



State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND CONSIDERATION OF ADOPTION

REVISED GENERAL WASTE DISCHARGE REQUIREMENTS FOR CANNABIS CULTIVATION ACTIVITIES

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board or Board) will accept written comments on the revised Cannabis Cultivation General Waste Discharge Requirements and renewal of the Conditional Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities, [Order No. 2019-0001-DWQ](#) (Cannabis Cultivation General Order or Order). Information on the comment period and how to submit written comments is detailed below under “Submission of Written Comments.”

NOTICE IS ADDITIONALLY HEREBY GIVEN that the State Water Board will hold a public meeting to receive oral comments, during which any interested person may present comments relevant to the changes proposed in the revised General Waste Discharge Requirements and the proposed renewal of the Conditional Waiver of Waste Discharge Requirements for Cannabis Cultivation Activities. This item will be considered for adoption as part of the regular November 7, 2023 State Water Board Meeting. The location and start time of the Board Meeting are provided below.

Tuesday, November 7, 2023, 9:30 A.M.
Coastal Hearing Room – Second Floor
Joe Serna Jr. CalEPA Headquarters Building
1001 I Street, Sacramento, CA 95814

Video and Teleconference Option: This meeting will occur with both a physical meeting location and an option for the public to participate from a remote location.

- For those who only wish to watch the meeting, a webcast is available at either <https://www.youtube.com/user/BoardWebSupport/> or <https://video.calepa.ca.gov/> (closed captioning available) and should be used UNLESS you intend to comment.
- For members of the public who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available here: https://www.waterboards.ca.gov/board_info/remote_meeting

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

DOCUMENT AVAILABILITY

The draft update to the Cannabis Cultivation General Order will be posted on the State Water Board webpages on or before **Friday, July 14, 2023**, on the [Cannabis Programs webpage](#) and the [Board Public Comment webpage](#).

Those without Internet access may request a paper copy of the draft proposed updates to the Cannabis Cultivation General Order by calling Bryan Moore at (916) 341-5260.

POTENTIAL CHANGES TO THE NOTICED ITEMS

Any changes regarding the noticed items and the date of the State Water Board Meeting will be noticed through the email distribution list. Any person desiring to receive future updates must sign up for the email distribution list by accessing the E-mail List Subscription Form and selecting the “Cannabis Cultivators” checkbox under the “General Interests” header at [California Water Boards \(govdelivery.com\)](http://CaliforniaWaterBoards.govdelivery.com)

BACKGROUND

The Cannabis Cultivation General Order is collectively Waste Discharge Requirements (WDRs) and Waiver of WDRs (conditional waiver). The adoption of the proposed revisions to the Cannabis Cultivation General Order is required to maintain the conditional waiver component of the order.

Pursuant to Water Code section 13269, the State Water Board waived the requirement to submit a report of waste discharge and obtain waste discharge requirements for indoor commercial cannabis cultivators and outdoor cannabis cultivators that meet all requirements for the conditional waiver described in the Cannabis Cultivation General Order. Unless the proposed revisions to the Order are adopted, the conditional waiver will expire on February 5, 2024.

The Cannabis Cultivation General Order is available to cannabis cultivators to regulate discharges of waste associated with cannabis cultivation and related activities. All commercial cannabis cultivators must obtain coverage under the General Order.

No substantive changes are currently proposed to the Cannabis Cultivation General Order. Proposed administrative and clarification updates to the Order include:

- Updating all references to California Department of Food and Agriculture’s CalCannabis Program to Department of Cannabis Control (DCC) and any applicable references in the Business and Professions Code due to the 2021 merger of the three state licensing agencies previously responsible for commercial cannabis activity.
- The addition of Finding 51, required by Assembly Bill 2108 which added Sections 189.7 and 13149.2 to the Water Code to provide equitable, culturally relevant community outreach to promote meaningful civil engagement from potentially impacted communities, and require analysis and findings related to environmental justice, tribal communities, and disadvantaged communities.

PROCEDURAL MATTERS

You can access the State Water Board Meeting agenda information, in-person or remote participation procedures, and any meeting changes at the [State Water Board Information and Calendar webpage](#).

Tuesday November 7, 2023 Board Meeting: At the Board Meeting, there will be no sworn testimony or cross examination of participants. However, the State Water Board and its staff may ask clarifying questions. To ensure a productive and efficient hearing in which all participants have an opportunity to participate, oral presentations may be time limited.

Recommendations on making presentations before the Board can be found on the [Board Presentations webpage](#).

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept written comments on the proposed updates to the Cannabis Cultivation General Order. Comments that are unrelated to the proposed updates will not be considered. Comments must include the following in the subject line: **“Comments – Cannabis Cultivation General Order”**

Written comments must be received by **12:00 P.M. (noon) on Friday, August 18, 2023**. Comment letters submitted by mail must be addressed to:

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Comment letters may be submitted electronically, in PDF text format, if less than 15 megabytes in total size, to the Clerk to the Board email: commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by mail to the address above or fax to (916) 341-5620. Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Courtney Tyler at (916) 341-5600.

EX PARTE DISCLOSURE REQUIREMENTS FOR PENDING ITEMS

This item is subject to the ex parte communication disclosure requirements of Water Code section 13287, as explained in a [Memo from the Office of the Chief Counsel](#). Any communications between interested persons and State Water Board Members (other than at a noticed Board Meeting or submitted as a comment letter in compliance with the public notice) must be disclosed by the interested person within seven working days of the communication. A sample disclosure form is available at: [State Water Board General Order Disclosure Form](#). Beginning **October 24, 2023**, ex parte communications between interested persons and Board Members concerning this item are prohibited.

PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board website:

<http://www.calepa.ca.gov/headquarters-sacramento/location/>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5254 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

ADDITIONAL INFORMATION

Please direct all questions regarding the proposed updates as indicated below:

Cannabis Cultivation General Order – (916) 341-5260 or

DWQ.Cannabis@waterboards.ca.gov.

Date July 11, 2023



Courtney Tyler
Clerk to the Board