

Cannabis Regulatory Program Update

Item 14

December 7, 2018

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Outline

1. Enrollment update
2. Requirements and challenges in Region 3
3. Inspection photos



Background

- **Statewide General Order**
 - Adopted October 17, 2017
 - Programs created in all regions
 - Close coordination with Division of Water Quality, Division of Water Rights, other regions
- **State Board currently updating General Order**
 - Comment period ended November 27, 2018
 - Updates scheduled for February 2019



Enrollment Update

- Enrollment

- Waiver
- WDR
 - Tier (size, 1-acre cutoff)
 - Risk (slope or riparian setback)
- May consider individual WDR if do not meet general order requirements

- Statistics

- 1,190 total cultivation acres
- Largest sites
 - 300 acres in Santa Maria
 - 70 and 85 acres in Lompoc

Enrollments by Category (December 4, 2018)			
	Tier 1	Tier 2	Waiver
Low Risk	50	105	86
Moderate Risk	1	1	
High Risk	1	4	
Totals	52	110	
	248		

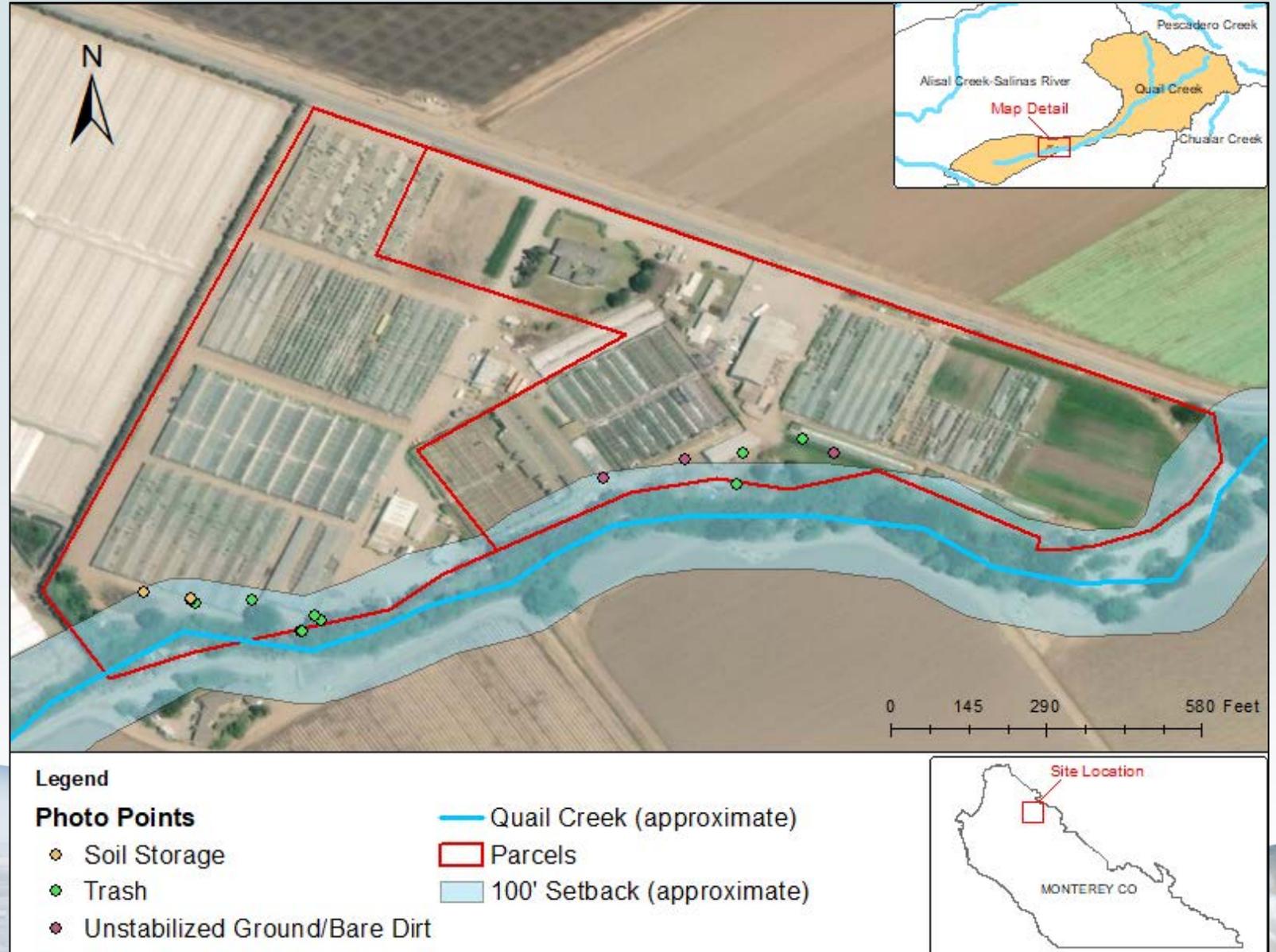
- High risk sites (within riparian setback)
 - 5 currently enrolled as high risk
 - 18 confirmed as incorrectly enrolled through inspections

Requirements

- Reporting (based on tier & risk)
 - Site Management Plan
 - Nitrogen Management Plan (*subset of Tier 2*)
 - Site Erosion Sediment Control Plan (*moderate risk only*)
 - Disturbed Area Stabilization Plan (*high risk only*)
 - Annual report due March 1
- Implementation of Best Practicable Treatment or Control (BPTC)
- 401 Water Quality Certification
 - For activities associated with this order, e.g. compliance with riparian setbacks
- Prohibits cultivation or related activities within riparian setbacks

Riparian Setbacks

- 50-150 feet, based on stream class
- No cultivation or related activities within setback
- High risk designation
- Temporary designation
- Require Disturbed Area Stabilization Plan



Priority Watersheds

- Statewide approach
- Focus outreach, enrollment, and inspections
- Selected considering
 - Beneficial uses
 - Critical habitat
 - Water quality impairment
 - Expected density of cannabis sites
 - CDFW input
- Will reassess for 2019 implementation

Region 3 Priority Watersheds (2018)				
Waterbody	Watershed Letters	Workshop	Inspected Sites	Cannabis Sites
Alisal Creek	760	September 20	9	26
Quail Creek	100		16	18
Carpinteria Creek	1400	September 18	16	36

Inspections

- 57 inspections regionwide (41 in priority watersheds)
- Coordinate with CDFW, CalFire, District Attorneys, sheriffs, etc.
- Common issues
 - Activity within the setback
 - Incorrect risk designation
 - Inadequate erosion control
 - Chemical storage
 - Leaky or faulty irrigation or fertigation plumbing
 - Reverse osmosis brine discharge

Riparian Setbacks

Santa Ynez Watershed, Santa Barbara County

- Hoophouses in riparian setback
- Culverts installed to divert stream around hoophouse



Riparian Setbacks

Santa Ynez Watershed, Santa Barbara County

- Creek and washed out culvert



Before & After

Santa Ynez Watershed, Santa Barbara County



Riparian Setbacks

Tassajara Creek Watershed, San Luis Obispo County

- Hoophouses in riparian setback
- Inadequate erosion control measures on steep slope



Spent Growing Media and Soil within Riparian Setback Quail Creek, Monterey County

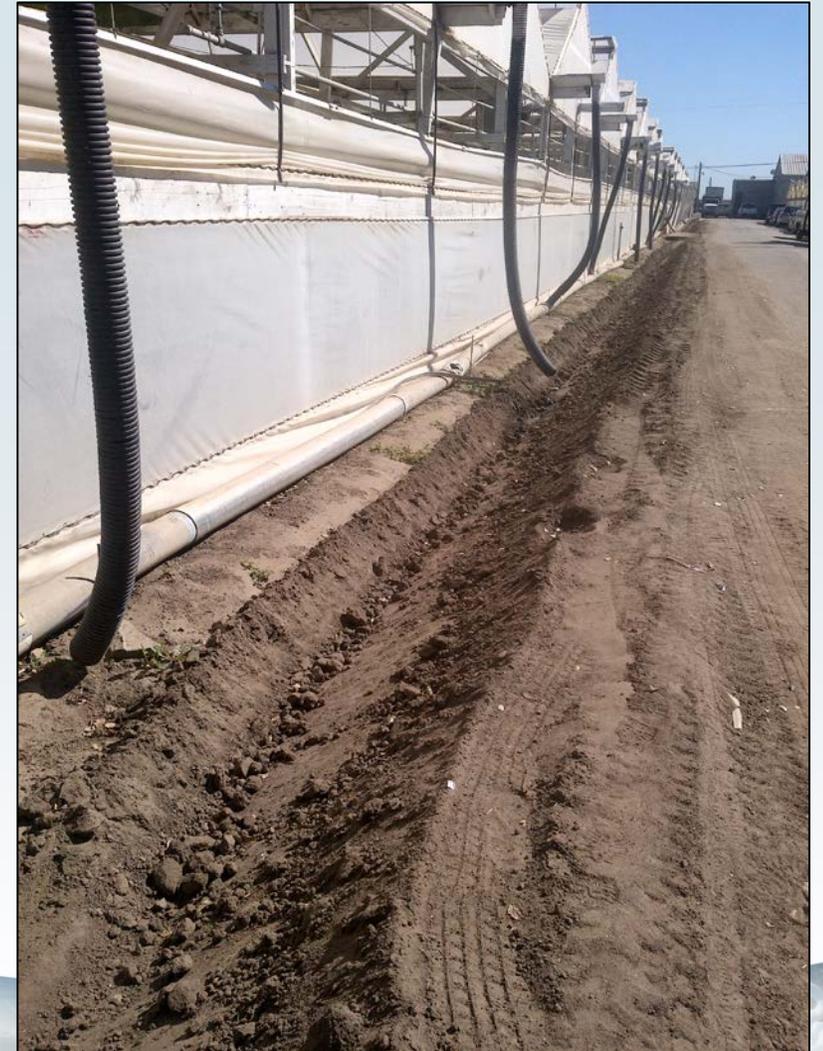
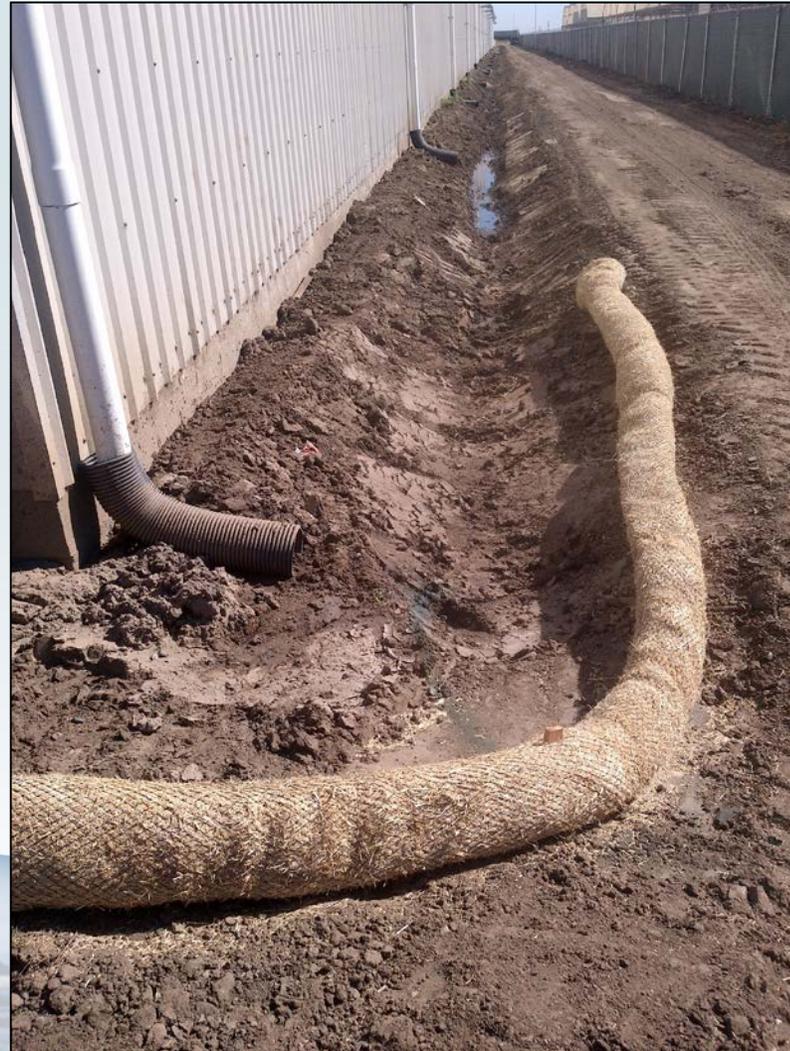


Debris within Riparian Setback Quail Creek, Monterey County



Inadequate Winterization Quail Creek, Monterey County

- Common practice observed to dig out ditches around perimeter of greenhouses to accommodate stormwater flows
- Inadequate erosion control measures



Trash and Human Waste Scott Creek, Santa Cruz County



Diversions



San Luis Obispo County



Santa Cruz County

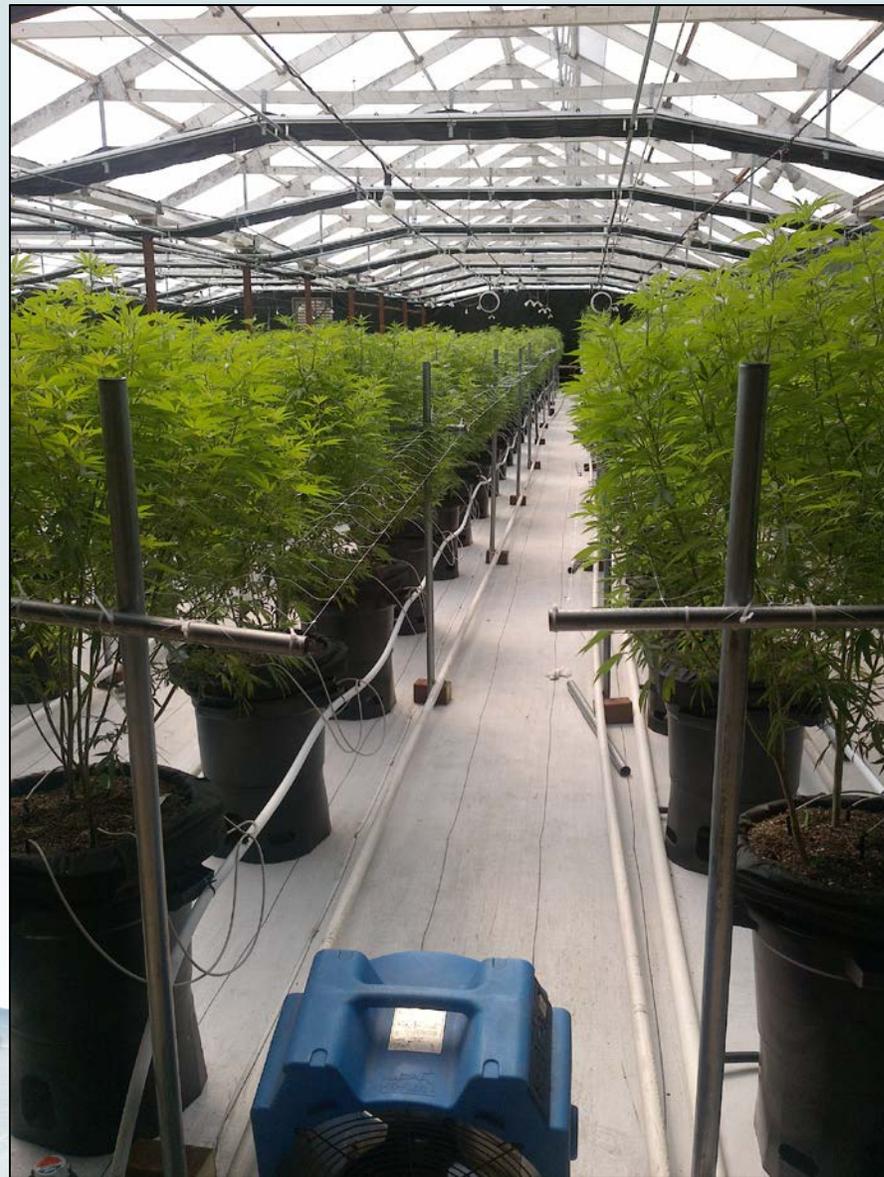
Reverse Osmosis

- Assessing impacts of reverse osmosis (RO) discharge, especially in high density areas
- Common practice for greenhouse growers (e.g. Carpinteria area)



Irrigation BMPs

- All irrigation tailwater is captured
- Chlorinated, mixed with reverse osmosis water, and re-used
- Observed similar BMPs at several sites
- Photo from Arroyo Paredon watershed in Santa Barbara County



Moving Forward

- Continue to work to increase enrollment
 - Outreach and education
 - Coordination with other agencies
 - Directives to enroll
- Continue successful inspection program
- Reassess priority watersheds for the 2019
- Help cultivators understand and comply with riparian setback requirements
- Assess reverse osmosis impacts

