



# Fact Sheet

## Indoor Cannabis Cultivation

## Cannabis Policy and General Order Information for Indoor Commercial Cannabis Cultivation

On October 17, 2017, the State Water Resources Control Board (State Water Board) adopted the Cannabis Policy and General Order.<sup>1</sup> The Cannabis Policy and General Order apply to commercial cannabis cultivation activities. This fact sheet addresses indoor commercial cannabis cultivation regulatory requirements.

What is commercial cultivation of cannabis?

Cannabis cultivation is any activity related to planting, growing, pruning, harvesting, curing, or trimming of cannabis (see full definition in [General Order Attachment A](#)). Commercial cultivation means the cannabis will be sold in the medical or recreational marketplace. Commercial cannabis cultivators are required to obtain a cannabis cultivation license from the California Department of Food and Agriculture ([CDFA](#)). Some very small-scale, non-commercial activities performed for personal use are exempt from the CDFA licensing and General Order requirements (see “Exemptions for Certain Cultivation Activities” section of the General Order for more information).

Are indoor cultivators required to apply for coverage under the General Order?

Yes, indoor cultivators are required to apply for coverage under the General Order. Indoor cultivators qualify for coverage under the General Order’s conditional waiver.

Who can apply for coverage under the General Order?

A wide variety of entities may apply for coverage. They include employees, contractors, third-party representatives, landowners, cultivators, lessees, or tenants. If the applicant is not the property owner, the property owner will be notified of the application.

How much is the application fee?

Indoor cultivators pay a \$600 application fee. The fee is paid at the time of application. By law, waivers expire five years after adoption. Cultivators will be required to re-enroll and pay the application fee when the General Order Waiver is updated (approximately October 2022). Note that the fee amount may change in the future.

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<sup>1</sup> Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation (Cannabis Policy) and General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order).



What defines indoor cultivation?

Indoor cultivation is performed within a structure with a permanent roof and a permanent, relatively impermeable floor (e.g., concrete or asphalt paved). Cultivation activities within temporary structures such as hoop greenhouses are not classified as indoor cultivation and must apply for coverage as an outdoor activity.

Why is General Order coverage needed for indoor cultivation?

Indoor cultivation activities will generate wastewater such as hydroponic solutions, irrigation tail water, sanitation activities, etc. The wastewater may contain elevated concentrations of nutrients; salinity; metals; or sanitation chemicals containing biocides, bleach mixtures, or other chemical waste streams. That wastewater will be discharged into a community collection system (sanitary sewer) or to an onsite wastewater treatment system.

- Wastewater discharges to a community collection system must obtain authorization from the system operator for the discharge (typically an industrial waste discharge permit).
- Wastewater discharges to an onsite wastewater treatment system (e.g., a septic tank and leach field system, or land application system) must contact the Regional Water Quality Control Board ([Regional Water Board](#)) for guidance.

How do I apply for coverage under the General Order?

Coverage can be obtained by applying through the online application portal. After the application is submitted and the application fee is paid, the Regional Water Board will issue a notice of applicability (NOA). The NOA can be presented to the CDFA to obtain a commercial cannabis cultivation license. The application portal is located at:

[www.waterboards.ca.gov/cannabis](http://www.waterboards.ca.gov/cannabis)

Is a water right needed for indoor cultivation activities?

Any cannabis cultivation activity requires a valid basis of right for the diversion and use of water. Therefore, in some situations a water right may be needed. The online application portal will guide applicants through the process to determine when a water right is required.

Are there monitoring or reporting requirements for indoor cultivation activities?

The General Order does not require monitoring or reporting for indoor cultivation activities. However, Regional Water Board Executive Officers can impose monitoring requirements when appropriate on a site-specific basis if site conditions indicate the need. In addition, cultivators that discharge to a community collection system are likely to have monitoring and reporting requirements as part of their industrial waste permit. Cultivators that discharge to an onsite wastewater system or land application system may have monitoring and reporting requirements imposed as requirements of the discharge permit (typically waste discharge requirements).

How can coverage under the General Order be terminated?

At least 90 days prior to ending cannabis cultivation activities, a Site Closure Report shall be submitted to the Regional Water Board. Refer to the “Provisions” section of the General Order for guidance on the report contents and forms to submit. The Regional Water Board reserves the right to inspect the site before approving a Site Closure Report and/or notice of termination form.

For more information on how the State Water Board and Regional Water Boards address cannabis cultivation activities visit: [www.waterboards.ca.gov/cannabis](http://www.waterboards.ca.gov/cannabis)

Subscribe to the Cannabis Cultivators Email List (Under Water Quality)

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)

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