIFICATION INVOICE
APPLIED PROCESSOR/HANDLER (PRODUCER) FEE	\$500.00 - \$1,500.00	PROCESSOR/HANDLER LICENSE ONLY	LICENSING INVOICE OR SITE MODIFICATION INVOICE
HARVEST/COMPLIANCE SAMPLING FEE	\$100.00 / EACH	GROWER LICENSE ONLY	HARVEST/COMPLIANCE SAMPLING INVOICE

Grower applicants need to take into consideration: (1) how many different hemp varieties they will be planting and (2) how many different Location IDs hemp will be grown and harvested at. These factors are extremely important during Harvest time because each compliance sample pulled by the Department will be \$100/each.

There will be three (3) different Program invoices **e-mailed** to approved Program applicants:

- (1) Licensing Invoice
- (2) Site Modification Invoice
- (3) Sampling Invoice

FISCAL-YEAR (FY) LICENSING:

The Program issues licenses on the fiscal-year, which is July 1st – June 30th annually. **Licensing is NOT on the normal calendar year.** Pay close attention to the license issuance date, as well as the license's expiration date.

E-MAIL COMMUNICATION USE:

The Hemp Program *heavily* relies on e-mail communications with approved Program licensees. The Department uses e-mail communications to notify Program applicants and licensees of (1) application approval or denial, (2) Program Fee invoices, (3) important Program and industry related information, (4) any upcoming committee or board meetings, (5) missing Program reporting paperwork, (6) harvest compliance test results, and so much more.

It is the applicant/licensee's responsibility to make sure e-mails are monitored and up to date for any correspondence with the Program.

Due to the time-sensitive nature of the Program, post-mailed Program reports or requests will no longer be accepted. All Program reporting or request paperwork MUST be e-mailed to the Program's main e-mail address: industrialhemp@agriculture.arkansas.gov. Applications with \$50 application fee are still permitted to be post-mailed to the Department.

E-mail use ensures the Department's timely receipt of Program paperwork/requests and creates a convenient record that can be easily retained with your operation's records. This is especially convenient during time-sensitive Harvest season with the Program.

APPLICATION DEADLINES:

NEW *Field* Grower Application Deadline: New applicants applying for a Hemp Grower License to produce hemp outdoors must submit a completed application **by April 28th, 2023.**

NEW *Indoor/Greenhouse ONLY* Grower Application Deadline: New applicants applying for a Hemp Grower License to produce hemp indoors or within a greenhouse can **apply at any time.**

NEW *Processor/Handler* Application Deadline: New applicants applying for a Hemp Processor/Handler License can **apply at any time.**

LICENSE RENEWAL DEADLINE FOR BOTH GROWERS AND PROCESSOR/HANDLERS:

April 28th, 2023

ARKANSAS STATE POLICE (ASP) CRIMINAL HISTORY BACKGROUND CHECK INFORMATION:

Signing Authorities and all company Key Participants are required to file a criminal history background check with the Arkansas State Police Identification Bureau. This is the responsibility of the applicant.

For more information on how to obtain the ASP Criminal History Background Check, please visit the Hemp Program's "**Applications for Hemp Licensing**" webpage.

APPLICATION SUBMISSION:

It is *highly* recommended that you e-mail your completed application(s) to industrialhemp@agriculture.arkansas.gov. If you e-mail your application(s) into the Department, you MUST post-mail the \$50 nonrefundable application fee and the first page of your application to the Department.

E-mail should be your first submission option, but you are permitted to post-mail your completed application and nonrefundable application fee to the Department.

INCOMPLETE OR DENIED APPLICATIONS:

Incomplete applications will not be processed and will not be considered for licensure with the Program. It is the applicant's responsibility that all supporting attachments, documents, and any other supporting information is all included within a completed application at the time of submission.

MAKING AERIAL "LOCATION ID" MAPS:

The Hemp Program requires applicants to provide the Department with color aerial maps detailing and labeling all "LOCATION ID" sites where hemp will be grown, processed, handled, or stored. A "LOCATION ID" is a unique name you assign a site, for example, "FIELD #1" or "NW FIELD." Each Location ID is associated with six-digit "Decimal degrees" GPS coordinates and a street address.

Make sure all map requirements are met with your submitted Location ID aerial map. For your convenience, the Department has provided a map requirements checklist below, as well as map-making instructions using Google Earth over the next few pages of this instruction packet.

Location ID Aerial Map Checklist of Requirements:

- Individual or Company Name on Map (& License Number if known)**
- Map in color**
- Street address on Map**
- All Location IDs Labeled and Indicated at one Street Address on one Map**
- All entrances marked "E"**
- Zoomed out enough to show whole site Location and nearby labeled public road name**
- All Location IDs labeled with different names; no repeating Location ID names**
- GPS Coordinates for each building and/or Field plot in Decimal Degrees (up to six-digits)**

Instructions for Creating Maps and Obtaining GPS Coordinates for Submission with the Application

The following instructions outline required site map contents and basic instructions for obtaining a map. You are required to provide the Department a photographic aerial map of all growing, handling, processing, and storage locations. This requirement applies to all applicants and License holders, and will assist with the Department's required reporting to law enforcement.

Each map should be **in color** and contain the following:

- Only one address per map and all locations at that address on a single map.
- The applicant's full name printed on the page.
- If applicable, the full name of the business entity.
- The map location's street address, city, state, and zip code printed on the page.
- "E" marking the primary site entrance on the map. "E2" marking any secondary farm/site entrances.
- Must be zoomed out to show the site location, a public roadway, and the road name.
- Processing buildings, storage buildings, or handling facilities and the Location ID/name of each structure.

NOTE: The handling, processing, and storage location IDs used MUST be consistent on all report forms used in the program.

- GPS coordinates for each building. GPS coordinates should be provided in DECIMAL DEGREES up to six-digits (Example: *lat: 34.123456 N, long: -92.123456 W*) with a pinpoint showing exactly where the GPS coordinate was taken.
 - Use Google Earth or another web-based mapping program, or obtain GPS coordinates off your smartphone. If you are unable to get the required coordinates this way, please visit www.geoplaner.com

The Department prefers maps created with Google Earth. You can download Google Earth Pro for free by visiting <https://www.google.com/earth/download/gep/agree.html>. If asked for a registration key, enter "GEPFREE".

Google Maps, MapQuest maps or another similar program; Farm Service Agency (FSA) maps; Property Valuation Administrator (PVA) maps; or Soil Conservation maps with legible handwritten information will usually suffice if they are in color. To obtain a map online:





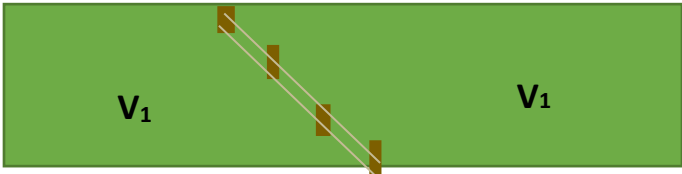
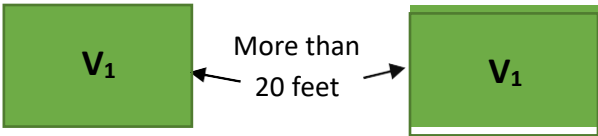
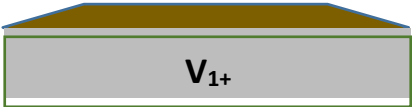
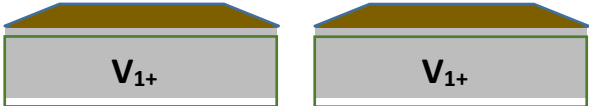
- You can go to Google Maps online at <https://maps.google.com/>. When you have the address on your screen, you can click the button in the lower left corner that says "Earth" or "satellite" for an aerial view of the location.
- On MapQuest at <http://mapquest.com/>, locate the address on your screen, then click in the upper right corner on "Satellite" for an aerial view of the location.

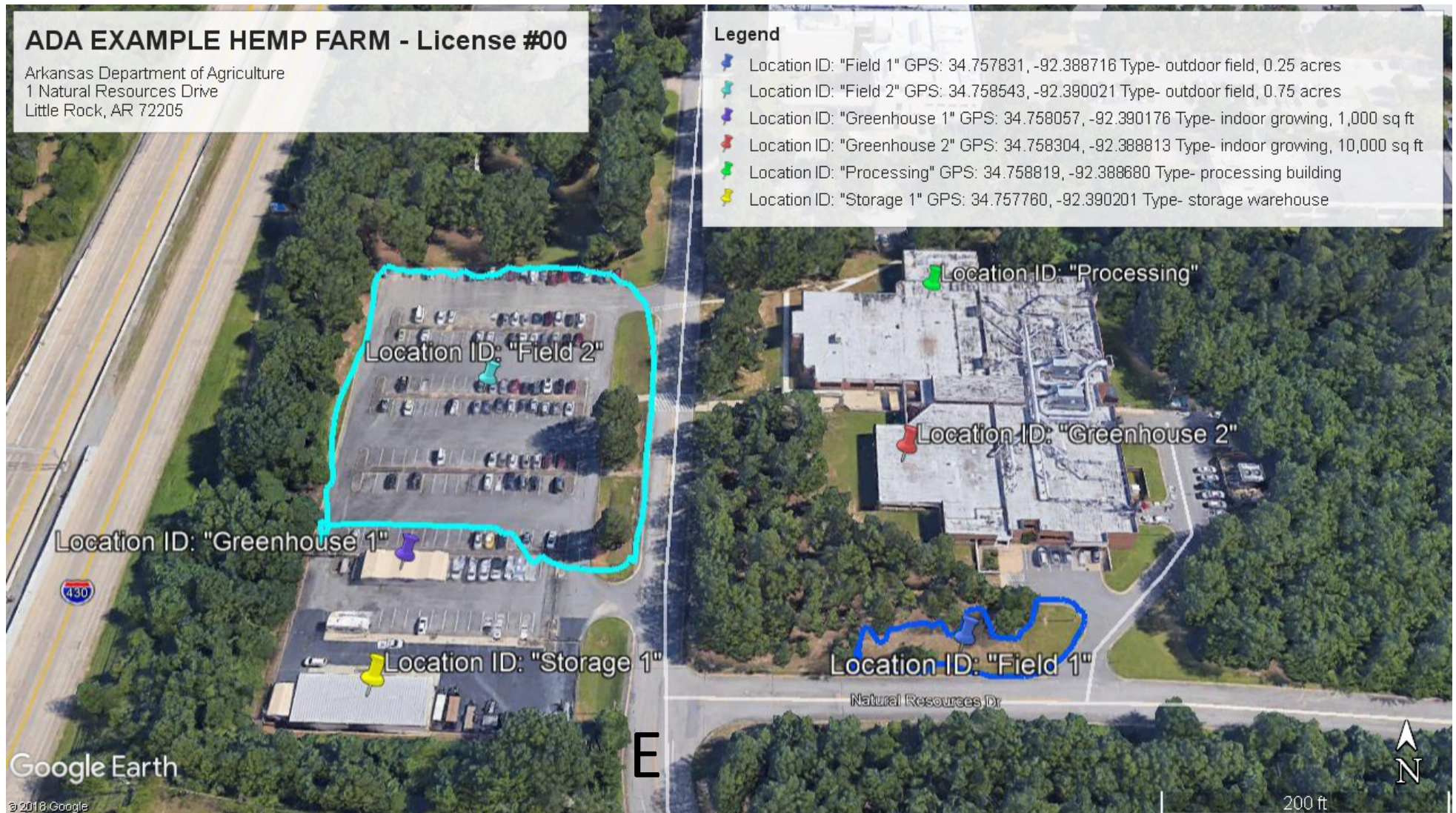
Print out the map when you are satisfied with the level of zoom (i.e. should show at least one nearby road, the entrance to the site, and the location of the hemp sites).

What is a Contiguous Location?

A contiguous field will NOT have any breaks, fence lines, tree lines, or roads dividing the field. Any field division shall be seen as two or more separate fields.

Greenhouses and other indoor growing locations are treated as individual structures and need separate coordinates.

Contiguous Locations?	Diagram V = variety
Yes, 1 Field	
Yes, 1 Field	
<u>NO, 2 Fields</u> Reason: Field divided by trees or hedgerow.	
<u>NO, 2 Fields</u> Reason: Field divided by stream.	
<u>NO, 2 Fields</u> Reason: Field divided by fence.	
<u>NO, 2 Fields</u> Reason: Field divided by space of more than 20 feet.	
Yes, 1 Building	
<u>NO, 2 Buildings</u> Reason: Two separate buildings.	



NOTE This map is for example purposes ONLY. There is no industrial hemp grown at any of these locations.

2023 Hemp Program Application Review Policies:

- (1) The Department is not required to accept additional information, attachments, or missing information not originally included within an already submitted application.
- (2) The Department is unable to assist applicants through the application process, nor is the Department able to assist applicants with making the aerial "Location ID" map.
- (3) The Department is not obligated to ask follow-up questions regarding a submitted application. All required information must be provided within the submitted application.
- (4) Applicants will be notified via e-mail address communication whether a submitted application was approved, denied, or deemed incomplete by the Department.
- (5) The Department gets up to sixty (60) days to review a submitted application for the Program, dependent on program staff workload.
- (6) If approved for licensure with the Program, an applicant will be sent a Licensing Invoice via e-mail address communication. If a Licensing Invoice is not paid upon receipt, or within thirty (30) days, the application may be considered abandoned by the Department, and the applicant will be asked to re-apply.
- (7) If an application is denied or deemed incomplete by the Department, the applicant is permitted to re-apply with an additional nonrefundable \$50 application fee and new application. (Retain a copy of your submitted application(s)!
- (8) If an application is denied or deemed incomplete, the Department will detail what components of the application were missing, deemed incomplete, or need amending via e-mail address communication.
- (9) All Grower applicants must provide at least one Storage Location ID within their Grower Application.
- (10) Once an applicant has fully paid their Licensing Invoice, the Department will issue them a License Certificate and Final Program Approval Letter via e-mail address communication.



PLANT INDUSTRIES
DIVISION

Arkansas Department of Agriculture

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