

Cannabis Cultivation Regulatory Program

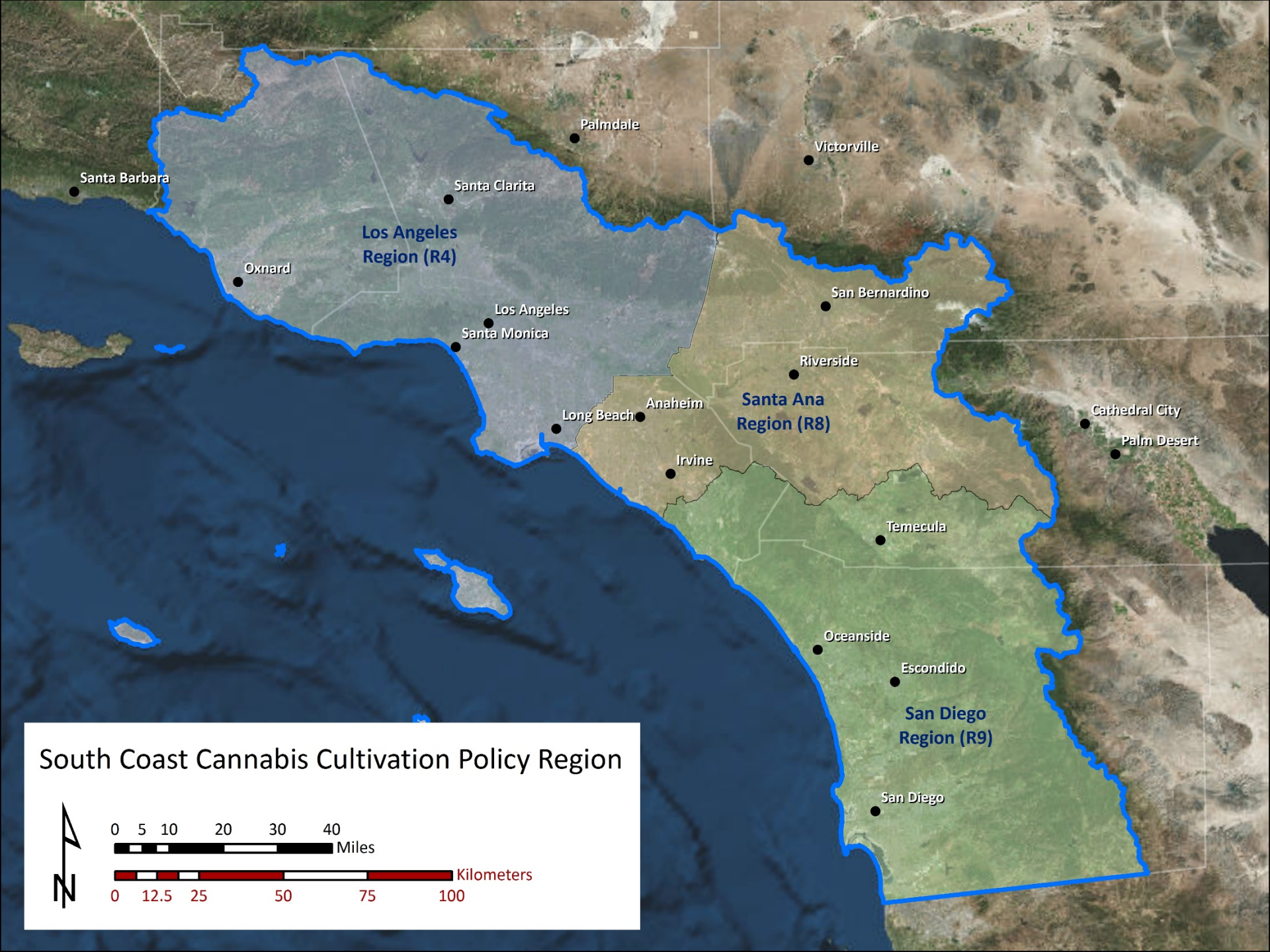
**South Coast Regional Cannabis Cultivation
Regulatory Unit**

San Diego Regional Water Quality Control Board

South Coast Regional Cannabis Cultivation Regulatory Unit

- South Coast Policy Region covers large parts of San Diego, Riverside, San Bernardino, Orange, Los Angeles, and Ventura counties
- Unit represents Santa Ana, Los Angeles, and San Diego Regional Boards for compliance and enforcement
- Headquartered in Riverside (R8)





South Coast Cannabis Cultivation Policy Region



0 5 10 20 30 40 Miles

0 12.5 25 50 75 100 Kilometers

Cannabis Regulation

- California voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA), in November 2016.
- Under Proposition 64, adults 21 years of age or older can legally grow, possess, and use cannabis for non-medicinal purposes, with certain restrictions.



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



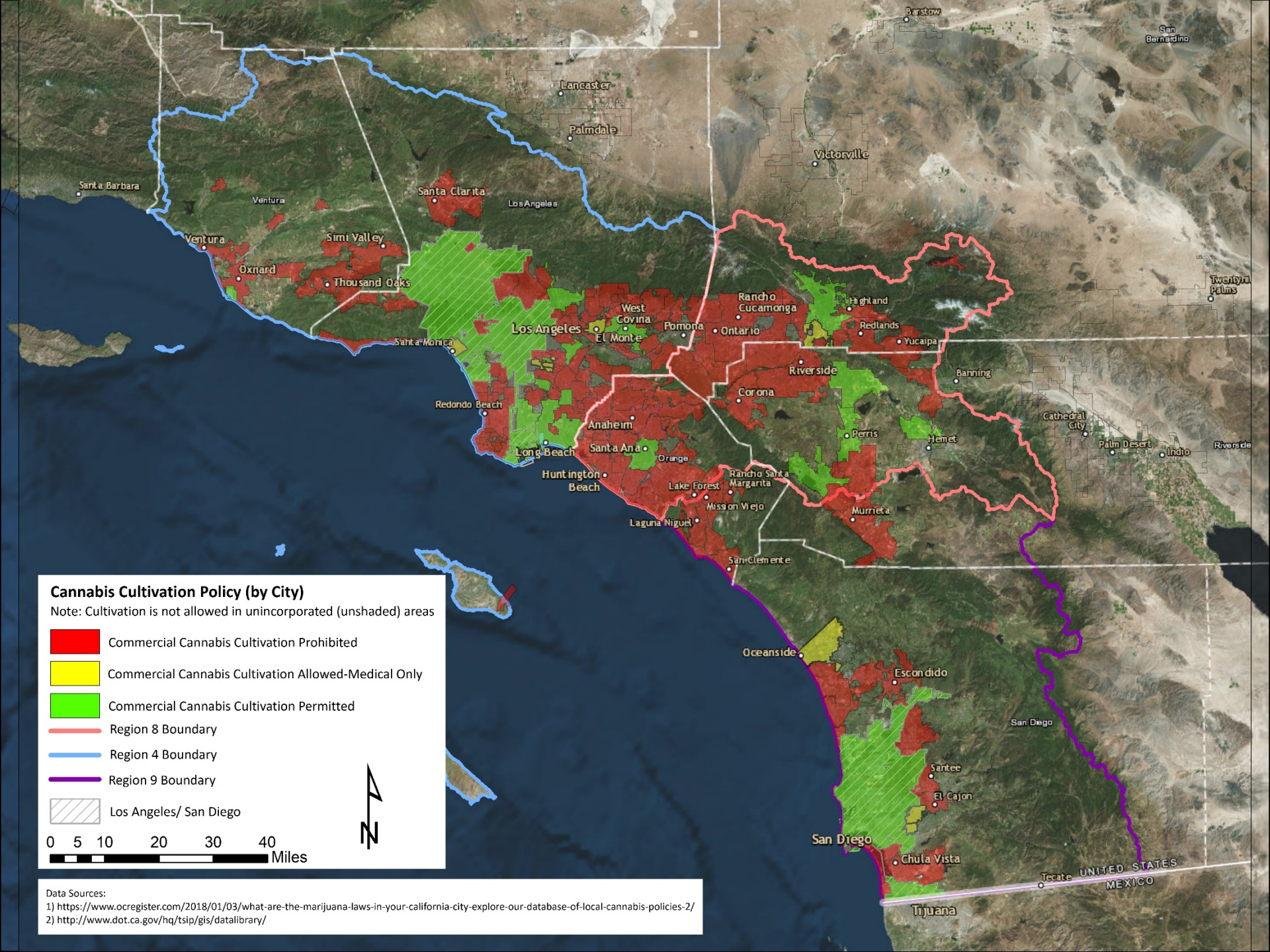
California Department of
PublicHealth



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



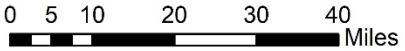
CALIFORNIA
DEPARTMENT OF
FISH &
WILDLIFE



Cannabis Cultivation Policy (by City)

Note: Cultivation is not allowed in unincorporated (unshaded) areas

- Commercial Cannabis Cultivation Prohibited
- Commercial Cannabis Cultivation Allowed-Medical Only
- Commercial Cannabis Cultivation Permitted
- Region 8 Boundary
- Region 4 Boundary
- Region 9 Boundary
- Los Angeles/ San Diego



Data Sources:
 1) <https://www.ocreger.com/2018/01/03/what-are-the-marijuana-laws-in-your-california-city-explore-our-database-of-local-cannabis-policies-2/>
 2) <http://www.dot.ca.gov/hq/tsip/gis/datalibrary/>



Regulating Discharges Related to Cannabis Cultivation

- Goal: To address water quality and water quantity issues related to cannabis cultivation, and to protect the beneficial uses of our water resources



State Water Resources Control Board Cannabis Cultivation Policy

- Establishes requirements for the diversion of water and discharge of waste associated with cannabis cultivation activities
- Cannabis cultivators (dischargers) can obtain coverage under the Cannabis Policy General Order by applying for Waste Discharge Requirements (WDR) or a Conditional Waiver of WDRs
- If approved and after fees have been paid, a Notice of Applicability (NOA) will be issued by either the Regional Board or State Board



Cannabis General Order

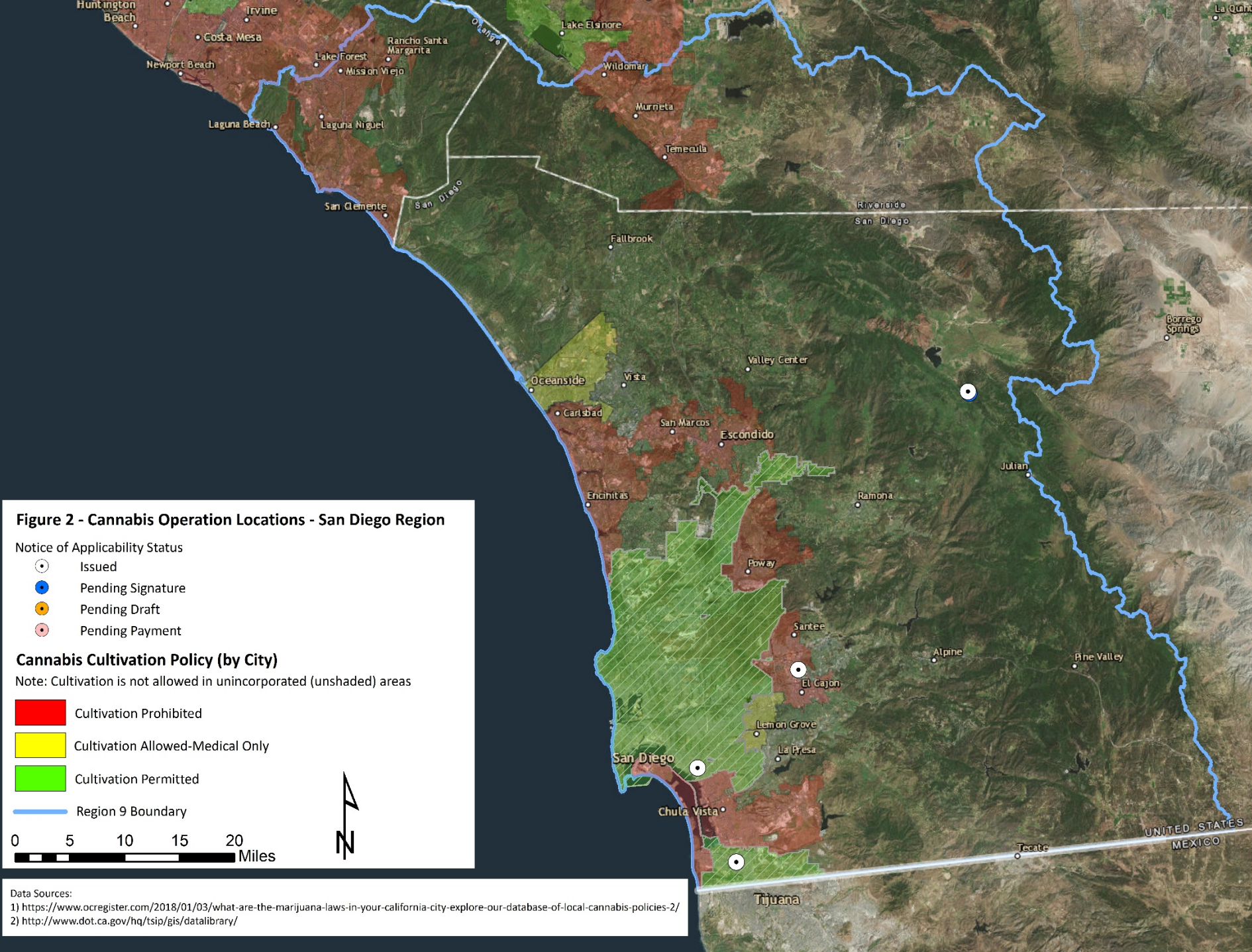
WQ 2017-0023-DWQ

- Establishes Waste Discharge Requirements for cultivators
- Site classification and permit fees for outdoor cultivation based on disturbed area (Tier 1 or 2) and threat to water quality (low, moderate, or high)
 - Tier 1: $\geq 2,000$ sq. ft. < 1 acre (\$600-\$4,800)
 - Tier 2: ≥ 1 acre (\$1,000-\$8,000)
- Conditional Waiver of WDRs if cultivation is entirely indoors with no discharge, or if outdoor disturbed area is $< 2,000$ sq. ft. (\$600 one-time fee)
- Exempt if cultivation is for personal use and disturbed area is $< 2,000$ sq. ft. – no application and no fee required



Role of the Cannabis Unit

- Process applications for enrollment under the State Water Board General Order
- Public outreach
- Compliance inspections of permitted cultivation sites
- Identification of unpermitted cultivation sites using aerial imagery and Geographic Information System (GIS) tools
- Enforcement activities
- Conduct field investigations of illicit cultivation sites with law enforcement and other local and state agencies



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Cannabis General Order

Outdoor Cultivation – Waste Discharge Requirements

- Disturbed area
 - Tier 1: $\geq 2,000$ sq. ft. < 1 acre
 - Tier 2: ≥ 1 acre
- Threat to water quality
 - Low Risk: Slope $\leq 30\%$
 - Moderate Risk: Slope $> 30\% < 50\%$
 - High Risk: Slope $> 50\%$ or located within riparian setback requirements





Cannabis General Order

Indoor Cultivation – Conditionally Exempt

- Indoor cultivation refers to a structure with a permanent roof and a permanent relatively impermeable floor (e.g., concrete- or asphalt-paved). May be performed using hydroponic growing systems, soil, or other growth media.
- Typical greenhouses do not meet the above requirements and are considered outdoor cultivation.
- Industrial wastewater discharge options:
 - Community sewer system (with permission)
 - On-site wastewater treatment system, such as septic tank and leach field, or to land (must obtain separate regulatory authorization e.g., WDRs, etc.)
 - Appropriate collection tank regularly collected by an authorized waste hauler who disposes of the wastewater to a community sewer system



These are not
indoor grows



These are not indoor grows





This is an indoor grow





Why is it Important?

- Unregulated cannabis cultivation activities can cause negative environmental impacts and harm the waters of the State, such as...

Illegal water diversions

Loss of water resources and harms beneficial uses



Illegal water diversions

Loss of water resources and
harms beneficial uses



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 have potential to cause contamination to streams, lakes, and groundwater



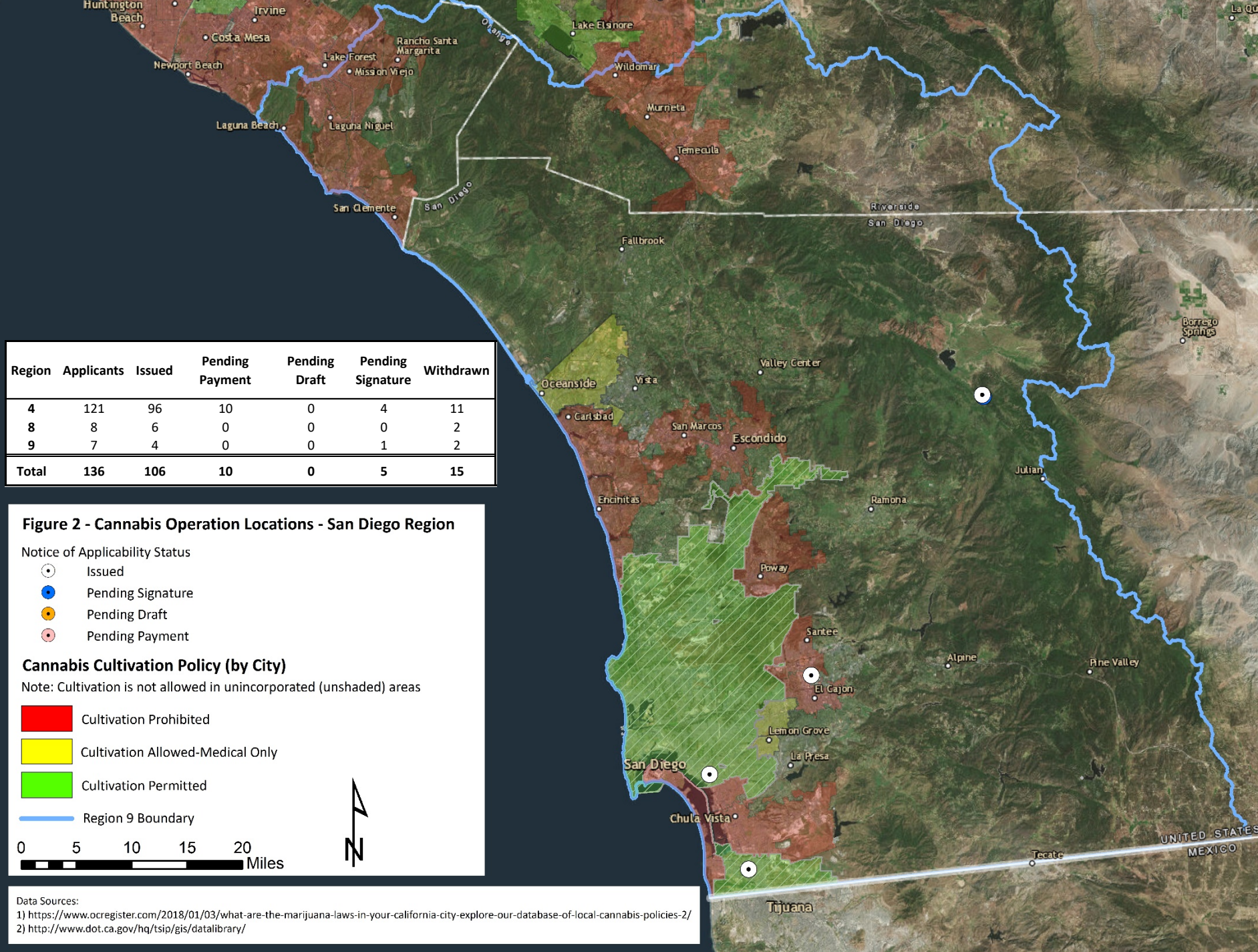
Improper Storage, Use, and Discharge of Fertilizers, Pesticides, Chemicals, Fuel, etc.



Trespass Grows on Public Lands

Loss of water
resources and
harms beneficial
uses





Region	Applicants	Issued	Pending Payment	Pending Draft	Pending Signature	Withdrawn
4	121	96	10	0	4	11
8	8	6	0	0	0	2
9	7	4	0	0	1	2
Total	136	106	10	0	5	15

Figure 2 - Cannabis Operation Locations - San Diego Region

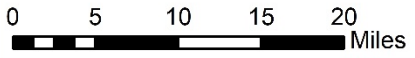
Notice of Applicability Status

- Issued
- Pending Signature
- Pending Draft
- Pending Payment

Cannabis Cultivation Policy (by City)

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- Cultivation Allowed-Medical Only
- Cultivation Permitted
- Region 9 Boundary



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Figure 3 - Cannabis Legacy Sites - San Diego Region

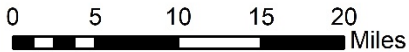
Legacy Site Ownership

- Bureau of Indian Affairs
- Bureau of Land Management
- Forest Service (USFS)
- National Park Service (NPS)
- Private
- Public
- Unknown

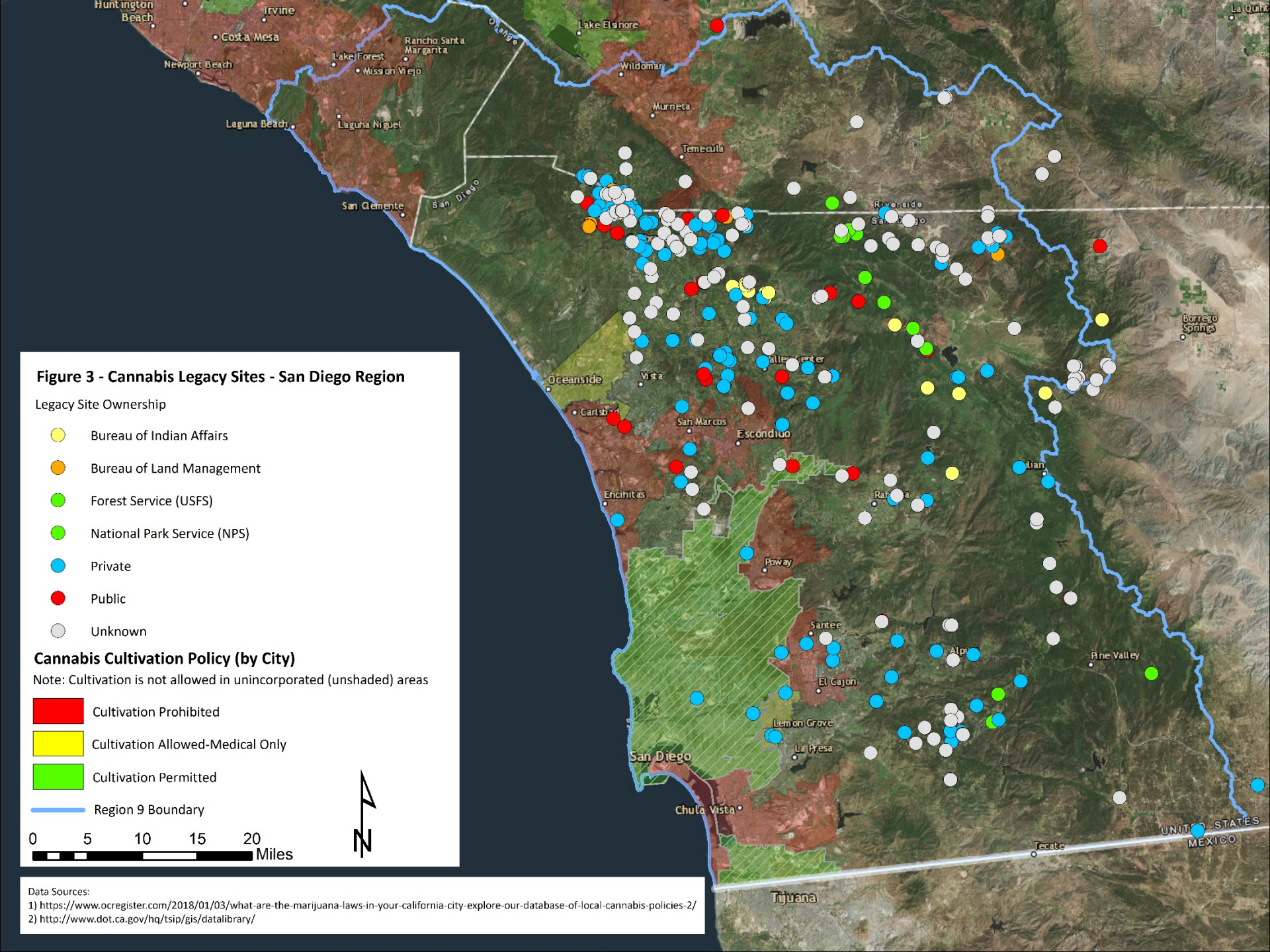
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Questions?



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