



## **Determining Plant Canopy Guidance Document:**

### **Overview**

This document is intended to assist licensees authorized to cultivate cannabis. Specifically, this document outlines how licensees authorized to cultivate cannabis must measure their canopy to comply with the canopy tier limits outlined in the Adult-Use Regulations. Any change to a Cultivation Site Plan must be maintained and made available to the Office upon request, pursuant to 9 NYCRR Part 125.2. As a reminder, Title 9 Section 120.3 (b) of the regulations state that a cultivator may only have one cultivator license that provides authorization for only one type of cultivation and canopy tier as approved on the cultivator’s application. Any change to the type of cultivation and or canopy tier requires application to the Office and prior written approval.

### **Measuring Plant Canopy**

Flowering plant canopy is a measure of the total area used by a licensee authorized to cultivate cannabis where mature cannabis plants are grown. Mature cannabis plant is defined in 9 NYCRR Part 118.1(a)(65) as *Cannabis plants that have observable buds or flowers*. Flowering plant canopy must be calculated in square feet measuring from the planting beds around all areas that will contain flowering cannabis plants. The measurement of the planting beds must take into account the estimated size (span) of the cannabis plant during its final flowering stage. The planting beds must be clearly identifiable with measurable boundaries. Planting beds may be noncontiguous, but each unique area included in the total flowering plant canopy calculations must be separated by an identifiable boundary which includes, but is not limited, to interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedge rows, fencing, garden beds, or garden plots.

Flowering plant canopy does not include areas used for seedling production, propagation of clones, or maintenance of mother plants used for cloning. However, these areas must be clearly marked, identified, and demarcated on the licensee’s Site Plan. A licensee authorized to cultivate cannabis may also exclude other areas from the measured flowering plant canopy if they are separate from any planted bed and clearly identifiable with clear boundaries including, vehicle access roads, clearly demarcated walkways, and completely fallow areas where no cannabis growth is occurring. At no time during the cultivation cycle should any of the clearly identified access roads, walkways, or fallow areas be covered by any cannabis plant foliage. Please be aware that the practice of planting a flowering canopy area greater than the maximum flowering canopy allowed based on the licensee’s selected cultivation tier is not permitted.

### **Examples**

- If trellis netting or posts are used to support the developing cannabis flower the entire area covered by the netting including the planted bed must be included in the measurement of flowering plant canopy.
- If raised beds or garden boxes are used, the beds, plots or boxes provide an identifiable boundary that can be used to demarcate a measurable flowering plant canopy.
- If cultivating in a greenhouse or hoop house or indoors, the total square footage of the greenhouse or hoop house or indoor area should be calculated in a flowering plant canopy. However, if the greenhouse or hoop house or indoor area include clearly demarcated walkways clear of plant foliage, they can be subtracted from the flowering plant canopy. However, if the cannabis plants are on tables or benches inside the hoop house or green house or indoor area, the tables or benches can be used as an identifiable boundary to measure flowering plant canopy.

### **Measuring Plant Canopy Examples**



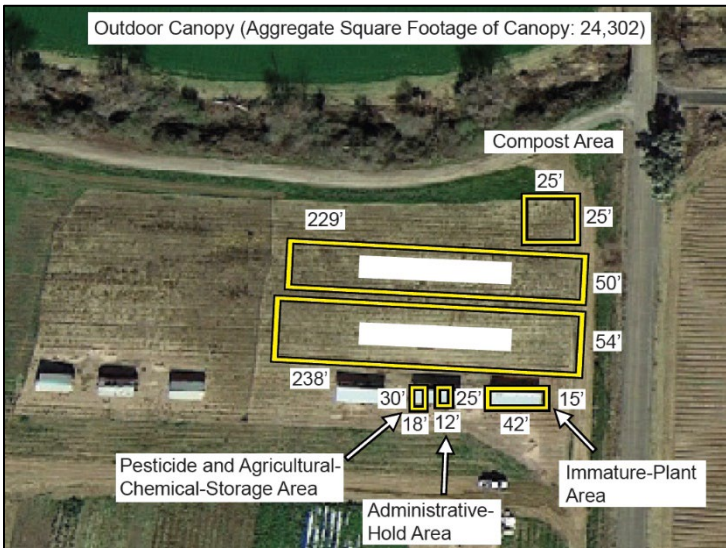
The following pictures provide examples for how to measure flowering plant canopy. (Aerial Diagrams)

If there are no clearly demarcated walkways, your square footage will be calculated by total bed area.

Defined walkways / spaces between plant beds will not be counted towards total flowering plant canopy square footage if clearly measured and identifiable. (Example: the walkway identified by the red rectangle can be excluded from the canopy calculation if measured and subtracted from the total area)



Examples of Space Between Cannabis Plants that Count as



Example of calculating Flowering Plant Canopy/Bed Space:  
 $229' * 50' = 11450 \text{ sq. ft.}$   
 $238' * 54' = 12852 \text{ sq. ft.}$   
 $11450 + 12852 = 24,302 \text{ sq. ft. plant canopy}$

Note: For Plant Bed Diagrams, square footage of other areas on premises is not required – square footage measurements are only needed for plant bed space, to determine total flowering plant canopy.



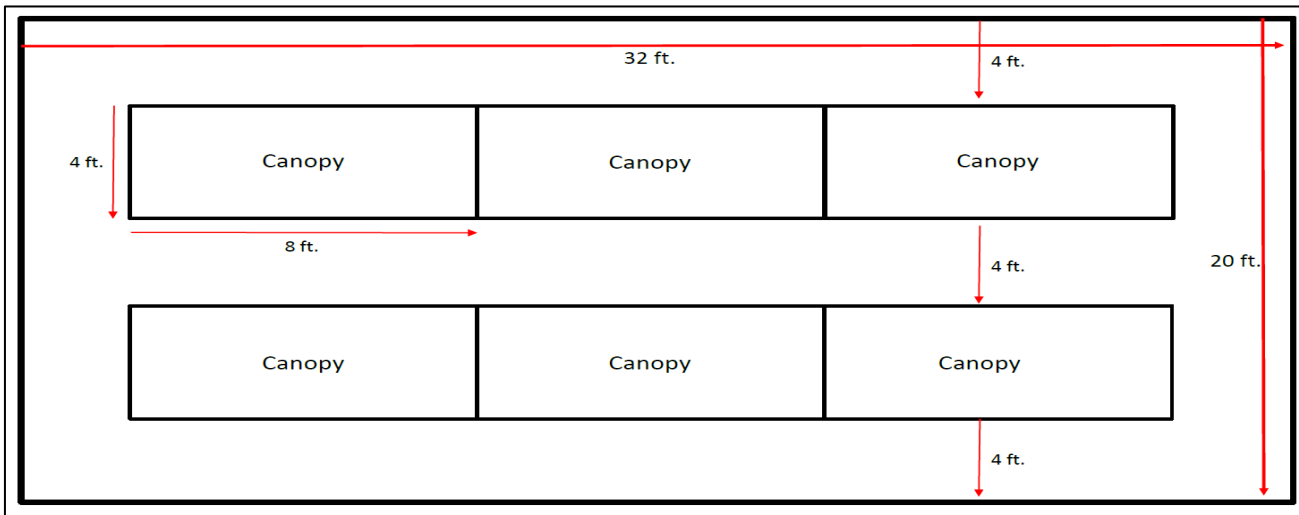
Flowering Canopy (Outdoor):

Everything within the netting would be calculated towards your total square footage for calculating flowering plant canopy. Pathways outside of the netting could be subtracted from the flowering plant canopy calculation.



The picture above depicts a clear walkway that does not count towards total square footage of plant canopy.

Example of Plant Bed Diagram:



**Example of bed space measurement:**

**Square footage defined by clearly demarcated plant rows and netting.**

**Walkways not calculated towards total square footage of flowering plant canopy.**

**Example of mass planting in a hoop house (square footage will be calculated by total bed area.)**

**No identifiable boundaries. Total square footage of the hoop house would be measured for flowering plant canopy.**

