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To: [commentletters](#)
Subject: Attn: Jeanine Townsend
Date: Monday, November 26, 2018 11:03:24 AM



To whom It May Concern:

My written comments to the State Water Resources Board concerning the Cannabis Cultivation Policy/General Order are as follows:

1. As a groundwater geologist, I have serious reservations concerning the blanket application of the proposed regulations specific to water extraction from all forms of waterbodies, i.e. rivers, streams, lakes, creeks, drainages, etc. throughout the entire State. Each of these features vary widely depending on which region they are located in. Each is unique with respect to its water characteristics, including the size and geographic shape of the area watershed, annual rainfall amounts and the average duration of active rainfall, estimated annual recharge of the waterbody/aquifer, area specific surface and subsurface geology, actual surface/subsurface flow durations and volumes, and periodic/annual releases of stored or controlled water resources from dam containments, reservoirs, lakes, etc. into stream and subsurface aquifers.

There are too many variables to consider which directly affect the amount of water available for agricultural/cannabis cultivation and consumption. Consequently each Lake or Streambed Alteration (LSA) and /or each Small Irrigation Use Registration (SIUR) application should be reviewed by each Regional Board and analyzed on a case by case basis. For example the State Board currently doesn't apply a blanket set of regulations to each and every groundwater basin in California, nor should it in this situation.

2. Likewise, it makes no sense to apply specific surface water regulations, such as a restriction of 10 gallons per minute (gpm) for surface water extraction and a Dry Season Forbearance Period, to the regulation of subsurface extraction. The diversion of subsurface water should have it's own specific regulations/rules independent of that for surface water diversion; particularly when subsurface diversion can be proven to have minimal impacts to water quality, aquatic habitat, riparian habitat, wetlands, surface flow and springs.

3. There currently appears to be no specific regulations addressing impacts to water availability in river/alluvial aquifers where water flow and recharge are directly affected by monthly/annual releases from dams, reservoirs, lakes, and other water storage features. These releases are obviously mandated to support water reserves for agricultural activities and are often timed during the dry season in order to recharge the surface and subsurface water supplies. In some cases this scenario may preclude the need for a Dry Season Forbearance Period, or at least one that doesn't last as long as from November 1 to April 1.

4. Conditions where streambed or alluvial aquifers are in subsurface communication with and are being recharged by typical groundwater aquifers is not addressed and appears to be regulated under the same surface diversion restrictions/regulations mentioned above in item #3.

5. In that light what was the scientific basis or data that was used in order to justify a maximum extraction of 10 gpm for cannabis cultivation? Likewise, what was the scientific rational for the blanket policy of a Dry Season Forbearance Period; particularly in light of the above mentioned variables in climate conditions from one end of the State to the other?

6. At this time I have been unable to locate any clause(s) in the proposed Cannabis Policy that specifically addresses the ability of an applicant to appeal a denial of the application for a permit to their project. In addition there appears to be nothing addressing the ability to obtain a variance or exemption from a given regulation(s) being applied to a proposed project, such as with the 10 gpm limitation.

7. It appears as though the insertion of CADWF into the Cannabis process with an additional application and set of regulations is simply a duplication of application oversight and application fees. CADFW appears to be intent on issuing nothing but incomplete notices (after payment of fees) on all application but yet applying the same rules as the Water Board. The State Water Board and CADFW should jointly administer and review one application per project, just as a County Land Use application and supporting documents is reviewed and commented on by multiple affected departments.

Thank you for your consideration of the above comments/questions regarding the proposed Cannabis regulations.

Respectfully submitted,

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