
State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

Concerning

Winterization Revisions to Proposed Updates to the Cannabis Policy and Staff Report

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will receive written public comments on proposed revisions to clarify the winterization requirements in the proposed updates to the *Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation* ([Cannabis Policy](#)). Information on the comment period and how to submit written comments is detailed below under “Submission of Written Comments.”

BACKGROUND

On June 27, 2016, the Governor signed Senate Bill 837¹, which among other things, codified Water Code section 13149 and authorized the State Water Board to adopt principles and guidelines (requirements) for cannabis cultivation as part of a state policy for water quality control. The State Water Board adopted the Cannabis Policy and *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* ([Cannabis Cultivation General Order](#)) in October 2017 to minimize water quality degradation and low flow impacts associated with cannabis cultivation. The Cannabis Policy became effective upon Office of Administrative Law approval in December 2017. On September 28, 2018, the State Water Board released a [notice](#) soliciting comments on proposed updates to the Cannabis Policy and Cannabis Cultivation General Order. The public comment period concluded at 12:00 p.m. (noon) on November 27, 2018. A State Water Board workshop was held on October 16, 2018 to accept oral comments. A staff informational workshop was held in Fortuna on November 8, 2018 to present information and answer questions on the proposed updates to the Cannabis Policy, Cannabis Cultivation Policy Staff Report (Staff Report), and Cannabis Cultivation General Order. The Cannabis Policy establishes requirements for cannabis cultivation activities to protect water quality and instream flows.

CLARIFICATION AND REVISION OF WINTERIZATION REQUIREMENTS

In response to comments on the proposed updates to the Cannabis Policy, the State Water Board has determined that clarification is needed regarding the winterization requirements. As such, the State Water Board is releasing these specific proposed revisions and updates to the Staff Report for a 15-day comment period and will receive oral comments at the February 5, 2019, State Water Board meeting and hearing.

¹ Statutes 2016, Chapter 32, Committee on Budget and Fiscal Review.

Please see Cannabis Policy, Attachment A, Section 2, Requirements 127 and 128 for the specific proposed language.

PROCEDURAL MATTERS FOR THE COMMENT PERIOD

At this time, the State Water Board will accept comments **only on changes** to the proposed revisions to the winterization requirements of the Cannabis Policy, which are identified in **red bold/underline** for new text and **red bold/strike out** for deleted text. State Water Board staff will review comments received from the September 28, 2018 to November 27, 2018 comment period as well as from this comment period, which ends at 12:00 p.m. (Noon) on January 25, 2019 and will prepare responses to comments. Staff will develop final proposed updates to the Cannabis Policy that incorporate feedback from the two comment periods for the State Water Board's consideration.

DOCUMENT AVAILABILITY

The draft proposed revisions to winterization Requirements 127 and 128 of the Cannabis Policy and Staff Report are available online at: <http://www.waterboards.ca.gov/cannabis/>.

Those without Internet access may request a paper copy of the draft proposed revisions to the Cannabis Policy and Staff Report by calling Mina Chon at (916) 319-0745.

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept written comments only on **red bold/underline** or **red bold/strike out** text that is associated with proposed revisions to the winterization requirements in the proposed updates to the Cannabis Policy and Staff Report.

Written comments must be received by **12:00 p.m. (Noon) on Friday, January 25, 2019**. After the deadline, the State Water Board will not accept additional written comments.

Written comments may be submitted electronically (email), by fax, U.S. Mail, or courier. Electronic submittals must be emailed to commentletters@waterboards.ca.gov. Written comments may also be submitted by hard copy and be addressed to:

<u>Hand/Courier Delivery</u>	<u>U.S. Mail Delivery</u>
State Water Resources Control Board Attn: Jeanine Townsend 1001 I Street, 24 th Floor Sacramento, CA 95814	State Water Resources Control Board Clerk to the Board Attn: Jeanine Townsend P.O. Box 100 Sacramento, CA 95812-0100

On all comment letters, please indicate clearly the subject of your comments, as follows:
"Comment Letter – Winterization Revisions to Cannabis Policy".

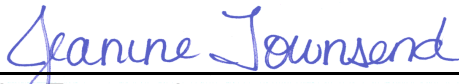
Electronic submittals shall be in portable document format (pdf) (less than 15 megabytes in total size). If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by fax at (916) 341-5620. U.S. Mail must be received (not postmarked) at the State Water Board offices by the close of the comment period. Couriers delivering comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

ADDITIONAL INFORMATION AND CONTACT INFORMATION

Please direct all questions regarding this notice to (916) 341-5363 or CannabisWR@waterboards.ca.gov.

January 10, 2019

Date



Jeanine Townsend
Clerk to the Board