

**STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD**

**GENERAL WATER QUALITY CERTIFICATION FOR
ACTIVITIES COMPLYING WITH THE CANNABIS CULTIVATION POLICY**

This General Water Quality Certification (Certification) is issued pursuant to California Water Code section 13160 and California Code of Regulations, title 23, section 3861.

In light of the findings contained in the State Water Resources Control Board’s (State Water Board) Principles and Guidelines for Cannabis Cultivation (Cannabis Policy)—including but not limited to those contained in pages 30 to 55 of the [Cannabis Policy Staff Report](#)¹—the State Water Board finds that activities encompassed within the term “cannabis cultivation” as defined in Attachment A of the Cannabis Policy involve the same or similar types of discharges and possible adverse impacts requiring the same or similar certification conditions or limitations in order to alleviate potential adverse impacts to water quality.

The State Water Board published notification of this Certification on January 10, 2024, in compliance with California Code of Regulations, title 23, section 3861, subdivision (c)(2) and did not receive any comments.

For the purposes of section 401 of the Clean Water Act, the State Water Board certifies that discharges from cannabis cultivation activities in compliance with the conditions of the Cannabis Policy and Cannabis Cultivation General Order ([Order WQ 2023-0102-DWQ](#)) will comply with sections 301, 302, 303, 306, and 307 of the Clean Water Act, and with appropriate requirements of State law, subject to the following additional terms and conditions:

#	TERM
1.	This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330 and California Code of Regulations, title 23, section 3867.
2.	This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to California Code of Regulations, title 23, section 3855, subdivision (b), and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

¹ The Cannabis Cultivation Policy Staff Report was adopted by the State Water Board on February 5, 2019, and is available online at: https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/staff_report_with_appendices.pdf.

General Water Quality Certification for Activities Complying with the Cannabis Cultivation Policy

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3.	This certification is conditioned upon total payment of any fee required under California Code of Regulations, title 23, division 3, chapter 28.
4.	<p>A cannabis cultivator seeking water quality certification coverage for cannabis cultivation activities shall notify the Executive Officer of the appropriate Regional Water Quality Control Board (Regional Water Board), or the State Water Board Executive Director, at least 60 days prior to commencement of the activities. Such prior notification shall be effected by completing and submitting the Notice of Intent (NOI) form specified by the applicable Regional Water Board or State Water Board. Work may not commence until the Executive Officer or Executive Director, as appropriate, provides a Notice of Applicability (NOA) covering the cannabis cultivation activities in question. The NOA may include site-specific specific monitoring requirements for turbidity and other constituents that may be associated with the activity to ensure applicable state water quality standards are met.</p> <p>The submittal of a completed NOI form satisfies the federal requirements for a "request for certification," and an NOA satisfies the federal requirements for a "certification decision."</p>
5.	All Cannabis Policy and Cannabis Cultivation General Order Requirements, NOA terms and conditions, standard conditions, general terms and provisions, and prohibitions are enforceable conditions of this Certification.
6.	Upon completion of the discharges authorized by the NOA, the cannabis cultivator shall submit a Notice of Completion certifying that all applicable requirements of this Certification, including monitoring and reporting requirements, have been met.
7.	In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, processes, or sanctions as provided for under state or federal law. For purposes of section 401(d) of the federal Clean Water Act, the applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.

I hereby issue this General Water Quality Certification for Activities Complying with the Cannabis Cultivation Policy.

Authorization is contingent on: (a) the discharge being limited by, and all proposed mitigation being completed in strict compliance with, the conditions of this Certification; and (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies, and with the Regional Water Board's Water Quality Control Plan(s).



- April 12, 2024

Eric Oppenheimer
Executive Director
State Water Resources Control Board

Date