

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**MEETING OF JANUARY 14-15, 2015  
SOUTH LAKE TAHOE**

- ITEM:** 9
- SUBJECT:** MARIJUANA REGULATORY PROGRAM DEVELOPMENT
- CHRONOLOGY:** None
- DISCUSSION:** Order of Speakers:
1. Cris Carrigan, State Water Board, Office of Enforcement
  2. Eric J. Taxer, Lahontan Water Board, Enforcement and Special Projects Unit

Marijuana cultivation operations on private and public lands can cause significant environmental damage if not appropriately regulated. Water quality-related impacts include erosion and stream habitat degradation from site preparation activities, pollution from inappropriate fertilizer and pesticide applications, and significant reductions in the amount of water available to the public and to wildlife from unlawful water diversions.

The State Water Resources Control Board formed a Statewide Marijuana Task Force to address the water quality impacts that result from marijuana cultivation. A strategic plan is being developed to provide a blueprint for developing the marijuana regulatory program. It is envisioned that the regulatory program will incorporate educational outreach, interagency coordination with local governments, permitting, and enforcement elements. A joint pilot program is being developed with Region 1 (North Coast), Region 5 (Central Valley), and the California Department of Fish and Wildlife for implementing the marijuana regulatory program.

However, the marijuana regulatory program will only address the discharge of wastes from marijuana cultivation on private lands and state-owned lands of high value (e.g., State Parks). The regulatory program will not address trespass grows on federal lands. A survey of county sheriffs within the Lahontan Water Board's region indicates areas of water quality impacts from illegal trespass grows on federal lands within the Lahontan region. New cultivation areas

continue to appear, especially as the growing season within the mountain areas continues to grow longer and warmer, and as illegal cultivation is dislocated from more populated areas. Lahontan Water Board staff will be coordinating with public land owners (US Forest Service, Bureau of Land Management, and Los Angeles Department of Water and Power) to develop mechanisms for cleaning up the wastes remaining when these unauthorized cultivation areas are discovered and shut down by law enforcement agencies.

**RECOMMEND  
ACTION:**

This is a discussion item only, and no action is required.

ENCLOSURE	Item	Bates Number
1	Table of Marijuana Cultivation Areas within the Lahontan Region	<b>9-5</b>
2	Letters to Public Land Holders	<b>9-11</b>
3	Presentation by Cris Carrigan	<b>9-23</b>
4	Presentation by Eric Taxer	<b>9-35</b>

# **ENCLOSURE 1**

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**MARIJUANA CULTIVATION AREAS WITHIN THE LAHONTAN REGION  
(Survey Conducted in Winter/Spring, 2014)  
December 17, 2014, Version**

COUNTY	STATUS
Alpine	<p>About four years ago, a 30,000-plant grow was raided at the 7000-foot elevation off of Hwy 4. Grow was by Mexican Drug Trafficking Organization (DTO). There were up to three plots, on either side of the highway. The plots were located in steep areas, and erosion and chemical runoff were noted (fertilizers, pesticides, rodenticides, etc.) into waterway, tributary to East Fork Carson River. Garbage pits 8'x8'x8' filled with tubing, propane tanks, fecal waste, chemical containers and chemicals, etc.</p> <p>There was a large (several acres) grow at Heenan Lake area, and garbage still exists at the site.</p> <p>The tail end of a grow was identified two years ago off of Highway 88.</p> <p>A grow by Chalmers Mansion was located off of Highway 4. Plants were located adjacent to the stream in the riparian corridor, and the stream was dammed and diverted. Irrigation runoff (with chemicals) into stream.</p> <p>In steep areas, issues with vegetation removal and erosion have been observed. There are several defunct sites that still need cleanup, and more sites will likely be found in the future.</p> <p>United States Forest Service (USFS) is responsible for site cleanups, but they lack sufficient funds. Many sites are still full of garbage. DTOs send out "real estate" experts to identify secluded sites that have access to hardware stores (like Home Depot) and have access to water. Douglas County (neighboring county in Nevada) has grows occurring in the hills above Genoa.</p>
El Dorado	<p>Problems are suspected, but have not been confirmed. The highest grow that was confiscated was located on Echo Lakes Road many years ago.</p> <p>Water quality issues often result from indoor grows – illegal dumping of waste (soil, fertilizer, rodenticide, solvents, pesticides) on public lands, roads, down the street, etc. These impacts tend to be just as bad as with those from outdoor grows.</p>

Inyo	<p>Between two to four grow sites per year are observed in the mountain areas. Sites contain anywhere from 5000 to 10,000 plants. The sites are always associated with DTO activity, and the sites all have issues related to pollution from illegal pesticides, etc.</p>
Kern	<p>Recent marijuana grows have been observed in the area of Walker Pass, Pinyon Mountain, Sorrel Peak, and Cottonwood Creek.</p> <p>In 2012, over 58,000 plants in the entire county were eradicated, and 86,868 plants were eradicated in 2013. 8,372 plants were eradicated from the Lahontan region in 2013. A shift from valley lands to the mountain areas is observed, as many of the growers are moving to the mountain areas (USFS land and private ranches) to avoid detection. Large scale drug trafficking organization grows are observed.</p> <p>Environmental concerns involve illegal water diversions, use of banned pesticides smuggled from Mexico (and resulting impacts on wildlife and cattle ranches), trash at camp sites, removal of natural vegetation/erosion, petroleum fuel waste (used for water pumps).</p> <p>Due to drought, there is an increase in recent years of water theft/diversion from wells and troughs used by livestock.</p>
Lassen	<p>Over 15,000 plants were confiscated/destroyed in the county last year from one grow site. There have also been multiple personal grows of up to 300 to 400 plants each. Typically, one to two big grows a year on either USFS or Bureau of Land Management (BLM) land occur. Chemical impacts on surface waters have been observed.</p>
Los Angeles	<p>Forty percent of Los Angeles County's marijuana grows are in the Lahontan Region in the Angeles National Forest area. Pine Creek/Quail Lake areas are very active. Roughly 500 to 600 pounds of trash are removed from each grow site – includes tents, propane tanks, beer cans, pesticides, herbicides, fertilizers. Common practice is to dam the creeks, mix all the chemicals in the water in-situ where it is ponded, then irrigate. Mix of cartel and local illegals.</p> <p>Last year, 36,000 plants (1 to 6 feet tall) and over 12,000 pounds of trash were removed from grows located within the Lahontan region.</p> <p>USFS and California Department of Fish and Wildlife (DFW) Wardens assist in drug bust. They clean up what they can but are unlikely able to clean up the surface water and surrounding areas to Water Board standards.</p>

<p>Modoc</p>	<p>A large grow (four to five acre site, 15,000 plants) occurred in 2012 and 2013 in the Deep Creek area on the east side of the Warner Mountains on USFS land. Approximately 20 50-pound bags of potassium nitrate were stacked about 30 to 50 feet from the creek in an area where the material can easily erode into the creek. Site was raided last fall. The bags were tarped, but have not been removed due to lack of resources (located in a secluded area accessible only by foot or horseback). Site was operated by DTO. A 20,000-plant grow on a four to five acre site on Barbur Creek occurred. Trash was less of a problem because the growers suspected they would be caught and gathered their materials, probably relocated it to another site that has yet to be discovered. A third site exists that was abandoned. It still has abandoned fertilizer/poison materials.</p> <p>Generally, the majority of grows are located on the west side of the county. Furadan (poison) is typically found at these sites, but it is left at the site due to the lack of local resources to remove/dispose of it.</p>
<p>Mono</p>	<p>There was a 30,000-plant site two years ago at the southern end of Mono County. Three years ago, there was a grow site six miles of the highway (toward the mountains) just past Pickle Meadows. A third grow site at the 8000-foot level in the White Mountains was discovered within the last five years.</p>
<p>Nevada</p>	<p>8000 plants were eradicated last year near the CA/NV state line on USFS land. There were issues of water diversion and chemical pollution.</p> <p>Grows as high as 6000 feet are observed. 3000 plants eradicated last year at Bowman Lake. Issues with illegal fertilizers, pesticides, rodenticides for bears, trashed camp sites, etc. were associated with the site. Erosion not a huge issue, but stream diversions are significant. The grow site had been there for many years, and there was evidence that it had been as large as over 15,000 plants at one time.</p>
<p>Placer</p>	<p>Outdoor grows are our region, particularly off of River Road below Tinkers Knob between Truckee and Tahoe City. However, these are usually local grows and much smaller than a typical DTO grow.</p>

<p>San Bernardino</p>	<p>Between 15 to 25 Mountain Grows and about 30 Plywood Desert Grows (desert grow areas surrounded by plywood fences) are eradicated annually. All sites have remaining pollutants of commercial-grade fertilizers, pesticides, and poisons for wildlife. For Mountain grows on USFS lands, USFS funding for cleanup varies annually. Some sites get cleaned up, others don't.</p> <p>Ninety-five percent of all mountain grows are in our region. They vary in size from 1000 plants to 15,000 plants, the largest site yielding 60,000 plants. The highest grow was at elevation 10,000 feet. Grows are located in areas of both clearing and thinning, with associated erosion problems. All sites have associated creek damming and the usual irrigation, fertilizer mixing, and waste pits.</p> <p>Plywood Desert grows are usually found in the Hinkley, Barstow, and Newberry Springs areas and are surrounded by plywood fencing. Water is usually delivered or pumped from groundwater. These are a mix of private and DTO grows, sizes ranging from 100 to 1000 plants. Pollution issues with fertilizers, pesticides, and rodenticides are associated with these grow areas.</p>
<p>Sierra</p>	<p>Most of the issues are on the west side of the county. However, there are many small grows within the Little Truckee River and Truckee River watersheds. The small grows are around 70 plants in size and do not typically present an environmental/water quality threat.</p> <p>A trend toward higher mountain grows, especially with the drought, is being observed. The higher elevations are beginning to see longer growing seasons, and water supply is more easily available in the mountains than down in lower elevations during the drought.</p>

# **ENCLOSURE 2**

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## Lahontan Regional Water Quality Control Board

November 4, 2014

Barnie Gyant  
Deputy Regional Forester  
USDA Forest Service, Pacific Southwest Region  
1323 Club Drive  
Vallejo, CA 94592  
(via email: [bgyant@fs.fed.us](mailto:bgyant@fs.fed.us))

Dear Mr. Gyant:

I would like to request your assistance to help the Lahontan Regional Water Quality Control Board (Water Board) identify unregulated marijuana grows on national forest lands that are causing water quality problems or threatening to impact water bodies.

The Water Board staff recently surveyed local law authorities to assess the extent of marijuana cultivation and associated potential water quality impacts throughout the Lahontan Region. The attached table summarizes the information received (prior to the 2014 growing season). Many of the grows reported on the Table are associated with Drug Trafficking Organizations (DTOs) and occur on public lands such as our National Forests, but we are also concerned with the cumulative effects of smaller grows, which seem to be proliferating rapidly.

The Water Board staff acknowledges that the table is incomplete with respect to identifying all marijuana cultivation occurring on public land and its associated water quality impacts (both threatened and actual impacts). However, the table provides a starting point to begin identifying areas of concern and quantifying their respective threatened and actual impacts to water quality. Marijuana cultivation also adversely impacts many of the natural resources and activities the Forest Service and other land and resource management agencies oversee. I see an opportunity for our agencies to work together in responding to the actual and threatened impacts to natural resources created by marijuana cultivation on National Forest lands within the Lahontan Region.

As a first step, I would like to identify a staff person from your agency that we could coordinate with and share information. I would also appreciate any information you could share with the Water Board on locations where marijuana cultivation has occurred or may be occurring; the size/extent of such operations; any known or suspected natural resource impacts or areas of vulnerability/risk; and any action taken to date to

Barnie Gyant, Deputy Regional Forester      -2-  
USDA, Forest Service,  
Pacific Southwest Region

remediate any observed impacts to natural resources. Please provide us this information by **January 15, 2015**, so that we may set up a meeting to discuss our mutual information and coordinate on possible next steps. I am also reaching out to other land and resource management agencies in the Lahontan Region to gather similar information.

I believe if we collaborate on this troubling source of water pollution and combine our efforts that we can find a mutually beneficial solution. Thank you for your attention to this matter. If you have any questions please call me at (530) 542-5412, or Eric Taxer at (530) 542-5434 and Scott Ferguson at (530) 542-5432.



PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

Enclosure: Table of Marijuana Cultivation Areas within the Lahontan Region

cc: Diana L. Craig, Deputy Director of Ecosystem Management,  
USDA Forest Service, Pacific Southwest Region  
(via email: [dcraig01@fs.fed.us](mailto:dcraig01@fs.fed.us))

EJT/adw/T: Marijuana/Marijuana Impacts Identification, USFS Lands, 2014-10-29 EJT  
File Under: General/Marijuana Task Force (in Annex)

# MARIJUANA CULTIVATION AREAS WITHIN THE LAHONTAN REGION

(Information updated in March, 2014)

COUNTY	STATUS
Alpine	<p>About four years ago, a 30,000-plant grow was raided at the 7,000-foot elevation off of Hwy 4. Grow was by Mexican Drug Trafficking Organization (DTO). There were up to three plots, on either side of the highway. The plots were located in steep areas, and erosion and chemical runoff (fertilizers, pesticides, rodenticides, etc.) into waterways tributary to the East Fork Carson River were noted. 8'x8'x8' garbage pits filled with tubing, propane tanks, fecal waste, chemical containers and chemicals, etc. were observed.</p> <p>There was a large (several acres) grow at Heenan Lake area, and garbage still exists at the site.</p> <p>The remainder of a grow was identified two years ago off of Highway 88.</p> <p>A grow by Chalmers Mansion was located off of Highway 4. Plants were located adjacent to the stream in the riparian corridor, and the stream was dammed and diverted. Irrigation runoff (with chemicals) into stream was noted.</p> <p>In steep areas, issues with vegetation removal and erosion have been observed. There are several defunct sites that still need cleanup, and more sites will likely be found in the future.</p> <p>Much of the cultivation activity is located on USFS lands, who lack sufficient funds to clean up the sites and address the impacts. Many sites are still full of garbage. DTOs send out "real estate" experts to identify secluded sites that have access to hardware stores (like Home Depot) and have access to water. Douglas County (neighboring county in Nevada) has grows occurring in the hills above Genoa.</p>
El Dorado	<p>Problems are suspected, but have not been confirmed. The highest-elevation grow that was confiscated was located on Echo Lakes Road many years ago, within the Tahoe Basin.</p> <p>Water quality issues often result from indoor grows – illegal dumping of waste (soil, fertilizer, rodenticide, solvents, and pesticides) on public lands, roads, down the street, etc. These impacts tend to be just as bad as those from outdoor grows.</p>

Inyo	<p>Between two to four grow sites per year are observed in the mountain areas. Sites contain anywhere from 5,000 to 10,000 plants. The sites are always associated with DTO activity, and the sites all have issues related to pollution from illegal pesticides, etc.</p>
Kern	<p>Recent marijuana grows have been observed in the area of Walker Pass, Pinyon Mountain, Sorrel Peak, and Cottonwood Creek.</p> <p>In 2012, over 58,000 plants in the entire county were eradicated, and 86,868 plants were eradicated in 2013. 8,372 plants were eradicated from the Lahontan region in 2013. A shift from valley lands to the mountain areas is being observed, as many of the growers are moving to the mountain areas (USFS land and private ranches) to avoid detection. Large scale drug trafficking organization grows are observed.</p> <p>Environmental concerns involve illegal water diversions, use of banned pesticides smuggled in from Mexico (and resulting impacts on wildlife and cattle ranches), trash at camp sites, removal of natural vegetation/erosion, petroleum fuel waste (used for water pumps).</p> <p>Due to drought, there is an increase in recent years of water theft/diversion from wells and troughs used by livestock.</p>
Lassen	<p>Over 15,000 plants were confiscated/destroyed in the county last year from one grow site. There have also been multiple personal grows of up to 300 to 400 plants each. Typically, one to two big grows a year on either USFS or BLM land occur. Chemical impacts on surface waters have been observed.</p>
Los Angeles	<p>40 percent of Los Angeles County's marijuana grows are in the Lahontan Region. Areas of the Angeles National Forest, including the Pine Creek area and above Quail Lake are getting really active. Roughly 500 to 600 pounds of trash are removed from each grow site – includes tents, propane tanks, beer cans, pesticides, herbicides, fertilizers. Common practice is to dam the creeks, mix all the chemicals in the water in-situ where it is ponded, then irrigate. The grow areas are operated by a mix of DTO and local illegals.</p> <p>Last year, 36,000 plants (1 to 6 feet tall) and over 12,000 pounds of trash were removed from grows located within the Lahontan region.</p> <p>USFS Law Enforcement and California Dept. of Fish and Wildlife Wardens assist in drug bust. They clean up what they can, but probably do not clean up the surface water and surrounding areas to Water Board standards.</p>

<p>Modoc</p>	<p>A large grow (four to five-acre site, 15,000 plants) occurred in 2012 and 2013 in the Deep Creek area on the east side of the Warner Mountains on USFS land. Approximately 20 50-pound bags of potassium nitrate were stacked about 30 to 50 feet from the creek in an area where the material can easily migrate into the creek. Site was raided last fall. The bags were tarped, but have not been removed due to lack of resources (located in a secluded area accessible only by foot or horseback). Site was operated by Mexican DTO. Fertilizers still need to be removed and site cleaned before it becomes a water quality issue.</p> <p>A 20,000-plant grow on a four to five-acre site on Barbur Creek occurred. Trash was less of a problem because the growers suspected they would be caught and gathered their materials, probably relocated it to another site that has yet to be discovered. A third site exists that was abandoned, but not associated with a Mexican DTO. It still had abandoned fertilizer/poison materials.</p> <p>Generally, the majority of grows are located on the west side of the county. Carbofuran (pesticide) is typically found at these sites, but it is left at the site due to the lack of local resources to remove and properly dispose of it.</p>
<p>Mono</p>	<p>There was a 30,000-plant site two years ago at the southern end of Mono County. Three years ago, there was a grow site six miles west of the highway (toward the mountains) just past Pickel Meadows. A third grow site at the 8,000-foot level in the White Mountains was discovered within the last five years.</p>
<p>Nevada</p>	<p>8,000 plants were eradicated last year near the CA/NV state line on USFS land. There were issues of water diversion and chemical pollution.</p> <p>Grows as high as 6,000 feet are observed. 3,000 plants eradicated last year at Bowman Lake. Issues with illegal fertilizers, pesticides, rodenticides, trashed camp sites, etc. were associated with the site. Erosion not a huge issue, but stream diversions are significant. The grow site had been there for many years, and there was evidence that it had been as large as over 15,000 plants at one time.</p>
<p>Placer</p>	<p>Outdoor grows are in our region, particularly off of River Road below Tinkers Knob between Truckee and Tahoe City. However, these are usually local grows and much smaller than a typical Mexican DTO grow.</p>

<p style="text-align: center;">San Bernardino</p>	<p>Between 15 to 25 mountain grows and about 30 plywood desert grows are eradicated annually. All sites have remaining pollutants of commercial-grade fertilizers, pesticides, and other poisons for wildlife. For mountain grows on USFS lands, USFS funding for cleanup varies annually. Some sites get cleaned up, others do not.</p> <p>95 percent of all mountain grows are in our region. They vary in size from 1,000 plants to 15,000 plants; the largest site yielding 60,000 plants. The highest grow was at elevation 10,000 feet. Grows are located in areas of both clearing and thinning, with associated erosion problems. All sites have associated creek damming and the usual irrigation, fertilizer mixing, and waste pits.</p> <p>Plywood desert grows are usually found in the Hinkley, Barstow, and Newberry Springs areas and are surrounded by plywood fencing. Water is usually delivered or pumped from groundwater. These are a mix of private and DTO grows, sizes ranging from 100 to 1,000 plants. Pollution issues with fertilizers, pesticides, and rodenticides are associated with these grow areas.</p>
<p style="text-align: center;">Sierra</p>	<p>Most of the issues are on the west side of the county. However, there are many small grows (private, not DTO) within the Little Truckee River and Truckee River watersheds. The small grows are around 70 plants in size and do not typically present an environmental/water quality threat.</p> <p>A trend toward higher mountain grows, especially with the drought, is being observed. The higher elevations are beginning to see longer growing seasons, and water supply is more easily available in the mountains than down at lower elevations during the drought.</p>

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## Lahontan Regional Water Quality Control Board

November 4, 2014

Katherine Rubin  
Manager of Wastewater Quality & Compliance  
Department of Water & Power  
City of Los Angeles  
111 North Hope Street, Rm. 1213  
Los Angeles, CA 90012  
Mail Stop No. 800

### **IDENTIFICATION OF DISCHARGES AND THREATENED DISCHARGES FROM UNREGULATED MARIJUANA GROWS ON LOS ANGELES DEPARTMENT OF WATER AND POWER LANDS WITHIN THE LAHONTAN REGION**

I would like to request your assistance to help the Lahontan Regional Water Quality Control Board (Water Board) identify unregulated marijuana grows on Los Angeles Department of Water & Power (LADWP) lands that are causing water quality problems or threatening to impact water bodies.

The Water Board staff recently surveyed local law authorities to assess the extent of marijuana cultivation and associated potential water quality impacts throughout the Lahontan Region. The attached table summarizes the information received (prior to the 2014 growing season). Many of the grows reported on the Table are associated with Drug Trafficking Organizations (DTOs) and occur on public lands, but we are also concerned with the cumulative effects of smaller grows, which seem to be proliferating rapidly.

The Water Board staff acknowledges that the table is incomplete with respect to identifying all marijuana cultivation occurring on public land and its associated water quality impacts (both threatened and actual impacts). However, the table provides a starting point to begin identifying areas of concern and quantifying their respective threatened and actual impacts to water quality. Marijuana cultivation also adversely impacts many of the natural resources and activities LADWP and other land and resource management agencies oversee. I see an opportunity for our agencies to work together in responding to the actual and threatened impacts to natural resources created by marijuana cultivation on LADWP lands within the Lahontan Region.

As a first step, I would like to identify a staff person from your agency that we could coordinate with and share information. I would also appreciate any information you could share with the Water Board on locations where marijuana cultivation has occurred or may be occurring; the size/extent of such operations; any known or suspected natural resource impacts or areas of vulnerability/risk; and any action taken to date to remediate any observed impacts to natural resources. Please provide us this information by **January 15, 2015**, so that we may set up a meeting to discuss our mutual information and coordinate on possible next steps. I am also reaching out to other land and resource management agencies in the Lahontan Region to gather similar information.

I believe if we collaborate on this troubling source of water pollution and combine our efforts that we can find a mutually beneficial solution. Thank you for your attention to this matter. If you have any questions please call me at (530) 542-5412, or Eric Taxer at (530) 542-5434 and Scott Ferguson at (530) 542-5432.



PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

Enclosure: Table of Marijuana Cultivation Areas within the Lahontan Region

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## Lahontan Regional Water Quality Control Board

November 4, 2014

James G. Kenna, State Director  
Bureau of Land Management  
California State Office  
2800 Cottage Way, Suite W-1623  
Sacramento, CA 95825

### **IDENTIFICATION OF DISCHARGES AND THREATENED DISCHARGES FROM UNREGULATED MARIJUANA GROWS ON BUREAU OF LAND MANAGEMENT LANDS WITHIN THE LAHONTAN REGION**

I would like to request your assistance to help the Lahontan Regional Water Quality Control Board (Water Board) identify unregulated marijuana grows on U.S. Bureau of Land Management (BLM) lands that are causing water quality problems or threatening to impact water bodies.

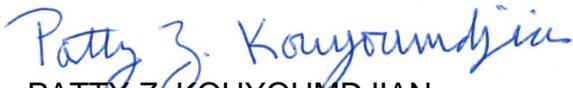
The Water Board staff recently surveyed local law authorities to assess the extent of marijuana cultivation and associated potential water quality impacts throughout the Lahontan Region. The attached table summarizes the information received (prior to the 2014 growing season). Many of the grows reported on the Table are associated with Drug Trafficking Organizations (DTOs) and occur on public lands such as those managed by the BLM, but we are also concerned with the cumulative effects of smaller grows, which seem to be proliferating rapidly.

The Water Board staff acknowledges that the table is incomplete with respect to identifying all marijuana cultivation occurring on public land and its associated water quality impacts (both threatened and actual impacts). However, the table provides a starting point to begin identifying areas of concern and quantifying their respective threatened and actual impacts to water quality. Marijuana cultivation also adversely impacts many of the natural resources, recreational activities, and cattle grazing activities the BLM and other land and resource management agencies oversee. I see an opportunity for our agencies to work together in responding to the actual and threatened impacts to natural resources created by marijuana cultivation on BLM lands within the Lahontan Region.

As a first step, I would like to identify a staff person from your agency that we could coordinate with and share information. I would also appreciate any information you could share with the Water Board on locations where marijuana cultivation has occurred or may be occurring; the size/extent of such operations; any known or suspected natural

resource impacts or areas of vulnerability/risk; and any action taken to date to remediate any observed impacts to natural resources. Please provide us this information by **January 15, 2015**, so that we may set up a meeting to discuss our mutual information and coordinate on possible next steps. I am also reaching out to other land and resource management agencies in the Lahontan Region to gather similar information.

I believe if we collaborate on this troubling source of water pollution and combine our efforts that we can find a mutually beneficial solution. Thank you for your attention to this matter. If you have any questions please call me at (530) 542-5412, or Eric Taxer at (530) 542-5434 and Scott Ferguson at (530) 542-5432.



PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

Enclosure: Table of Marijuana Cultivation Areas within the Lahontan Region

cc: Angie Lara, Associate State Director, Bureau of Land Management, California State Office  
Nancy Haug, District Manager, Northern California District  
Este Stifel, District Manager, Central California District  
Teri Rami, District Manager, California Desert District  
Ken Collum, Field Manager Eagle Lake Field Office  
Heather Whitman, Acting Field Manager, Surprise Field Office  
Steve Nelson, Field Manager, Bishop Field Office  
William Haigh, Field Manager, Mother Lode Field Office  
Katrina Symons, Field Manager, Barstow Field Office  
Mike Ahrens, Field Manager, Needles Field Office  
Carl Symons, Field Manager, Ridgecrest Field Office

# **ENCLOSURE 3**

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## ■ Cannabis Cultivation & the Environment

Lahontan Water Board  
January 14-15, 2015

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Cris Carrigan, Director  
State Water Board  
Office of Enforcement



## Scope of the Problem



- Marijuana cultivation operations on private and public lands cause enormous harm.
- Marijuana cultivation site preparation activities can cause erosion and stream habitat degradation.
- Unlawful water diversions by those cultivating marijuana can severely limit the amount of water available to the public and wildlife.
- Fertilizers and pesticides used in these sites are often mixed in the water source contaminating streams.

## Damage caused by Cannabis Cultivation



- Cannabis Cultivation operations often generate garbage which can end up in our water.

• Photo By Stormer Feller, North Coast Regional Board©

## Damage caused by Cannabis Cultivation



- Large Scale Cannabis Cultivation operations often generate runoff containing sediments, pesticides and nutrients which can end up in our water bodies.

•Photo By California Department of Fish &

## Damage caused by Cannabis Cultivation: Unpermitted Timber Conversion



## Sedimentation Caused by Grows



- Development of roads and the diversion of streams for irrigation can cause mass sedimentation.

• Photo By Stormer Feiler, North Coast Regional Board®

## Erosion Caused By Cannabis Cultivation



## Erosion Caused By Marijuana Grows



Photo By Stormer Feiler,  
North Coast Regional Board©

## Illegal Diversions



## Human Waste Near Water





## Septic Directly to Stream



## State Water Boards' Jurisdiction



## Four Keys of Outreach & Compliance

- ✓ Engage in Targeted Enforcement
- ✓ Develop a Regulatory Program
- ✓ Educate the Regulated Public
- ✓ Coordinate with State and Local Agencies

## Regulatory Tools

- Storm Water Toolbox: To address Grading Violations but inadequate to effectively regulate marijuana grows
- Basin Plan Prohibitions: Not Financially Viable Approach to Regulatory Program
- Waste Discharge Requirements & Conditional Waivers

## Legal Remedies

- **Water Code section 13304:** Cleanup and Abatement Order CAOs -Administrative Civil Liability Complaint (ALC)
- **Public Lands:** Water Boards Play a Support Role Only- Expertise on Impacts to Water Quality, Supply and Remediation – Per Se Illegal
- **Private Lands:** All the Familiar Water Code Tools – Compassionate Use Act Compliant

## Enforcement Challenges

- Owner/Operator claim of legality under Compassionate Use Act
- Viable business entity operator with intent to continue in business, or
- Viable landowner with desire to preserve property value

## Considerations for New Program

- Hazardous Waste/Chemical Removal and Disposal Costs, Liability
- Enforcing Illegal Water Diversions (Regulatory tools, Staffing, Statute, Penalties are insufficient)
- Migratory Nature of Growers & Sites
- Program sustainability & fee mechanisms

## Questions?

- [Cris.Carrigan@waterboards.ca.gov](mailto:Cris.Carrigan@waterboards.ca.gov)
- 1001 I Street
- Sacramento, CA 95814
- (916) 341-5272



# **ENCLOSURE 4**

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## ITEM NO. 9

### **MARIJUANA REGULATORY PROGRAM DEVELOPMENT**

Lahontan Regional Water Quality Control Board  
January 14, 2015

### **Public Lands Within Lahontan Region**

- U.S.D.A. Forest Service
- U.S. Bureau of Land Management
- National Park Service
- California State Parks
- Los Angeles Department of Water and Power

## Regional Impacts



Item No. 9

Marijuana Update

3

## Illicit Trespass Grows

- March, 2014 Survey
- Local Sheriffs, D.A.s, Investigators
- All Lahontan Region Counties
- DTO's (Cartels)

Item No. 9

Marijuana Update

4

## Alpine County – August, 2014 4000-Plant Seizure



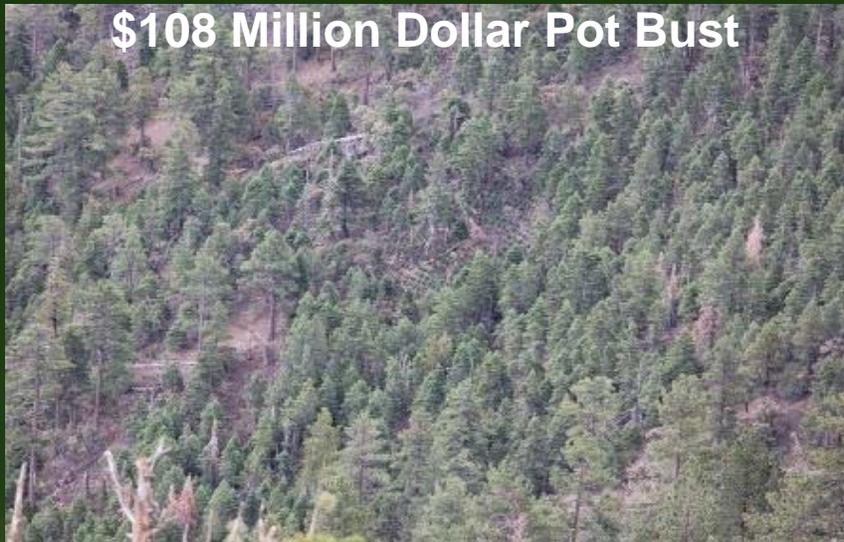
Item No. 9

Marijuana Update

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## Mono County, August 2012

### \$108 Million Dollar Pot Bust



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Marijuana Update

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## August 2013 – Inyo County



- Hogback Creek (Lone Pine)
- 4,000 Plants
- 350 # Processed Marijuana

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Marijuana Update

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## 2,000 Pounds Trash/Chemicals



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Marijuana Update

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## August 2013 – Kern County



- Walker Pass Trailhead
- USFS Land
- 3,171 Plants

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Marijuana Update

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## October, 2014 - San Bernardino County



- Three-Week Operation
- Newberry Springs, Hinkley, Lucerne Valley, Apple Valley, Hesperia, Phelan and Pinion Hills
- 56 arrests
- 1,194 # Processed Pot
- 1,651 Marijuana Plants
- 22 guns
- Unspecified Amount of Meth

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Marijuana Update

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Marijuana Update

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## "Plywood Grows"



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## Wildlife Impacts



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## Moving Forward

- Coordinate With Land Partners
- I.D. Grow Sites
- Assess WQ Impacts and Threats
- Remediate

Item No. 9

Marijuana Update

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