



Mille Lacs Band of Ojibwe
Department of Cannabis Regulation
Cannabis Regulations

CULTIVATION

Document No. CR – 12

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1. PURPOSE

This Regulation implements 15 MLBS § 1213 (hereinafter referred to as the “Code”) and relevant provisions of the Compact, Attachment A. The purpose of this Regulation is to set forth the standards, processes, and procedures by which cannabis businesses licensed by the Department may engage in cultivation activities authorized under the Code.

2. AUTHORIZED ACTIONS

2.1.1. A cannabis cultivator may:

- a. undertake the activities authorized under § 1213(a)(1)(i)-(iv) of the Code;
- b. sell cannabis products to any person in possession of a current and valid cannabis business license, issued or recognized by the Department, and who is authorized by such license to purchase the type of cannabis product being sold;
- c. if it holds a license or endorsement for other regulated activities, conduct the activities authorized by such endorsement or license; and
- d. any other actions approved by the Department.

3. CULTIVATION PLAN REQUIREMENTS

3.1.1. A cannabis cultivator must establish, maintain, and follow a cultivation plan that provides for the following.

- a. diagram of the size and layout of the cultivation facility area that will be used for cultivation, including the total amount of plant canopy;
- b. the plans for recycling, wastewater, and waste disposal for the cultivation facility, including solid waste disposal, and plans for mitigating their potential negative impacts on the surrounding community;
- c. the plans for water usage, including mitigating the potential negative impacts of storm water run-off on the surrounding community;
- d. the plans for pest management protocol that incorporates integrated pest management principles to control or prevent the introduction of pests to the cultivation site;
- e. the plans for providing electricity, water, and other utilities necessary for the normal operation of the cultivation facility;



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- f. the measures taken to minimize or offset energy use from the cultivation of cannabis;
- g. a diagram of the proposed ventilation and air filtration systems;
- h. the vendor name, vendor contact information, and invoices for all products intended for propagation, including propagative material such as seeds and clones, fertilizers, nutrients, and pest control products that are chemical or biological;
- i. procedures for operational record keeping to accurately identify all crop inputs that the cultivator will enter into the statewide monitoring system and declare for laboratory testing, regulatory review, and inspection;
- j. a description of batch numbering that the cultivator will use;
- k. growing schedules that include each seeding date, planting date, or cutting and propagation cycle date, as applicable;
- l. harvesting timelines and methods;
- m. methods for drying, curing, and storing cannabis;
- n. standard operating Procedures as required by Attachment A 9810.1100, subp. 2; and
- o. a security plan as described in Attachment A 9810.1500.

4. CANOPY SIZE

4.1. Size Limits

- 4.1.1. A cannabis cultivator with a facility located outside of Tribally Regulated Land (as defined in the Compact) is subject to the canopy limits imposed under the Compact for such facility.

4.2. Determination of Canopy Size

- 4.2.1. When these Regulations or the Compact require determination of a cultivator's total canopy, the canopy size is determined as follows.
 - a. For indoor cultivation, the canopy is measured by calculating the total square footage of each distinct cultivation area containing mature, flowering cannabis plants. Distinct cultivation areas include trays, tables,



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and shelves or may be demarcated by trellising, tiers, or other identifiable boundaries.

- b. For outdoor mixed-light facilities, outdoor mixed-light cultivation may occur in a greenhouse or hoophouse. The canopy acreage is the total area of the outdoor mixed-light facility containing mature, flowering cannabis plants minus any clearly demarcated walkways.
- c. The canopy acreage for cultivation occurring completely outdoors is the total area of the field containing mature, flowering cannabis plants, minus any vehicle access roads and completely fallow areas where no cultivation is occurring.

5. PROHIBITED SALES

A cannabis cultivator may not sell any propagative cannabis material to a buyer if the cannabis cultivator knows, or should reasonably know, that the buyer would use the material to engage in activities prohibited by applicable Tribal, State, local, or federal (other than cannabis prohibition) law.

6. CULTIVATION OPERATIONS

6.1. Cultivation Premises Requirements

- 6.1.1. A cannabis cultivator must ensure that growing, drying, processing, and storing cannabis plants and cannabis flower does not occur in dwellings unless the activity is specifically authorized under Tribal or applicable State law governing home cultivation for personal use.
- 6.1.2. A cannabis cultivator must ensure that all activities approved by the Department occur in an area of the cultivator's premises that can be accessed without passing through a dwelling.
- 6.1.3. When selling cannabis directly to consumers on the premises where cultivation is authorized by the Department, a cannabis cultivator must ensure that a wall or another barrier with proper security measures is in place to separate customer areas of the premises from limited-access areas, including any area where the cultivator collects, packages, and seals cannabis samples for mandatory testing for transport to a cannabis testing facility.

6.2. Restricted Access Areas



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- 6.2.1. The areas of a cultivation facility where the growing, drying, processing, and storing cannabis plants and cannabis flower is conducted must be designated as restricted access areas. A cultivation facility may have a lobby, reception, restroom, breakroom, or meeting areas that are not restricted access areas.
- 6.2.2. A cultivation facility may not permit any individual to enter a restricted access area unless the cannabis business records the individual's name, time of entry, time of exit, authorization to enter the restricted area through use of an electronic or manual entry log, and the individual:
 - a. is a cannabis worker employed by or contracted with the cultivation facility;
 - b. is an employee or representative of the Department or another enforcement agency;
 - c. is a contractor of the cultivation facility, including but not limited to an electrician, a plumber, an engineer, or an alarm technician, whose scope of work will not involve the handling of cannabis flower or cannabinoid products and, if the individual is working in an area with immediate access to cannabis flower and cannabinoid products, the individual is supervised at all times by a cannabis worker employed by the cultivation facility; or
 - d. has explicit authorization from the Department to enter a restricted access area and, if the individual is in an area with immediate access to cannabis flower or cannabinoid products, the individual is supervised at all times by a cannabis worker employed by the cultivation facility.
- 6.2.3. A cultivation facility shall ensure that all areas of entry to restricted areas within its licensed premises are conspicuously marked and cannot be entered without recording or logging the information required in Section 6.2.2.
- 6.2.4. All other visitors to a cultivation facility shall be accompanied by an escort employed by the cannabis business and shall not be permitted entry to restricted access areas. The cultivation facility must log the visitor's name, time of entry, time of exit, reason for visit, and the escorting employee prior to allowing access into the facility.

6.3. Sources of Plants and Seeds

- 6.3.1. After December 1, 2025, a cannabis cultivator may obtain cannabis seeds, immature cannabis plants, cannabis mother plants, cannabis plants, and other cannabis plant sources intended for propagation only from a source authorized by the Department or OCM to sell those products.



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- 6.3.2. A cannabis cultivator must destroy or dispose of volunteer cannabis plants that it locates in its facility using a method under CR-15, Environment Standard and disposal.
- 6.3.3. A cannabis cultivator may cultivate using cannabis seeds, tissue culture, or immature cannabis plants that the cultivator produces.

6.4. Plant Identification and Reporting

A cannabis cultivator must label each cannabis plant with the plant's batch number according to CR-5, Product Inventory and Tracking.

6.5. Crop Inputs

- 6.5.1. A cannabis cultivator may only use pesticides that are permitted under Code § 1209 and approved by the Department for use in the cultivation of cannabis flower.
- 6.5.2. A cannabis cultivator may request approval from the Department to use a pesticide not previously approved. A request for approval of a pesticide must be accompanied by documentation showing that the pesticide meets the requirements of Code § 1209 and describing the planned use and information adequate to assess the safety of using the pesticide under such circumstances.
- 6.5.3. The Department shall periodically post, or distribute to licensees, a list of pesticides approved under Section 6.4.2.
- 6.5.4. For outdoor cultivation, a cannabis cultivator may not apply pesticides when pollinators are present or allow pesticides to drift to flowering plants that are attractive to pollinators when pollinators are present.
- 6.5.5. The Department may prohibit the use of any pesticide, fertilizer, soil amendment, plant amendment, and other input to cultivate cannabis at any time for good cause shown, even if such substance was previously approved by the Department.
- 6.5.6. A cannabis cultivator must ensure that crop inputs:
 - a. are handled and applied in a manner that prevents the contamination of cannabis plants with filth, residues, or other substances that would likely render products of the cannabis plant injurious to human health; and



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- b. are documented in the statewide monitoring system according to CR-5, Product Inventory and Tracking.
- 6.5.7. A cannabis cultivator must ensure that all crop inputs, rinsate, and containers are diluted, applied, stored, and disposed of according to label instructions and in compliance with all applicable laws and regulations.

6.6. Sanitary Practices

- 6.6.1. The sanitary practices in this Section apply to all cannabis cultivation activities, including harvesting, drying, curing, and storage.
- 6.6.2. A cannabis cultivator must conduct cultivation in a manner to limit the exposure of immature cannabis plants and cannabis plants to conditions that would likely render the products of the cannabis plants injurious to human health.
- 6.6.3. A cannabis cultivator must handle a harvested cannabis plant product intended for human consumption at temperatures and in environmental conditions that protect the product from physical, chemical, and microbial contamination and deterioration of the product as it is described on the product's labeling.
- 6.6.4. A cannabis cultivator must ensure that utensils and equipment, including storage containers, that come into direct contact with harvested product are cleanable, constructed of materials that will not transfer to the harvested product, and maintained in good condition to prevent contamination of the harvested product.
- 6.6.5. A cannabis cultivator must store and handle packaging materials that come into direct contact with the harvested product in a manner to prevent contamination from the environment.
- 6.6.6. A cannabis cultivator must:
 - a. clean packing materials between uses if the materials are designed to be cleaned and used multiple times; or
 - b. discard packing materials after a single use.

6.7. Odor Control

An indoor cannabis cultivation facility must have ventilation and filtration for odor control.

7. CULTIVATION RECORDS AND RECORDKEEPING



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7.1. Record Retention

- 7.1.1. A cannabis cultivator must keep and maintain for a period of at least five years records of the cultivator's cultivation activities, as identified in section 7.2, in the Department's designated monitoring system according to these Regulations.
- 7.1.2. Cultivation records must be made readily available to the Department upon request.

7.2. Tracking and Inventory Control

- 7.2.1. In addition to the information required in CR-5, Product Inventory and Tracking, a cannabis cultivator must document, at a minimum:
 - a. the initiation of cultivation for each batch, including the following information:
 - i. a description of the source of immature cannabis plants or seeds; and
 - ii. the volume as measured;
 - b. the application of crop inputs to the growing medium, plants, or plant material used in production, including the following information:
 - i. the weight and concentration of the crop input, including any pesticide, fertilizer, soil amendment, or plant amendment, that was applied to the plant;
 - ii. a copy of the label of the crop input applied to the plant; and
 - iii. the vendor or other origin of the crop input;
 - c. a description of plant maintenance, including dates, that involves culling plant parts or plant disposal; and
 - d. the date that each plant batch is harvested.
- 7.2.2. A cannabis cultivator must include the following information regarding the cultivation activity of workers:
 - a. the date that a worker conducted cultivation activity;
 - b. the name of the worker conducting cultivation activity or the name of the responsible worker when there is more than one worker conducting cultivation activity;



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- c. the batch number of the plants; and
- d. a description of the area where the worker conducted cultivation.