

San Diego Water Board Update SAM Fall Forum - 2018

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TOPICS:

Water Board Staff Changes

Region 9 Agricultural Orders

Renewal of Waivers

State-Wide Cannabis Order



San Diego Water Board

- Site Restoration and Groundwater Protection Branch
Kelly Dorsey, P.G. Branch Chief
- Employment: jobs.ca.gov



Region 9 Agricultural Orders

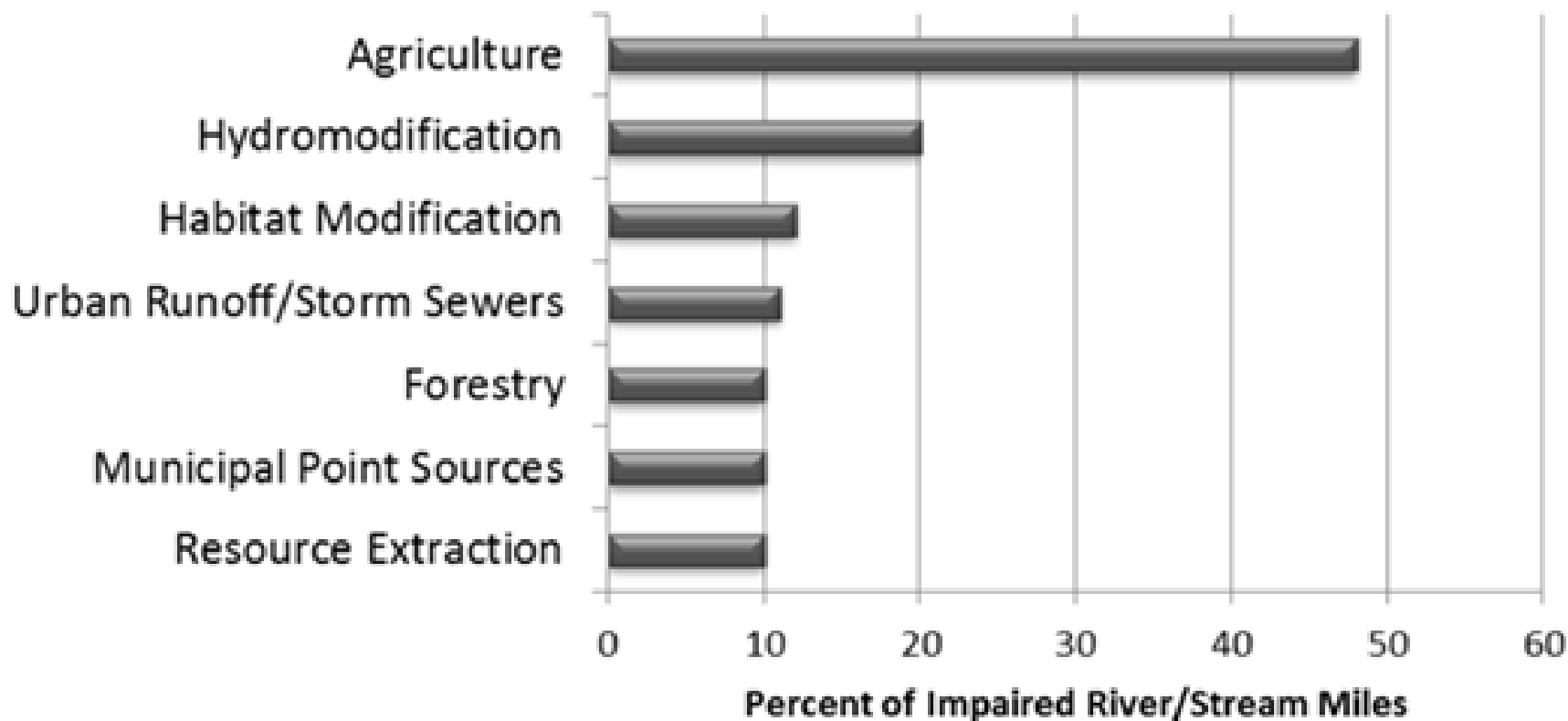
General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations

Order Nos. R9-2016-0004 and -0005



Why AG Orders were needed

Percent of Impaired Rivers/Streams Leading Pollutant Sources



Agricultural Program

Irrigated Lands Regulatory Program

Region 9:

www.waterboards.ca.gov/sandiego/water_issues/programs/commercial_agriculture

State Board:

https://www.waterboards.ca.gov/water_issues/programs/agriculture



Conditional Waivers Renewal

Public Stakeholder Meeting
Tuesday, November 6, 2018

1:00 to 4:00 pm

Location: San Diego Water Board

https://www.waterboards.ca.gov/sandiego/water_issues/programs/waivers/



Low-Threat Discharges of Waste

12 Conditional Waivers

Most Popular:

Waiver No. 10: Solid Waste Waiver

Waiver No. 2: Recycled Water Waiver



Website: waterboards.ca.gov

CA.GOV Share:

CALIFORNIA **WATER BOARDS**
San Diego - R9

Regional Board Programs News Room

Do I Need a Permit?

- Agriculture ←
- Basin Plan →
- Cannabis Cultivation ←
- Drought - Wasting Water
- Enforcement

- Environmental Projects
- Monitoring and Assessment
- Permit, Waivers, Forms
- Practical Vision
- Sanitary Sewer Overflows



Cannabis Cultivation Regulatory Program

**South Coast Regional Cannabis Cultivation
Regulatory Unit**

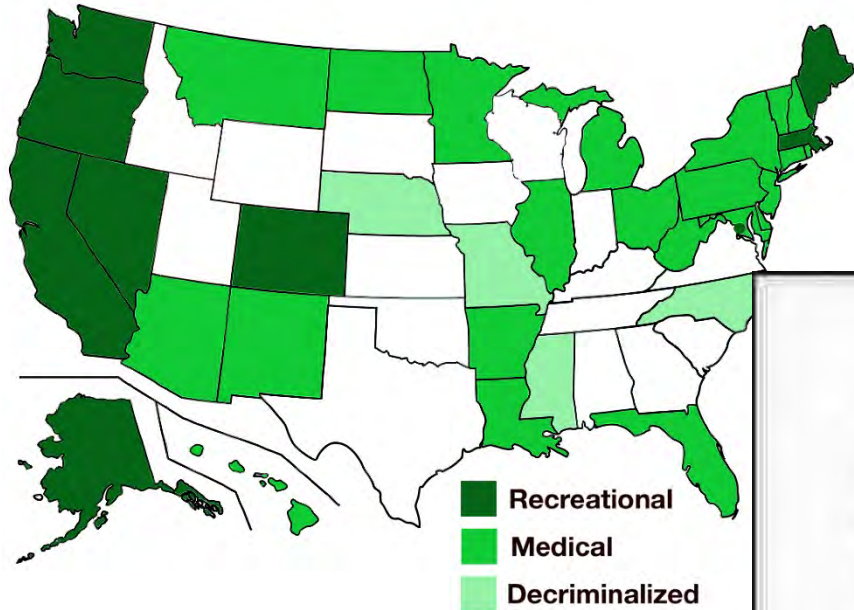


1970s



LEVELS OF LEGALIZATION

(created July 2017)



Keep in mind that some states are not active yet w

2018





























Legislative Background

- California voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA), in November 2016
- As of January 1, 2018, adults (21 years of age or older) can legally grow up to 6 personal plants with certain restrictions
- Adults who grow more than 6 plants are subject to State regulations and licensing requirements, and must comply with local laws
- City and County Governments can prohibit commercial cultivation - Check your local laws!

Cultivation Regulatory Background

- California Department of Food and Agriculture (CDFA) issues cultivation licenses
- Proof of compliance with California Department of Fish and Wildlife (CDFW) and California State Water Resources Control Board (Water Boards) regulations is required to obtain a license from CDFA



Other State Regulations



CULTIVATION



MANUFACTURING



DISTRIBUTION



TESTING



RETAIL

Cannabis Regulation

- Several state agencies are granted with licensing and regulatory authority:



**BUREAU OF
CANNABIS
CONTROL**
CALIFORNIA



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE



California Department of
PublicHealth



CALIFORNIA
Water Boards
STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS



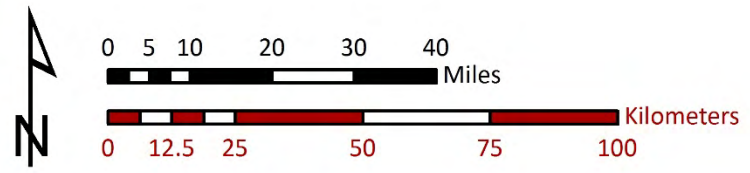
CALIFORNIA
DEPARTMENT OF
**FISH &
WILDLIFE**

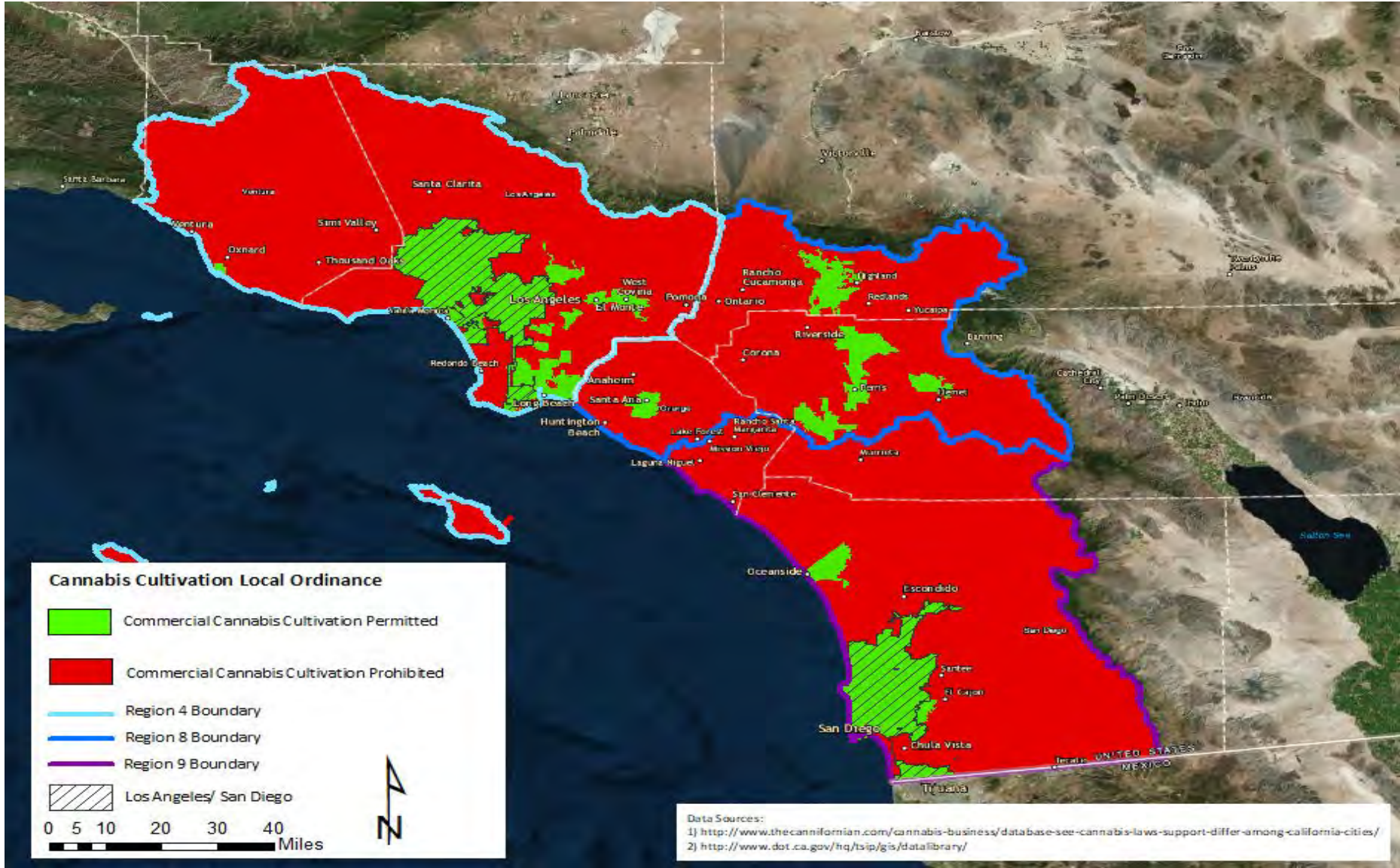
South Coast Regional Cannabis Cultivation Regulatory Unit





South Coast Cannabis Cultivation Policy Region







State Water Board Cannabis Cultivation Policy

- Where do you get your source water?
- Where does your discharge go?
- Commercial cannabis cultivators must submit an application to the Water Boards for coverage under the Statewide General Order (WQ 2017-0023-DWQ)
- Commercial cultivators **MUST** receive approval from the Water Boards and CDFW before they can apply to CDFA for a license to cultivate cannabis

What is Indoor Cultivation?

- A commercial grow is considered Indoor Cultivation if it meets the following requirements:
 - *Cultivation occurs within a structure with a permanent roof AND*
 - *Permanent, relatively impermeable floor (e.g. concrete or asphalt paved)*



Indoor Cultivation



This is not an indoor grow!



These are not indoor grows!



What is Outdoor Cultivation?

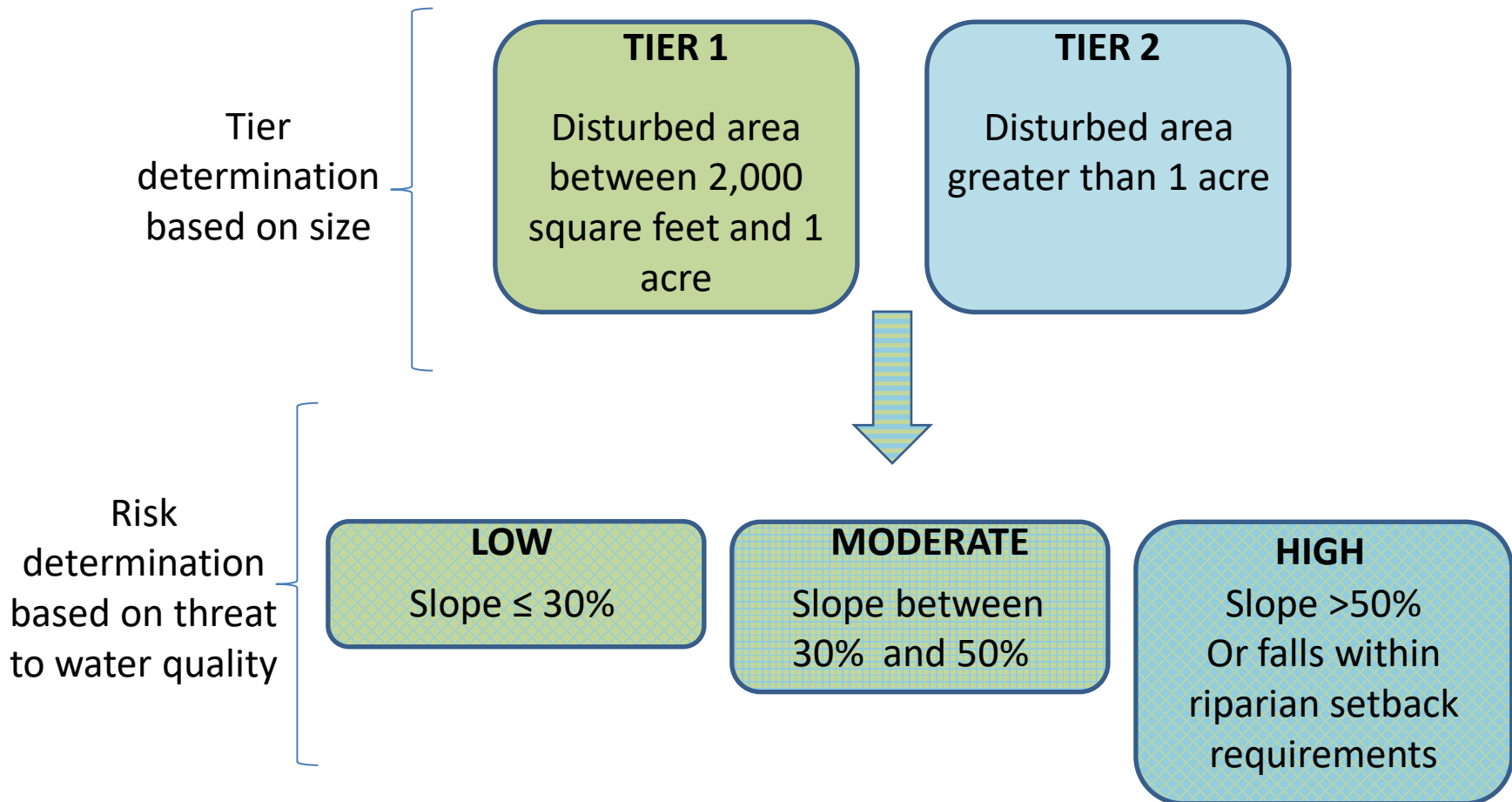
- Any commercial grow that does not meet the requirements of an Indoor Cultivation





Outdoor Cultivation

- Fees are determined by Tier and Risk





Engineering Challenges

- Site Grading
- Land Development and Access Road Construction
- Erosion Prevention and Control
- Slope Stability
- Ditch and Culvert Design
- Water Course Crossings

Designed by a Qualified Professional

Monitoring and Reporting Requirements

Technical Reports	Conditionally Exempt	Tier 1 Low	Tier 1 Moderate	Tier 1 High	Tier 2 Low	Tier 2 Moderate	Tier 2 High
Closure Report	✓	✓	✓	✓	✓	✓	✓
Site Management Plan		✓	✓	✓	✓	✓	✓
Erosion and Sediment Control Plan			✓			✓	
Disturbed Area Stabilization Plan				✓			✓
Nitrogen Management Plan					✓	✓	✓



Cannabis Cultivation Policy UPDATES

- Notice of Opportunity for Public Comment, Staff Information Workshops, Board Workshop, and Public Hearing
- The comment period ends at 12:00 P.M. (noon) on Tuesday, November 27, 2018

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_policy.html

Search: “Waterboard Cannabis”

Cannabis Cultivation Policy UPDATES

Charles Schwab... CNN.com - Breaking New... GeoTracker gmail Email from Google Maps R9WEB Automobile Club of Sout... Waternet BizFlow Calaters CIWQS SWRCB

State Water Resources Control Board

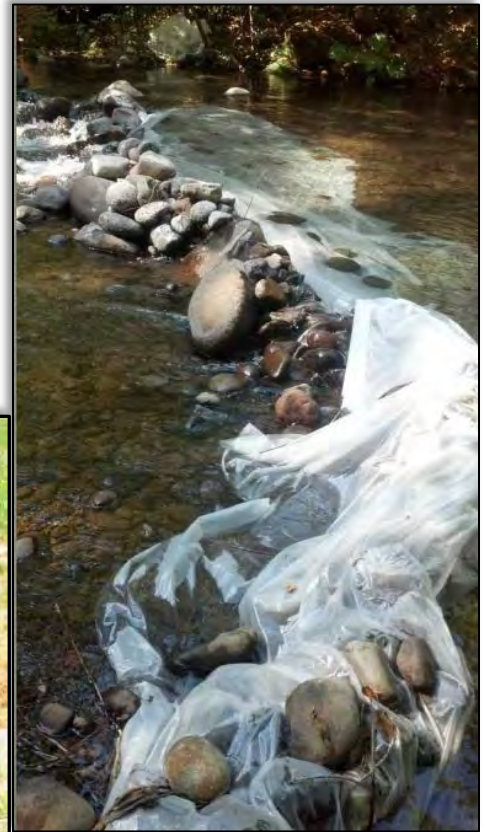
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**Proposed Updates to the
Cannabis Cultivation Policy**



Illegal Water Diversions

- Loss of water resources harms beneficial uses



Illegal Water Diversions



Wastewater Discharge



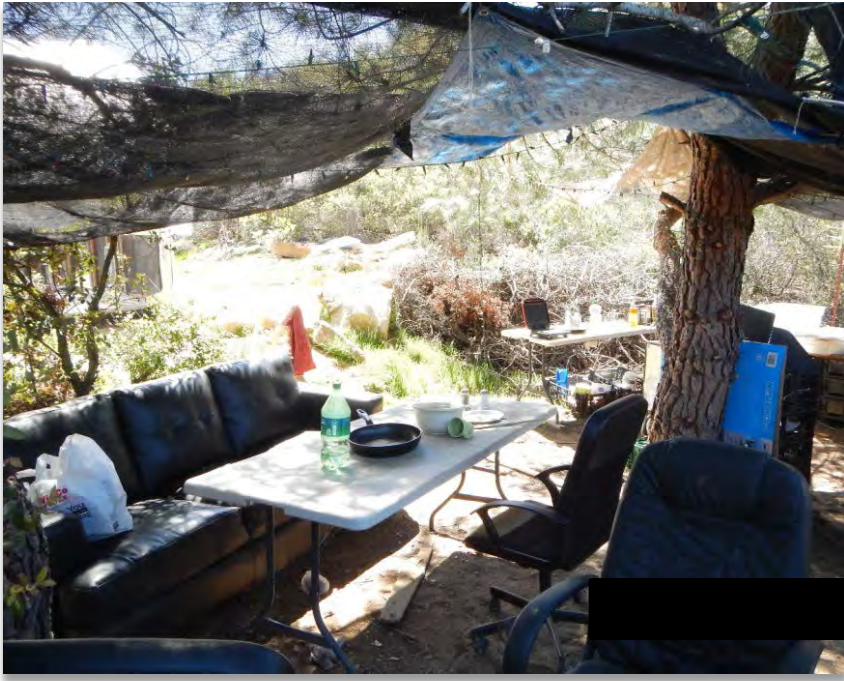
Erosion and Sediment Pollution

- Negatively impacts aquatic life and other downstream beneficial uses



Household Garbage

- Unsanitary conditions can cause contamination to streams, lakes, and groundwater



Human Waste

- Unsanitary conditions can cause contamination to streams, lakes, and groundwater





Questions?

Contacts / Links:

- **Eric Lindberg, Chief South Coast Cannabis Unit**
eric.lindberg@waterboards.ca.gov Phone 951-782-3219
- https://www.waterboards.ca.gov/water_issues/programs/cannabis
- <https://cannabis.ca.gov/>
- <https://jobs.ca.gov/>
- **Craig Carlisle, San Diego Water Board** craig.carlisle@waterboards.ca.gov