

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
8:30 A.M., Thursday, August 22, 2013
Santa Rosa, California

- ITEM: 4
- SUBJECT: Update on Regional Water Board Response to Environmental Impacts Associated with Marijuana Cultivation in the North Coast Region
- BOARD ACTION: This is an informational item. No action will be taken by the Board.
- BACKGROUND: At the May 2, 2013 Regional Water Board meeting in Eureka, Board staff and staff from other public and resource protection agencies presented information about the environmental effects of marijuana cultivation in the North Coast Region. A number of members of the public and various non-profit groups also contributed information and expressed concern about the adverse impacts to water quality and beneficial uses that they have observed, and that appear to be attributable to the cumulative effects of widespread cultivation of marijuana in our Regional watersheds.
- This is a serious, ongoing issue, whose significance is increasing rapidly, and one in which the Board has expressed both interest and concern. Therefore, we expect to update the Board periodically on status and progress in our efforts to address the issue.
- The May 2 informational item was held at the end of a long Board meeting day, curtailing a satisfactory discussion of the information presented, so this item serves both as a sequel to the May discussion and as a first status update to the Board. Future updates will likely occur 2-3 times per year at regular intervals, or as requested by the Board.
- DISCUSSION: Board staff advised the Board at the May 2 meeting that staff propose to address the water quality effects of marijuana through three avenues: 1) regulatory/permitting, 2) education and outreach, and 3) complaint response and enforcement. Both this and future updates to the Board on this issue will present progress or status of our efforts in each of the three avenues.

Regulatory/Permitting:

On May 2, the Board asked staff counsel to research the legal aspects, issues, or implications associated with the staff proposal to regulate the discharge of waste associated with cultivation of marijuana in a manner similar to the approach used for regulating the discharge of

waste from other agricultural activities. Staff counsel will update the Board on the results of her research into this issue.

Education/Outreach:

Since the May 2 meeting, staff have been working with the Eel River Recovery Project (ERRP) and the Mendocino County Resource Conservation District (RCD) to develop a proposal and apply for Cleanup and Abatement Account (CAA) funding from the State Water Resources Control Board for a pilot project involving, citizen-led education and outreach, development of educational resources and materials to inform and assist marijuana growers in identifying and using appropriate best management practices and measures to minimize their impacts to water quality and beneficial uses, and instream monitoring. Representatives from both the ERRP and the RCD will present brief descriptions of their respective elements of this proposal, and staff will update the Board on the status of the CAA proposal.

Enforcement:

The May 2 Board meeting presentation primarily focused on the enforcement aspects of the marijuana issue, providing a significant amount of information from an enforcement perspective. Today, staff will provide the Board with a brief update on enforcement-related developments since the May 2 meeting.

SIGNIFICANT
CHANGES:

N/A

RECOMMENDATION: This is an informational item only; no recommendations are proposed at this time.

SUPPORTING
DOCUMENTS:

Handouts at Board meeting.