San Diego Water Board Update
SAM Fall Forum - 2018

Craig Carlisle, PG, CEG
Senior Engineering Geologist
TOPICS:
Water Board Staff Changes
Region 9 Agricultural Orders
Renewal of Waivers
State-Wide Cannabis Order
San Diego Water Board

- Site Restoration and Groundwater Protection Branch
  Kelly Dorsey, P.G. Branch Chief

- Employment: jobs.ca.gov
Region 9 Agricultural Orders

General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations

Order Nos. R9-2016-0004 and -0005
Why AG Orders were needed

Percent of Impaired Rivers/Streams

Leading Pollutant Sources

- Agriculture
- Hydromodification
- Habitat Modification
- Urban Runoff/Storm Sewers
- Forestry
- Municipal Point Sources
- Resource Extraction
Agricultural Program

Irrigated Lands Regulatory Program

Region 9:
www.waterboards.ca.gov/sandiego/water_issues/programs/commercial_agriculture

State Board:
https://www.waterboards.ca.gov/water_issues/programs/agriculture
Conditional Waivers Renewal

Public Stakeholder Meeting
Tuesday, November 6, 2018
1:00 to 4:00 pm
Location: San Diego Water Board

https://www.waterboards.ca.gov/sandiego/water_issues/programs/waivers/
Low-Threat Discharges of Waste

12 Conditional Waivers

Most Popular:

Waiver No. 10: Solid Waste Waiver

Waiver No. 2: Recycled Water Waiver
Website: waterboards.ca.gov
Cannabis Cultivation Regulatory Program

South Coast Regional Cannabis Cultivation Regulatory Unit
LEVELS OF LEGALIZATION
(created July 2017)

- **Recreational**
- **Medical**
- **Decriminalized**

Keep in mind that some states are not active yet with CBD salve.

![CBD Salve](image)

2018

![Cartoon](image)

MY JOINTS ARE STIFF.

IT'S BECAUSE YOU'RE ROLLING THEM TOO TIGHT.
Legislative Background

• California voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA), in November 2016

• As of January 1, 2018, adults (21 years of age or older) can legally grow up to 6 personal plants with certain restrictions

• Adults who grow more than 6 plants are subject to State regulations and licensing requirements, and must comply with local laws

• City and County Governments can prohibit commercial cultivation - Check your local laws!
Cultivation Regulatory Background

- California Department of Food and Agriculture (CDFA) issues cultivation licenses
- Proof of compliance with California Department of Fish and Wildlife (CDFW) and California State Water Resources Control Board (Water Boards) regulations is required to obtain a license from CDFA
Other State Regulations
Several state agencies are granted with licensing and regulatory authority:

- Bureau of Cannabis Control, California
- California Department of Food & Agriculture (CDFA)
- California Department of Public Health
- California Water Boards
- California Department of Fish & Wildlife
South Coast Regional Cannabis Cultivation Regulatory Unit
State Water Board
Cannabis Cultivation Policy

- Where do you get your source water?
- Where does your discharge go?

Commercial cannabis cultivators must submit an application to the Water Boards for coverage under the Statewide General Order (WQ 2017-0023-DWQ)

- Commercial cultivators **MUST** receive approval from the Water Boards and CDFW before they can apply to CDFA for a license to cultivate cannabis
What is Indoor Cultivation?

- A commercial grow is considered Indoor Cultivation if it meets the following requirements:
  
  - Cultivation occurs within a structure with a permanent roof AND
  - Permanent, relatively impermeable floor (e.g. concrete or asphalt paved)
Indoor Cultivation
This is not an indoor grow!
These are not indoor grows!
What is Outdoor Cultivation?

- Any commercial grow that does not meet the requirements of an Indoor Cultivation.
Outdoor Cultivation

- Fees are determined by Tier and Risk

Tier determination based on size:

- **TIER 1**: Disturbed area between 2,000 square feet and 1 acre
- **TIER 2**: Disturbed area greater than 1 acre

Risk determination based on threat to water quality:

- **LOW**: Slope ≤ 30%
- **MODERATE**: Slope between 30% and 50%
- **HIGH**: Slope >50% or falls within riparian setback requirements

Fees are determined by Tier and Risk.
Engineering Challenges

• Site Grading
• Land Development and Access Road Construction
• Erosion Prevention and Control
• Slope Stability
• Ditch and Culvert Design
• Water Course Crossings

Designed by a Qualified Professional
## Monitoring and Reporting Requirements

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<th>Technical Reports</th>
<th>Conditionally Exempt</th>
<th>Tier 1 Low</th>
<th>Tier 1 Moderate</th>
<th>Tier 1 High</th>
<th>Tier 2 Low</th>
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Cannabis Cultivation Policy

UPDATES

• Notice of Opportunity for Public Comment, Staff Information Workshops, Board Workshop, and Public Hearing

• The comment period ends at 12:00 P.M. (noon) on Tuesday, November 27, 2018

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_policy.html

Search: “Waterboard Cannabis”
Cannabis Cultivation Policy
UPDATES

State Water Resources Control Board

DRAFT

Proposed Updates to the Cannabis Cultivation Policy
Illegal Water Diversions

- Loss of water resources harms beneficial uses
Illegal Water Diversions
Wastewater Discharge
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 can cause contamination to streams, lakes, and groundwater**
Questions?

Contacts / Links:

• Eric Lindberg, Chief South Coast Cannabis Unit
  eric.lindberg@waterboards.ca.gov  Phone 951-782-3219

• https://www.waterboards.ca.gov/water_issues/programs/cannabis
• https://cannabis.ca.gov/
• https://jobs.ca.gov/
• Craig Carlisle, San Diego Water Board  craig.carlisle@waterboards.ca.gov