

State Water Resources Control Board

DRAFT

Cannabis Cultivation Policy

Staff Report

July 7, 2017

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Acronyms and Abbreviations

ACL	Administrative Civil Liability
Antidegradation Policy	State Water Board Resolution 68-16, the Statement of Policy with Respect to Maintaining High Quality of Waters in California
Army Corps	United States Army Corps of Engineers
AUMA	Adult Use of Marijuana Act of 2016
Basin Plan	Water Quality Control Plan
BOF	Board of Forestry
BPTC	Best Practicable Treatment or Control
BPC	California Business and Professions Code
CAL FIRE	California Department of Forestry and Fire Protection
CAO	Cleanup and Abatement Orders
CDFA	California Department of Food and Agriculture
Cannabis Policy	Cannabis Cultivation Policy, Principles and Guidelines for Cannabis Cultivation
CIWQS	California Integrated Water Quality System
CUA	Compassionate Use Act of 1996
CEQA	California Environmental Quality Act
CDEC	California Data Exchange Center
CDFA	California Department of Food and Agriculture
CDFW	California Department of Fish and Wildlife
CDO	Cease and Desist Order
CHRIS	California Historical Resources Information System
CWA	Clean Water Act
Deputy Director	Deputy Director for the Division of Water Rights
DPR	Department of Pesticides Regulation
DPS	Distinct Population Segments
DTE	Distinct Taxonomic Entities
DWR	California Department of Water Resources
e.g.	Latin exempli gratia (for example)
ESA	Federal Endangered Species Act
ESU	Evolutionary Significant Unit
Executive Officer	Executive Officer of the Regional Water Quality Control Board
FER	Flashy, Ephemeral Rain hydrologic regime
FPR	Forest Practice Rules
General Order	General Waste Discharge Requirements for Discharges of Waste associated with Cannabis Cultivation Activity
GW	Groundwater hydrologic regime
HELP	High Elevation and Low Precipitation hydrologic regime
HSR	High-Volume Snowmelt and Rain hydrologic regime
HUC	Hydrologic Unit Code
HSC	Health and Safety Code
ILRP	Irrigated Lands Regulatory Program
LSA Agreement	Lake and Streambed Alteration Agreement
LSR	Low-Volume Snowmelt and Rain hydrologic regime
LTO	Licensed Timber Operator
MCRSA	Medical Cannabis Regulation and Safety Act
MMRSA	Medical Marijuana Regulation and Safety Act

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NCRO	Department of Water Resources, North Central Region Office
NHD	National Hydrography Database
NHDPlusV2	National Hydrography Database Plus Version 2
NMP	Nitrogen Management Plan
NOA	Notice of Applicability
NONA	Notice of Non-Applicability
NOT	Notice of Termination
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
NPS	Nonpoint Source Pollution Control Program
NRO	Department of Water Resources, North Region Office
NTU	Nephelometric Turbidity Units
OWTS	Onsite Wastewater Treatment System
PGR	Perennial Groundwater and Rain hydrologic regime
RSG	Rain and Seasonal Groundwater hydrologic regime
Regional Water Board	Regional Water Quality Control Board
Road Handbook	Handbook for Forest, Ranch, and Rural Roads
RPF	California Registered Professional Forester
RWD	Report of Waste Discharge
State Water Board	State Water Resources Control Board
SB	Senate Bill
SCCWRP	Southern California Coastal Water Research Project
SCR	Site Closure Report
SIC	Standard Industrial Code
SDR	Small Domestic Registrations
SEPs	Supplemental Environmental Projects
SIUR	Small Irrigation Use Registrations
SM	Snowmelt hydrologic regime
SW-CGP	Storm Water Construction General Permit
SW-IGP	Storm Water Industrial General Permit
SWPPP	Storm Water Pollution Prevention Plan
THP	Timber Harvest Plan
TMDL	Total Maximum Daily Load
UC Davis	University of California, Davis
US	United States
USBR	United States Bureau of Reclamation
USEPA	United States Environmental Protection Agency
USGS	United States Geological Survey
Water Boards	State Water Board and Regional Water Boards

INTRODUCTION

The purpose of this Cannabis Cultivation Policy Staff Report (Staff Report) is to provide background, rationale and justification for the principles and guidelines contained in the *Cannabis Cultivation Policy: Principles and Guidelines for Cannabis Cultivation* (Policy). The Policy establishes principles and guidelines (herein “Requirements”) for cannabis cultivation activities to protect water quality and instream flows. The purpose of the Policy is to ensure that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, and springs. The Policy applies to the following cannabis cultivation activities throughout California:

- Commercial Recreational
- Commercial Medical
- Personal Use Medical

The Policy does not apply to recreational cannabis cultivation for personal use, which is limited to six plants under the Adult Use of Marijuana Act (Proposition 64, approved by voters in November 2016)¹.

Legislative / Regulatory Background

Proposition 215, the Compassionate Use Act (CUA) of 1996 (Health and Safety Code Section 11362.5 et seq.) established the medical cannabis industry. While Proposition 215 laid the groundwork for medical cannabis use, it did not provide a regulatory system for oversight of the cultivation, distribution, or sale of cannabis, nor did it establish any type of control of the environmental impacts from cannabis cultivation within the state. In 2003, Senate Bill (SB) 420 was enacted by the Legislature to clarify the scope of the CUA and provided California cities and counties authority to adopt and enforce cannabis related rules and regulations consistent with SB 420 and the CUA. Without appreciable regulatory oversight however, large-scale cannabis cultivation proliferated in remote areas throughout California.

In an effort to provide a regulatory framework for the cannabis industry, Governor Brown signed the Medical Marijuana Regulation and Safety Act (MMRSA)², which became effective on January 1, 2016. MMRSA created a state licensing system for cultivation, manufacture, sale, distribution, and testing of medical cannabis.

On June 27, 2016, the Governor signed SB 837, which included a number of changes to the MMRSA including replacing the term marijuana with cannabis, changing the name of the MMRSA to the Medical Cannabis Regulation and Safety Act (MCRSA), and adding environmental protection statutes that place certain mandates on the State Water Resources Control Board (State Water Board).

¹ Recreational cannabis cultivation for personal use as defined in Health and Safety Code section 11362.1(a)(3) and section 11362.2.

² The Medical Marijuana Regulation and Safety Act consisted of Assembly Bills 243 and 266, and Senate Bill 643.

In November 2016, voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA), which legalized recreational cannabis cultivation, and the possession and use of limited amounts of cannabis by adults over 21 years of age. AUMA requires the same environmental protections as MCRSA. Among other provisions, the MCRSA and the AUMA require the California Department of Food and Agriculture (CDFA) to issue licenses to commercial cannabis cultivators and establish a track and trace program that tracks commercial cannabis from seed or clone through cultivation, harvest, transport, manufacture, distribution, and sale to the end user.

On June 27, 2017, the Governor signed SB 94 which combines the requirements of MCRSA and AUMA into a unified code of regulations.

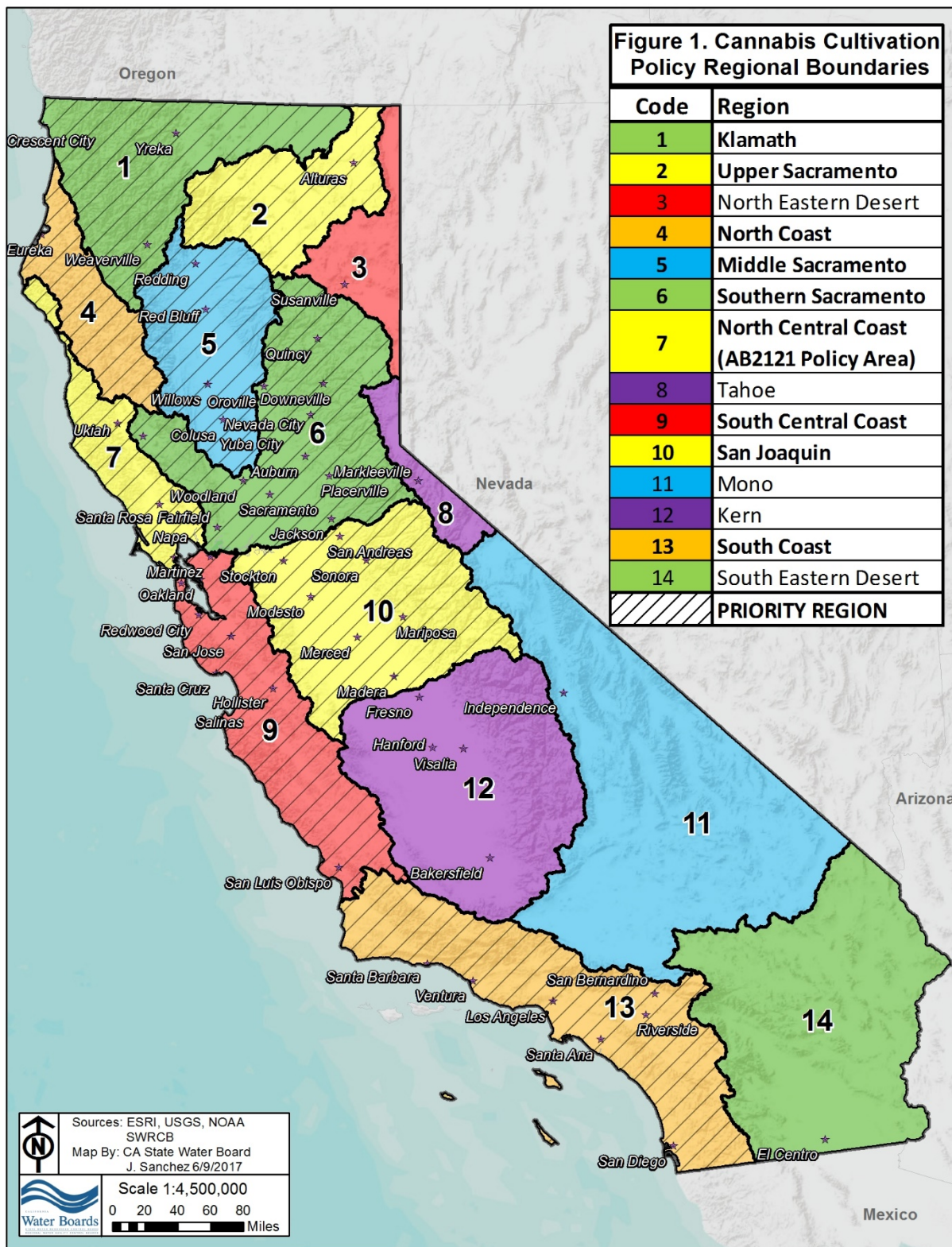
Cannabis cultivation related legislation established:

- Business and Professions Code section 26060.1(b)(1), which requires the State Water Board, in consultation with the California Department of Fish and Wildlife (CDFW) and the CDFA to ensure the individual and cumulative effects of water diversion and discharge associated with cannabis cultivation do not affect instream flows needed for fish spawning, migration, and rearing, and flows needed to maintain natural flow variability.
- Water Code section 13149, which authorizes the State Water Board, in consultation with the CDFW, to adopt interim and long-term principles and guidelines (requirements) for the diversion and use of water for cannabis cultivation. The requirements:
 - shall include measures to protect springs, wetlands, and aquatic habitats from negative impacts of cannabis cultivation; and
 - may include requirements that apply to groundwater diversions where the State Water Board determines those requirements are reasonably necessary.
- Water Code section 13276, which directs the Regional Water Quality Control Boards (Regional Water Boards) or the State Water Board to address discharges of waste resulting from medical and commercial cannabis cultivation, including adopting a general permit establishing waste discharge requirements, or taking action pursuant to Water Code section 13269.

OVERVIEW OF POLICY REGIONS

California is a large and geographically diverse state, covering 163,696 square miles, and spanning over 800 miles of coastline. California's multiple mountain ranges and valleys result in highly variable climate, precipitation and drainage patterns.

Fourteen regions are identified in the Policy to account for the state's size and geographic diversity: Klamath, Upper Sacramento, North Eastern Desert, North Coast, Middle Sacramento, Southern Sacramento, North Central Coast, Tahoe, South Central Coast, San Joaquin, Mono, Kern, South Coast, and South Eastern Desert (Figure 1). As mentioned above, the Policy establishes Requirements to protect water quality and instream flows statewide. These Requirements include minimum instream flows that must be met or exceeded at a specific compliance flow gage when water is being diverted for cannabis cultivation. Compliance gage assignments have been developed for nine (priority regions) of the 14 regions as follows: Klamath, Upper Sacramento, North Coast, Middle Sacramento, Southern Sacramento, North Central Coast, South Central Coast, San Joaquin, and South Coast. It is anticipated that compliance gage assignments for the remaining five regions will be developed, and added to the final Policy prior to adoption by the State Water Board.



This section provides a general overview of the climate, precipitation, hydrology, geology and anadromous salmonid populations throughout the state. More detailed descriptions for each priority region (including discussion of regional elevations, climate, precipitation, hydrologic classifications, monthly average temperatures, and anadromous fish distribution) are located in Appendix 1. It is anticipated that more detailed descriptions for the remaining five regions will be developed and added to the final Staff Report.

Climate

California's diverse topography has a profound impact on regional climates. CDFW modified the Köppen Climate Classification System, a classification system that is used to describe the world's climates, to describe California climatic conditions on a more localized scale (CDFG³, 2002). CDFW's modified Köppen Climate Classification System includes 11 climate classifications, which fall within five general categories: Steppe, Desert, Mediterranean, Cool Interior, and Highland. A general overview of the climatic and temperature patterns for each climate category is described below. Figure 2 shows a climatic map of California based on CDFW's adaptation of the Köppen Climate Classification System.

California's Steppe climates include the following classifications: Semi-arid, steppe (hot); Semi-arid, steppe; and Semi-arid, steppe with summer fog. California's southern San Joaquin Valley, portions of the Basin and Range and Mojave Desert are characterized by Steppe climates. Similar to the desert climates, Steppe climates are characterized by heat, but these regions tend to receive enough moisture to support vegetation, such as grasslands, that are not typically found in deserts. In these areas, average maximum temperatures are approximately 80 degrees Fahrenheit (°F) and average annual minimum temperatures are approximately 45-50°F. Temperatures are less extreme in the southern San Joaquin valley compared to many locations in the Colorado and Mojave Deserts because there is a slightly more marine influence in the San Joaquin Valley.

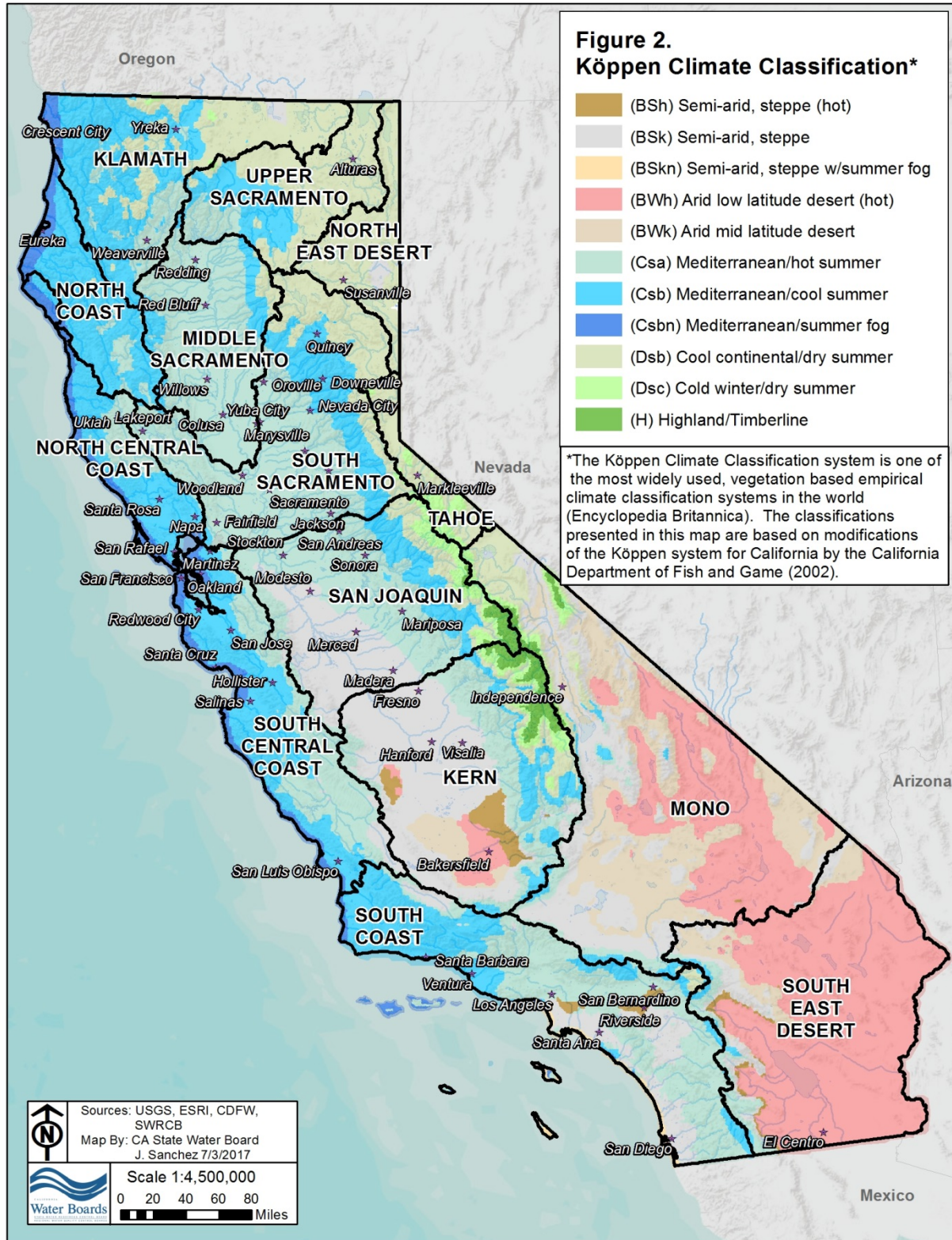
California's Desert climates include the following classifications: Arid low latitude desert (hot); and Arid mid latitude desert. Much of the Colorado and Mojave Deserts are characterized by Desert climates. California's Desert climatic regions are characterized by low annual precipitation, low humidity, high daily temperature fluctuations, and annual temperature extremes. Dry climates (including both Desert and Steppe) are characterized by the actual precipitation generally being below the potential evapotranspiration. In Desert climatic regions, temperature extremes and the range of temperature fluctuation tend to be much greater than those in Mediterranean climates, which is a result of the lower humidity and very little marine influence in Desert areas. In portions of the Mojave and Colorado Deserts, average annual maximum temperatures reach 90°F, and average annual minimum temperatures fall to 45°F.

³ The California Department of Fish and Wildlife was previously named the California Department of Fish and Game (CDFG).

California's Mediterranean climates include the following classifications: Mediterranean/hot summer; Mediterranean/cool summer, and Mediterranean/summer fog. California's coastal regions, northern Central Valley, and Sierra Nevada foothills are generally characterized by Mediterranean climates. California's Mediterranean climatic regions are characterized by warm to hot summers, and cool, wet winters. Weather systems and marine influences in these regions tend to reduce the range of temperature fluctuations and moderate temperature extremes. Areas with stronger marine influences tend to exhibit lower average annual maximum temperatures. Average annual maximum temperatures reach 65-70°F along the California coast, 75°F in the Sierra Nevada foothills and northern Central Valley, and up to 80°F in much of the Central Valley and in portions of the southern California coast. Average annual minimum temperatures in these areas rarely fall below 40°F.

California's Cool Interior climates include the following classifications: Cool continental/dry summer; and Cold winter/dry summer. The Modoc Plateau and upper elevation Sierra Nevada mountains are characterized by Cool Interior climates. California's Cool Interior climatic regions are characterized by dry summers, cool to cold winters, and significant winter snowfall. In these regions, average annual maximum temperatures tend to remain below 65°F and many areas exhibit average annual maximum temperatures below 55°F. Average annual minimum temperatures in these areas are generally below 40°F, with below freezing temperatures common.

California's Highland climate includes the Highland/Timberline classification: The highest elevation areas of the southern Sierra Nevada Mountains are characterized by Highland/Timberline climates. California's Highland/Timberline climatic regions are climatically similar to Cool Interior regions. These areas are often drier than the Cool Interior regions in the northern Sierra Nevada Mountains and Cascade Range, but Highland/Timberline climatic areas more commonly receive summer rainfall. Average annual maximum temperatures in many high elevation areas stay below 45°F, with average minimum temperatures remaining below freezing.

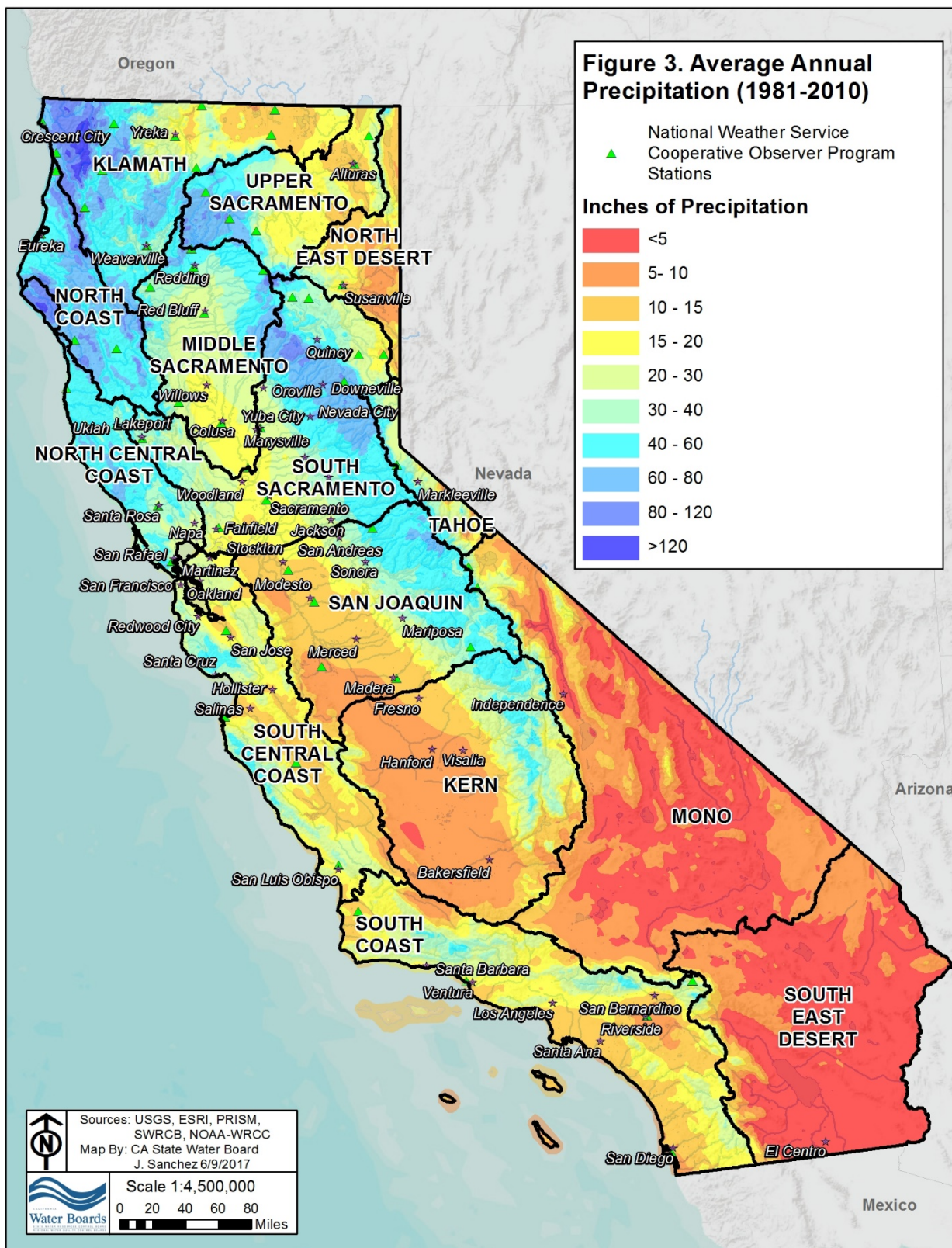


Precipitation

Overall, California precipitation patterns are characterized by cool, wet winters and very dry summers. The vast majority of California's precipitation typically falls between October and May, and half of the annual precipitation tends to fall between December and February. California receives very little precipitation during the summer months; most locations receive less than 10 percent of annual precipitation between June and September. Summer thundershowers occur in the Sierra Nevada Mountains, Klamath Mountains, and Cascade Range, but these weather events contribute little to overall precipitation volumes.

Precipitation in California falls as rain and snow. Figure 3. Average Annual Precipitation shows the statewide average annual precipitation amounts based on observations and extrapolated data (PRISM, 2016). As illustrated in Figure 3, precipitation volumes are typically much higher in northern California compared to southern California, and a north-to-south precipitation gradient is readily apparent. Snowfall typically occurs at elevations above 3,000 feet, and significant snowpack can persist at elevations above 5,000 feet. Spring snowmelt pulse flows that typically continue into summer are characteristic of streams in high elevation watersheds.

Precipitation patterns in California are influenced by regional topography. Orographic uplift and rain shadow effects impact precipitation and streamflows on the western and eastern side of California's mountain ranges. California's precipitation patterns also tend to vary substantially from year to year as the result of ocean circulation patterns, atmospheric moisture, and other factors. Large scale ocean circulation patterns, such as the El Niño/La Niña ocean circulation cycle, exert great influence over California precipitation volumes and patterns. During El Niño, California tends to receive higher amounts of precipitation during winter, especially in southern California. During La Niña, high amounts of winter precipitation may occur in northern California, while southern California often remains cool and dry. Weather phenomena, such as atmospheric rivers, can also greatly effect California's precipitation patterns. Atmospheric rivers are highly concentrated corridors of atmospheric moisture that bring warm rains in extreme volumes to California. Since these features are very narrow, one region may be heavily impacted by an atmospheric river while another area sees only minimal precipitation.



Hydrology

In California, stream hydrology is influenced by regional geologic, climatic, and precipitation patterns. To characterize California's diverse streamflow patterns, a team from the University of California-Davis (UC Davis) in collaboration with the Southern California Coastal Water Research Project (SCCWRP) developed a hydrologic classification system for California. The resultant stream classification was applied to all stream reaches in California attributed to the United States Geological Survey (USGS) National Hydrography Database Plus Version 2 (NHDPlusV2), as shown in Figure 4. The hydrologic classification system excludes first-order (headwater) streams and all streams in the Lake Tahoe Basin from its hydrologic analysis. The UC Davis-SCCWRP hydrologic classification system defines nine hydrologic classifications, described as follows: Snowmelt; High-Volume Snowmelt and Rain; Low-Volume Snowmelt and Rain; Rain and Seasonal Groundwater; Winter Storms; Groundwater; Perennial Groundwater and Rain; Flashy, Ephemeral Rain; and High Elevation and Low Precipitation.



Snowmelt (SM): Stream reaches classified under the Snowmelt (SM) hydrologic regime are characterized by high flows in late spring, a predictable snowmelt recession curve (Yarnell et al. 2010), and very low flows throughout the remainder of the year. In general, SM hydrographs exhibit a period of high flows beginning in late May, which are driven by spring snowmelt. In most snowmelt-dominated watersheds, the spring snowmelt peak flow is the highest streamflow event on an annual basis (Yarnell et al 2010). The SM hydrologic regime is characterized by very low streamflows throughout the remainder of the year, when snowmelt does not significantly contribute toward streamflows. Some smaller winter peak flows may occur as a result of winter storm events. SM stream reaches tend to be located in watersheds that receive precipitation primarily as winter snow, with minimal winter rain contributions (Lane et al, 2016). SM stream reaches are primarily located in the Sierra Nevada geomorphic region, particularly in the San Joaquin Valley and Kern Regions.

High-Volume Snowmelt and Rain (HSR): Stream reaches classified under the High-Volume Snowmelt and Rain (HSR) hydrologic regime are characterized by a bimodal snowmelt- and rainfall-dominated hydrograph, driven by a strong spring snowmelt pulse flow. In general, the HSR hydrograph is characterized by winter peak flow events driven by winter rainfall events, spring snowmelt peak flows driven by spring snowmelt, a predictable early summer snowmelt recession period, and a summer and fall baseflow period. The HSR hydrologic regime is similar to the SM and LSR hydrologic regimes; however, the HSR hydrograph tends to receive larger streamflow contributions from winter rainfall events compared to the LSR hydrograph (Lane et al 2016). HSR stream reaches tend to be located at low- to mid-elevations, and tend to have large contributing areas. HSR stream reaches are located in the Klamath, Middle Sacramento, South Sacramento, San Joaquin, and Kern Regions, and are often located downstream of LSR stream reaches. HSR stream reaches in these regions tend to be associated with major rivers, including portions of the mainstem Sacramento River and San Joaquin River.

Low-Volume Snowmelt and Rain (LSR): Stream reaches classified under the Low-Volume Snowmelt and Rain (LSR) hydrologic regime are characterized by high streamflow events that occur as a result of winter rain and spring snowmelt. In general, LSR hydrographs are characterized by winter peak flows driven by winter rainfall events, by high streamflows in the late spring driven by spring snowmelt, by a predictable spring snowmelt recession curve during early summer, and by summer and fall baseflows. The LSR hydrograph is characterized by an earlier spring snowmelt peak flow compared to the SM hydrograph (Lane et al 2016). LSR stream reaches exhibit the highest flows mainly in spring, and the lowest in summer. The LSR hydrologic regime is characterized by highly seasonal streamflow patterns, similar to those observed in SM and HSR stream reaches, but with larger streamflow contributions from winter storms. LSR stream reaches also tend to maintain higher baseflow contributions throughout the summer season compared to SM and HSR stream segments. LSR stream reaches are located in several geographic areas in California, including the: Klamath Region; the western side of the Sierra Nevada in the Upper Sacramento, Middle Sacramento, South Sacramento, San Joaquin, and Kern Regions; and small portions of the North Coast, South Coast, Mono and South East Desert Regions. LSR stream reaches in the Sierra Nevada mountains are often located downstream of SM stream reaches.

Rain and Seasonal Groundwater (RSG): Stream reaches classified under the Rain and Seasonal Groundwater (RSG) hydrologic regime are characterized by a bimodal hydrograph, driven by winter pulse flows and baseflows supplied by percolating winter precipitation. RSG stream reaches are located at low elevations, receive limited winter precipitation, and have low slopes. RSG stream reaches are located in watersheds underlain by igneous and metamorphic rock, and include small coastal aquifers with short residence times and many Central Valley streams. RSG stream reaches are located in the North Central Coast, South Central Coast, South Coast, Middle Sacramento, South Sacramento, San Joaquin, and Kern Regions. A small number of RSG stream reaches are also located in the South East Desert Region.

Winter Storms (WS): Stream reaches classified under the Winter Storms (WS) hydrologic regime are characterized by substantial rainfall events during fall and winter and low magnitude steady baseflow periods during the summer. In general, the WS hydrograph is characterized by multiple fall and winter peak flows and elevated baseflows, which are driven by winter rainstorms. WS hydrographs also exhibit receding streamflow during the early spring, and low baseflows during the dry season. WS hydrographs tend not to be influenced by snowmelt. WS stream reaches are considered flashy, with rapid flow increases and decreases corresponding to the start and end of individual precipitation events and with the overall streamflow remaining elevated throughout the fall and winter precipitation season. WS stream reaches also exhibit high inter-annual flow variance because winter storm patterns are highly variable on an inter-annual basis. Compared to the other stream classes, WS stream reaches tend to exhibit the earliest wet season peak flows and the largest average annual flow variance. WS stream reaches are primarily found at low elevations along the coast of California north of San Francisco Bay, and in the Sacramento Valley.

Groundwater (GW): Stream reaches classified under the Groundwater (GW) hydrologic regime are characterized by strong surface water-groundwater interactions and significant groundwater contributions, high streamflow predictability, and streamflows that tend to vary less substantially on a seasonal basis compared to other stream classes. Stream reaches classified by the GW hydrologic regime maintain higher average annual stream flows and higher minimum flows compared to comparably-sized streams classified by the other stream classes. GW stream reaches tend to have large drainage areas and low stream densities and are often underlain by volcanic rock or metamorphic rock aquifers. GW stream reaches tend to exhibit low winter precipitation inputs, which further emphasize the dominance of groundwater in the streamflow regime. GW stream reaches are located in several California Regions, including portions of the Klamath River, Sacramento River, and San Joaquin River Regions, some stream reaches in the Mono Region, and small numbers of stream reaches in other regions.

Perennial Groundwater and Rain (PGR): Stream reaches classified under the Perennial Groundwater and Rain (PGR) hydrologic regime are characterized by high streamflows from winter storms, and generally stable streamflows for much of the year. The PGR hydrograph is characterized by winter peak flows driven by winter rainfall events, and by stable, predictable baseflows during the spring, summer, and fall. The PGR hydrologic regime generally combines the WS regime, which is driven primarily by winter rainfall, and the GW regime, which is driven primarily by predictable baseflows (Lane et al 2016). PGR stream reaches dominate California's South Central Coast Region, with high hydrologic connectivity between the underlying unconsolidated California Coastal Basin aquifers (USGS 2014). PGR stream reaches are also found in other Policy regions, including the North Central Coast Region, South Coast Region, and other regions.

Flashy, Ephemeral Rain (FER): Stream reaches classified under the Flashy, Ephemeral Rain (FER) hydrologic regime are characterized by high streamflow variabilities, including extended periods of very low flows, as well as large flood events. FER streams tend to be located in watersheds in which runoff responds quickly to precipitation events. These streams are characterized by highly variable streamflows, and can exhibit large flood events that occur within a 10 year return period. Among the nine hydrologic classifications, FER stream segments contain the lowest mean annual flows, but high inter-annual streamflow variability. FER stream reaches are generally located at low elevations, contain high slopes, and drain small watersheds. FER stream reaches are mainly located along California's southern coast and on the eastern side of the Coast Range. Many FER stream reaches are also located in the Mono and South East Desert Regions.

High Elevation and Low Precipitation (HELP): Stream reaches classified under the High Elevation and Low Precipitation (HELP) hydrologic regime are characterized by rain-driven hydrographs. The HELP hydrograph is characterized by winter peak flows and low magnitude baseflows during the rest of the year. Overall, HELP stream reaches receive very low precipitation on an annual basis. HELP stream reaches are considered relatively flashy, but are influenced by perennial baseflows. HELP stream reaches are primarily located within the Modoc Plateau region of northeastern California, and in the Klamath, Upper Sacramento, and North East Desert Regions of the Policy. These stream reaches tend to be located in high elevation areas underlain by volcanic geology.

The characteristics of these nine hydrologic classes are summarized in Table 1.

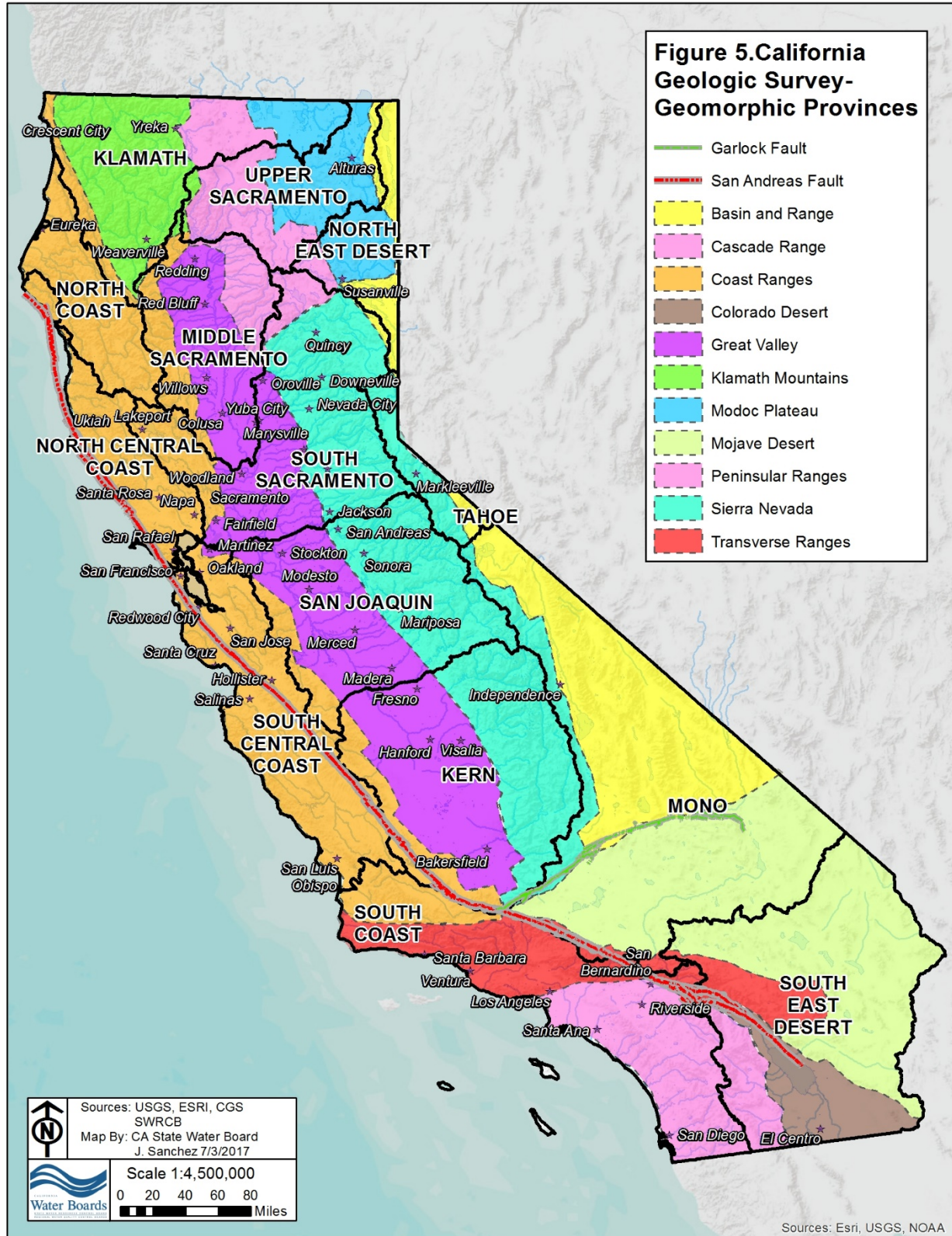
Table 1. Summary of Nine Hydrologic Classes

Class	Low Flow Characteristics	High Flow Characteristics	Seasonality	Predictability
SM	Many zero-flow days; Extended extreme low flow duration	Largest peak flows; Short flood duration	Very High	Very High
HSR	Long flood-free season; Very short extreme low flow duration; No zero flow days	Longest flood duration	High	High
LSR	Extended extreme low flow duration	Late spring peak flows	Very High	Very High
RGW	High minimum flows	Early summer peak flows	Low	Mid
WS	Extended extreme low flow duration	Winter peak flows; Frequent wet season high flows	High	High
GW	Extremely high minimum flow; No zero-flow days	No floods	Very low	High
PGR	High minimum flow	Winter peak flows	Low	Mid
FER	Most zero-flow days; Longest extreme low flow duration	Short large flood duration; Winter peak flows	Mid	Very low
HLP	High base flow; No zero-flow days	Late spring peak flows; Frequent winter high flows; Limited large floods	Mid	Very High

Lane, B., Sandoval, S., and Stein, E. (2017) "Characterizing diverse river landscapes using hydrologic classification and dimensionless hydrographs." In Prep.

Geology

California is located on the margin of active tectonic plates. California spans the boundary of the North American Plate and the Pacific Plate. The North American Plate is located in the eastern portion of California and the rest of North America. The Pacific Plate is located in the western portion of California and under the Pacific Ocean. The boundary between these two tectonic plates is visible today as the San Andreas Fault, an active transform tectonic plate boundary. California's highly complex geology has been simplified into geomorphic provinces, which characterize California's terrain and geology on a regional basis. The California Geologic Survey identifies the following 11 geomorphic provinces: Basin and Range, Cascade Range, Coast Ranges, Colorado Desert, Great Valley, Klamath Mountains, Modoc Plateau, Mojave Desert, Peninsular Ranges, Transverse Ranges, and Sierra Nevada (Figure 5) (CGS 2002).



Salmonid Species

Anadromous members of the taxonomic family Salmonidae, collectively known as anadromous salmonids, adapted over many thousands of years to the natural environment and variability of California. The three most abundant anadromous salmonid species native to California are Chinook salmon, coho salmon, and steelhead. Each of these anadromous salmonid species have multiple distinct populations, called evolutionarily significant units (ESUs), distinct population segments (DPSs), or distinct taxonomic entities⁴ (DTEs). These species' characteristic anadromous lifestyle allows them to benefit from the relative safety of inland streams and estuaries during spawning, incubation, and rearing as well as the greater productivity of the ocean environment during maturation.

Human modification of the environment in California, particularly over the last 200 years, has significantly impacted the viability of anadromous salmonid populations in the state. Currently, three ESUs and DPSs of anadromous salmonids are listed as endangered and seven as threatened under the Federal Endangered Species Act (ESA) and/or the California Endangered Species Act (CESA). Six additional ESUs, DPSs, or DTEs are listed as species of concern or species of special concern by the National Marine Fisheries Service (NMFS) and/or CDFW, respectively. The presence of these listed and special-status⁵ populations in the Policy regions is listed in Table 2. Information regarding the distributions, life histories, and threats to the viability of these special-status anadromous salmonids, as well as other salmonids of interest, is provided in Appendix 2.

⁴ DTEs are populations given distinct consideration by CDFW, but they may be grouped as a larger ESU by federal entities.

⁵ For the purposes of the Policy, the term "listed and special-status" refers to species or distinct populations that are federally listed as threatened or endangered, listed as threatened or endangered by the state of California, listed as a species of concern by NMFS, or listed as species of special concern by CDFW. No California salmonids were federally proposed for listing as threatened or endangered or designated as a State Candidate for threatened or endangered listing by the state of California at the time of the preparation of this report (CDFW 2017b).

Table 2: Listed and Special-Status Anadromous Salmonids by Policy Region

Special-Status Anadromous Salmonid Population (ESU/DPS/DTE)	Policy Region												
	Klamath	North Coast	North Central Coast	Tahoe	South Central Coast	Upper Sacramento**	Middle Sacramento	South Sacramento	San Joaquin	Mono	Kern	South Coast	South Eastern Desert
South Oregon/Northern California Coastal Chinook Salmon ESU	S												
Upper Klamath-Trinity River Chinook Salmon													
Fall-Run DTE*	S												
Spring-Run DTE*	S												
Klamath Mountains Province Steelhead DPS	S												
South Oregon/Northern California Coastal Coho Salmon ESU	f/c - T	f/c - T	f/c - T										
California Coastal Chinook Salmon ESU		f - T	f - T										
Northern California Steelhead DPS		f - T	f - T										
Central California Coast Coho Salmon ESU			f/c - E		f/c - E								
Central California Coast Steelhead DPS			f - T		f - T			f - T					

Key: f = Federal Endangered Species Act c = California Endangered Species Act

T = Threatened E = Endangered S = California Special Concern ^ = Federal Special Concern

ESU = Evolutionary Significant Unit DPS = Distinct Population Segment DTE = Distinct Taxonomic Entities*

* DTEs are populations given distinct consideration by CDFW, but they may be grouped as a larger ESU by Federal entities.

** Historically the Upper Sacramento Region contained populations listed in this table, but upstream migration is blocked by Keswick Dam.

Table 2: Listed and Special-Status Anadromous Salmonids by Policy Region (continued)

Special-Status Anadromous Salmonid Population (ESU/DPS/DTE)	Policy Region												
	Klamath	North Coast	North Central Coast	Tahoe	South Central Coast	Upper Sacram- ento**	Middle Sacram- ento	South Sacram- ento	San Joaquin	Mono	Kern	South Coast	South Eastern Desert
Sacramento River Winter-Run Chinook Salmon ESU							f/c - E	f/c - E					
Central Valley Chinook Salmon													
<i>Spring-Run ESU</i>							f/c - T	f/c - T					
<i>Fall-Run DTE*</i>							S^	S^	S^		S^		
<i>Late Fall-Run DTE*</i>							S^	S^	S^		S^		
California Central Valley Steelhead DPS							f - T	f - T	f - T				
South Central California Coast Steelhead DPS					f - T								
Southern California Coast Steelhead DPS												f - E	

Key: f = Federal Endangered Species Act c = California Endangered Species Act

T = Threatened E = Endangered S = California Special Concern ^ = Federal Special Concern

ESU = Evolutionary Significant Unit DPS = Distinct Population Segment DTE = Distinct Taxonomic Entities*

* DTEs are populations given distinct consideration by the CDFW, but they may be grouped as a larger ESU by Federal entities.

** Historically the Upper Sacramento Region contained populations listed in this table, but upstream migration is blocked by Keswick Dam.

Water Quality Impairment – Clean Water Act Section 303(d) List

The Federal Clean Water Act gives States the primary responsibility for protecting and restoring surface water quality. Under the Clean Water Act, States that administer the Clean Water Act must review, make necessary changes, and submit the Clean Water Act section 303(d) lists to the United States Environmental Protection Agency (USEPA). Clean Water Act section 305(b) requires each State to report biennially to USEPA, on the condition of its surface water quality. The USEPA has issued guidance to States which requires the two reports to be integrated. For California, this combined report is called the California 303(d)/305(b) Integrated Report.

The State Water Board and the nine Regional Water Quality Control Boards (collectively Water Boards) assess water quality monitoring data for California's surface waters every two years to determine if they contain pollutants at levels that exceed protective water quality standards. Waterbodies and pollutants that exceed protective water quality standards are placed on the State Water Board's 303(d) List. This determination in California is governed by the Water Quality Control Policy for developing California's Clean Water Act Section 303(d) List. USEPA must approve the 303(d) List before it is considered final. Placement of a waterbody and pollutant that exceeds protective water quality standards on the 303(d) List, initiates the development of a Total Maximum Daily Load (TMDL). In some cases, other regulatory programs will address the impairment instead of a TMDL.

For the Clean Water Act Section 305(b) Report, the Water Boards place the waterbody segments that were assessed into one of USEPA's five Integrated Report beneficial use report categories. For this assessment, all readily available data are used to evaluate beneficial use attainment including aquatic life, drinking water supply, fish consumption, non-contact recreational, and swimming.

The 2012 Integrated Report for the Clean Water Act Section 303(d) List was reviewed for water quality impairments on streams to provide a generalized overview of 303(d) impairments in each of the Policy's nine priority regions. It is anticipated that this review and a generalized overview of 303(d) impairments in each of the Policy's five remaining regions will be developed and added to the final Staff Report.

State Water Board staff reviewed State Water Board Geographic Information System (GIS) data layers for 303(d) water quality impaired streams in the state. The 303(d) impaired streams were overlaid with the USGS NHD 12 digit Hydrologic Unit Code (HUC 12) watersheds. For the purposes of this analysis, if a HUC 12 watershed has a 303(d) impairment within its boundary the whole watershed is included in the area analysis even though only a portion of the watershed may have the impairment. The areas of the impaired HUC 12 watersheds were then compared to the total watershed area of the region. The impairments are discussed for each Policy priority region in Table 3, as a percentage of total area impaired by a water quality contaminant category or contaminant name. Specific pollutants and their affected stream reaches are discussed in more detail in the 2012 303(d) List, and in the Water Boards' Basin Plan(s) for each of the Policy priority regions.

Table 3: Water Quality Contaminants and Percent Impairment in the Nine Policy Priority Regions

Region	Area (Sq. Mi.)*	Percent of Area Impaired								
		Sediment	Temp**	Nutrient	DO***	Salinity	Trash	Pesticides	Toxicity	Pathogens
Klamath	10,897	55%	53%	45%	14%	-	-	-	-	-
North Coast	4,947	83%	81%	7%	6%	-	-	-	-	-
North Central Coast	4,784	72%	62%	26%	7%	4%	3%	13%	-	11%
Upper Sacramento	6,956	< 1%	8%	13%	-	4%	-	-	-	-
Middle Sacramento	8,561	-	-	16%	9%	< 1%	-	23%	24%	-
South Sacramento	14,195	< 1%	4%	4%	2%	-	-	10%	17%	-
San Joaquin	13,609	< 1%	6%	8%	2%	9%	-	19%	21%	2%
South Central Coast	10,050	20%	11%	17%	-	15%	6%	28%	14%	2%
South Coast	14,431	7%	3%	27%	-	24%	5%	14%	19%	4%

* Sq. Mi. = Square Miles

** Temp = Temperature

*** DO = Dissolved Oxygen

Overview of Cannabis Cultivation Impacts

Predominantly unregulated for years, thousands of cannabis cultivators have developed cultivation sites in remote areas of the state near streams. In many cases the routine cannabis cultivation practices result in damage to streams and wildlife. These practices (e.g., clearing trees, grading, and road construction) are often conducted in a manner that causes large amounts of sediment to flow into streams during rains. The sediment smothers gravel spawning beds needed by native fish. The cannabis cultivators also discharge pesticides, fertilizers, fuels, trash, and human waste around the sites, that then discharges into waters of the state. In the North Coast region, the state has invested millions of dollars to restore streams damaged by decades of timber harvesting. Cannabis cultivation is now reversing the progress of these restoration efforts.

In addition to these water quality discharge related impacts, cannabis cultivators also impair water quality and aquatic habitat by diverting water from streams in the dry season, when flows are low. Diversion of flow during the dry season often completely dries up streams, stranding or killing native fish. The impacts of these diversions have been exacerbated in recent years by periods of drought. CDFW has received dewatering reports for at least 19 streams in Northern California, all of which contain anadromous fish listed as threatened or endangered by the state and/or federal government. Diversions for cannabis cultivation also are known to occur in hundreds of streams with Coho salmon in the North Coast region and in countless other streams throughout the state, demonstrating that water quality and habitat-related impacts from cannabis cultivation are widespread.

Cannabis cultivation has been increasing in recent years, and the expansion is accelerating with the passage of MCRSA and AUMA legislation. A recent CDFW study (CDFW 2015), using aerial surveys of four small watersheds in Humboldt and Mendocino counties found that the number of acres in cannabis cultivation doubled from 2009 to 2012, with an estimated 500 individual operations and approximately 30,000 plants in each of these small watersheds. The study concluded that water demand for cannabis cultivation has the potential to divert substantial portions of streamflow in the studied watersheds, with an estimated flow reduction of up to 23 percent of the annual seven-day low flow in the least impacted of the studied watersheds. Estimates from the other study watersheds indicate that water demand for cannabis cultivation exceeds the streamflow during the low-flow period. In the most impacted watersheds, diminished streamflow is likely to: have lethal or sub-lethal effects on state- and federally-listed salmon and steelhead trout; and cause further decline of sensitive amphibian species. CDFW concluded that cannabis cultivation on private land has grown so much in the North Coast region that Coho salmon, a federal and state listed endangered species, may go extinct in the near future if the impacts of cannabis cultivation are not addressed immediately. Rare (listed) and sensitive species affected by water diversion for cannabis cultivation in the North Coast region include: Coho salmon; Chinook salmon; steelhead trout; coastal cutthroat trout; southern torrent salamander; red legged frog; northern spotted owl; and Pacific fisher. Other species throughout the state such as deer, bear, and various birds are also being harmed by cannabis cultivation-related impacts to streams.

Prior to the MRCSA legislation, the Legislature approved the Governor's proposed budget, which provided positions for a pilot project to reduce environmental damage caused by cannabis cultivation activities with direction "to improve the prevention of illegal stream diversions, discharges of pollutants into waterways, and other water quality impacts associated with marijuana production." The pilot project included collaboration of CDFW, the Central Valley Regional Water Board, North Coast Regional Water Board, and the State Water Board. The pilot project worked to address the damage to natural resources from cannabis cultivation where high levels of such cultivation are known to occur. The agencies formed a multi-agency task force (Task Force) that coordinates efforts to provide public outreach and education, perform site inspections, handle public complaints, and pursue enforcement actions related to cannabis cultivation activities. MCRSA and AMUA have subsequently directed CDFW and the State Water Board to expand the pilot project and Task Force statewide to address the environmental impacts of cannabis cultivation.⁶ Reports from Task Force inspections conducted during the pilot program document extensive adverse environmental impacts to aquatic resources from cannabis cultivation activities, including increased erosion (e.g., road construction and site development on slopes greater than 30 percent), stream habitat degradation (e.g., water storage, site development, and road construction in and near waters of the state), and unlawful water diversion that severely limits the supply available for the public and wildlife/fish.

⁶ Fish and Game Code section 12029(c) and Water Code section 13276(b).

BACKGROUND AND RATIONALE FOR POLICY REQUIREMENTS FOR WATER DIVERSION AND WASTE DISCHARGES ASSOCIATED WITH CANNABIS CULTIVATION

Business and Professions Code section 26060.1(b)(1) requires the State Water Board, in consultation with CDFW and CDFA, to ensure that the individual and cumulative effects of water diversion and waste discharges associated with cannabis cultivation do not affect instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability. The State Water Board developed the Policy in accordance with Water Code section 13149 to establish Requirements to address impacts associated with the diversion of water and waste discharges related to cannabis cultivation.

Furthermore, pursuant to Water Code section 13276, the Water Boards may establish or adopt individual or general waste discharge requirements to address discharges of waste resulting from cannabis cultivation under Division 10 of the Business and Professions Code and associated activities. In addressing these discharges, the Water Boards must include conditions to address items that include, but are not limited to, the following:

- Site development and maintenance, erosion control, and drainage features
- Stream crossing installation and maintenance
- Riparian and wetland protection and management
- Soil disposal
- Water storage and use
- Irrigation runoff
- Fertilizers and soil
- Pesticides and herbicides
- Petroleum products and other chemicals
- Cannabis cultivation waste
- Refuse and human waste
- Cleanup, restoration, and mitigation

These 12 categories of discharge to waters of the state can generally be grouped according to the following types of discharge:

- a. Discharges of sediment from land disturbance activities (e.g. road construction, grading), improper construction or maintenance of road stream crossings and drainage culverts; or improper stabilization and maintenance of disturbed areas, unstable slopes, and construction material (e.g., spoil piles, excavated material);
- b. Discharges from land disturbance and development within and adjacent to wetlands and riparian zones;
- c. Discharges of fertilizers and pesticides⁷;

⁷ The term “pesticide” is defined by California Code of Regulations Title 3, Division 6, Section 6000 as: (a) Any substance or mixture of substances that is a pesticide as defined in the Food and Agricultural Code and includes mixtures and dilutions of pesticides; (b) As the term is used in Section 12995 of the California Food and Agricultural Code, includes any substance or product that the user intends to be used

- d. Spills or leaks of fuels, lubricants, hydraulic oil, or other chemicals associated with water diversion pumps, construction equipment, or other equipment; and
- e. Discharges of trash, household refuse, or domestic wastewater.

Implementation of the Policy Requirements will reduce water quality degradation and water diversion impacts associated with cannabis cultivation.

Additional background and rationale regarding potential cannabis cultivation impacts to water quality from diversions and waste discharges related to cannabis cultivation are discussed below. As impacts associated with water diversions affect only a subset of cannabis cultivation sites (i.e., those with diversions) the background and rationale for Water Diversion, Storage, and Use follows the discussion of the background and rationale for more generally applicable impacts associated with cannabis cultivation that do not involve a water diversion.

Cleanup, Restoration, and Mitigation

Outdoor cannabis cultivation in California typically occurs on undeveloped parcels (as opposed to traditional agricultural lands). In addition to the cannabis cultivation area, there is also typically an indoor nursery and other support facilities (e.g., water supply and distribution, storage bays for soil amendments, generator(s) for power supply, storage sheds, access roads, etc.). Site grading is often a necessary first step to construct these facilities and the resultant disturbed area is vulnerable to increased erosion and sedimentation. Minimizing the extent of disturbance when developing a new site and performing associated clean up, restoring vegetation to pre-cannabis cultivation conditions, and mitigating any impacts to native vegetation through replanting or mulching, will reduce the threat to water quality. Within riparian zones, revegetation of disturbed areas is critical to prevent sediment, nitrogen, phosphorus, pesticides, and other pollutants from reaching a watercourse. Riparian buffers also provide valuable habitat for fish and wildlife (e.g., providing food, shelter, cover, and a travel corridor for wildlife). Requirements contained in Policy Attachment A, *Section 2: "Cleanup, Restoration, and Mitigation"* specifically address these impacts.

Constituents of Concern

The Policy prohibits direct discharge of waste to surface waters and requires implementation of Requirements to prevent storm water mobilization of constituents of concern to waters of the state, which includes groundwater and surface waterbodies.

Water quality related constituents of concern associated with cannabis cultivation discharges include nitrogen, pathogens (represented by coliform bacteria), phosphorus, salinity, and turbidity. Water quality can be affected by excessive use of fertilizer, soil amendments, or other sources. The constituents have the potential to discharge to groundwater by infiltration and to other waters of the state by either surface runoff or by groundwater seepage. Each of the constituents of concern is discussed briefly below:

for the pesticidal poison purposes specified in Food and Agricultural Code sections 12753 and 12758. Per California Food and Agricultural Code section 12753(b), the term "pesticide" includes any of the following: Any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, as defined in Section 12754.5, which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever.

- **Nitrogen.** Nitrogen compounds may exist in a number of chemical compounds (ammonia, nitrite, nitrate, and organic nitrogen). Nitrogen may exist in any of the compounds, although nitrate is the primary compound absorbed by plants. Nitrate is also the most mobile of the nitrogen compounds in the environment. The potential for degradation depends on fertilizer application method, loading rate, crop uptake, and processes in the vadose zone related to immobilization and/or denitrification. The Policy requires compliance with Requirements, which include practices that limit the amount of nitrogen applied and control runoff from the cannabis cultivation area. In addition, cannabis cultivation sites that are enrolled in Tier 2 under the *General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (Cannabis General Order) and that have combined activities to create a cultivation area on a parcel that is equal to or larger than one acre, must submit a Nitrogen Management Plan⁸. Additional information on nitrogen is available below in the discussion of *Fertilizers, Pesticides, Petroleum Products and Other Chemicals*
- **Pathogens and Microorganisms.** Pathogens and other microorganisms are present in manure-based fertilizers, compost, biosolids, and soil amendments. Composting manure and/or biosolids will reduce the concentration of pathogens but not eliminate their presence. Exposure to sunlight will further reduce pathogen content. Coliform bacteria are used as a surrogate (indicator) because they are excreted by warm-blooded animals, are present in high numbers, survive in the environment similar to pathogenic bacteria, and are easy to detect and quantify. Public contact is minimized through physical controls and/or notification. The Policy requires implementation of Requirements, which include riparian setbacks, as well as other practices that limit potential for pathogen discharges from cannabis cultivation activities. Riparian setbacks Requirements reduce pathogenic risks by coupling pathogen inactivation rates with groundwater travel time to a well or other potential exposure route (e.g., water contact activities). In general, a substantial unsaturated zone reduces pathogen survival compared to saturated soil conditions. Fine grained (silt or clay) soil particles reduce the rate of groundwater transport and therefore are generally less likely to transport pathogens; coarse grained soil particles or fracture flow groundwater conditions may be more likely to transport pathogens.
- **Phosphorus.** Phosphorus compounds may exist in a number of chemical compounds (orthophosphate, polyphosphate, organic phosphate, phosphoric acid, and others). Phosphorus is quickly oxidized to phosphate, which is the compound absorbed by plants. Phosphate strongly adsorbs to soil particles and therefore has limited mobility in the environment. The potential for degradation depends on fertilizer application method, loading rate, and crop uptake. The Policy requires compliance with Requirements, which include practices that control runoff from the cannabis cultivation area.
- **Salinity.** Salinity is a measure of dissolved solids in water. Excessive salinity can reduce the beneficial uses of water. Salinity consists of both volatile (organic) and fixed (inorganic) fractions. In a well-operated cultivation system, volatile dissolved solids in percolate will be reduced to negligible concentrations. The best approach for addressing salinity is through source control activities. The Policy requires compliance with Requirements, which include practices that will limit the amount of salinity

⁸ The Nitrogen Management Plan is required to account for all of the nitrogen applied to cannabis cultivation areas (dissolved in irrigation water, originating in soil amendments, and applied fertilizers) and describe procedures to limit excessive fertilizer application.

discharged from cultivation activities.

- **Turbidity.** Turbidity can be caused by suspended sediment, which can diffuse sunlight and absorb heat. This can increase temperature and reduce light available for algal photosynthesis. If the turbidity is caused by suspended sediment, it can be an indicator of erosion, either natural or manmade. In streams supporting wildlife, suspended sediments pose additional hazards. Suspended sediments can clog the gills of fish, and settled sediments can clog gravel beds, smother fish eggs, and impact aquatic life. The sediment can also carry pathogens, pollutants, and nutrients, further exacerbating water quality impacts. Most of the nine Regional Water Board's water quality objectives for turbidity require that surface waters (except ocean waters) be free of changes in turbidity that cause nuisance or adversely affect the beneficial use of water. Water quality control plans (often referred to as Basin Plans) may contain specific turbidity and suspended sediment requirements; implementation of applicable Policy Requirements will be effective in controlling turbid discharges. In some cases, the cannabis cultivator will have to implement multiple Policy Requirements, or increase the density or application of Policy Requirements (e.g., storm water measures) to achieve water quality protection.

Requirements contained in Policy Attachment A, *Section 2: "Fertilizers, Poisons, and Petroleum Products"* specifically address the impacts discussed in this *"Constituents of Concern"* section. Also see Policy Attachment A, *Section 1: "General Requirements and Prohibitions"* and *"Cannabis General Water Quality Certification."*

Cultural Resource Protection

Cannabis cultivation often occurs in undeveloped or lightly disturbed sites. Frequently, cannabis cultivation requires land clearance and ground disturbing activities as part of site preparation. As such, cannabis cultivation has a higher risk of disturbing previously undisturbed human remains, archeological resources, and sites that are of cultural value to California Native American tribes. Accordingly, the Policy includes Requirements to protect these resources from the negative impacts of cannabis cultivation. Requirements contained in Policy Attachment A, *Section 1: "General Requirements and Prohibitions"* specifically address these impacts.

Fertilizers, Pesticides, Petroleum Products and Other Chemicals

The over or improper use and storage of potting soil, amendments, fertilizers, pesticides, poisons and petroleum products can lead to significant soil and water contamination. Each of these is discussed briefly below.

- **Fertilizers.** Potting soil, soil amendments, and fertilizers contain excess nutrients, particularly nitrogen and phosphorus (see discussion under *Constituents of Concern* above), that can contribute to toxic algae blooms, and deplete the dissolved oxygen that fish and other aquatic species need to survive. Nitrogen is a primary plant nutrient that is taken up by plants as nitrate or ammonium ions. Nitrate is mobile in the environment and can move with soil water to plant roots where uptake can occur; ammonium nitrogen is sorbed to soil particles and has limited mobility in the environment. All forms of nitrogen can be converted to nitrate, by microbial activity, under the proper conditions (e.g., temperature, aeration, moisture, etc.).
 - Nitrogen or nitrogen compounds may be lost to the atmosphere by the process of denitrification or by ammonia volatilization. Nitrate may be leached below the root zone by percolation. Erosion of nitrogen containing materials may transport nitrogen containing materials to surface water.

- Symptoms of nitrogen deficiency in plants include slow growth, yellow green color (chlorosis), “firing” of tips and margins of leaves beginning with more mature leaves. Chlorosis is usually more pronounced in older plant tissue since nitrogen is mobile within plants and tends to move from older to younger tissue when nitrogen availability is limited. (CPHA 1980)
- The rate of nitrogen uptake by crops changes during the growing season. For planning and nutrient balances, the rate of nitrogen uptake can be approximately correlated to the rate of plant transpiration. Consequently, the pattern of nitrogen uptake is subject to many environmental and management variables and is crop specific.
- Some forage crops can have higher nitrogen uptake rates than those in agricultural publications. “Luxury consumption” may occur in the presence of surplus nitrogen and result in higher than normal crop uptake rates.
- Generally young plants absorb ammonium more readily than nitrate; however, as the plant ages the reverse is true. Soil conditions that promote plant growth (warm and well aerated) also promote the microbial conversion of ammonium to nitrate. As a result, nitrate is generally more abundant when growing conditions are most favorable. (Brown and Caldwell, 2007)
- The Policy allows up to 1.4 times the crop uptake rate to compensate for the nitrogen that is not plant available or lost through denitrification or ammonia volatilization, and also allows for short-term additional nitrogen application if needed based on visual observation of the plant and laboratory analysis of plant tissue demonstrating limited nitrogen availability. The factor of 1.4 is designed to address the limited data regarding cannabis nitrogen uptake rates, and the variable nitrogen cycle processes described above. Other Requirements in the Policy provide adequate protection of water quality that substantiates use of the increased application factor (1.4).
- A 2004 study at the University of Northern British Columbia evaluated nitrogen uptake values for *Cannabis sativa* (Forrest, 2004). The study reported a nitrogen uptake rate of 228 lbs/acre/year. Using the application factor of 1.4, allows a nitrogen application rate of 319 lbs/acre/year. The application rate includes all sources of nitrogen, including soil amendments, bulk fertilizers, and liquid fertilizers. Because cannabis grown for medical or personal use is not cultivated as densely as hemp, the Policy limits nitrogen application using the units “pounds/canopy acre/year.” Typically, one canopy acre occupies more than one acre of land. Using the simpler units “pounds/acre/year” would result in the application of nitrogen beyond the crop need.
- **Pesticides.** Pesticides can lead to many unintended negative effects, and are easily mobilized by storm water runoff. Pesticides need to be used and stored in a manner that prevents them from entering waters of the state. Poisons used to exterminate garden pests such as rats, mice, gophers, and moles can move up through the food chain and cause secondary poisoning and mortality of family pets, and predators such as owls, bobcats, foxes, and the Pacific Fisher (*Pekania Pennanti*). There are many effective practices for controlling pests and enhancing soil and plant growth that do not require chemical fertilizers or pesticides. Business and Professions Code section 26060(d) requires the California Department of Pesticides Regulation (DPR) to develop guidelines for the use of pesticides in cannabis cultivation and guidelines for maximum tolerances

for pesticides and other foreign object residue in harvested cannabis. Currently no pesticides have been approved by regulatory agencies for use on cannabis. In 2015, DPR published Legal Pest Management Practices for Cannabis Growers in California (CDPR 2015), which lists active ingredients that are exempt from residue tolerance requirements. The active ingredients that can be legally used on cannabis plants in California are either exempt from registration requirements or registered for a use that's broad enough to include its use on cannabis. Federal law requires that the use of pesticides be consistent with product labeling. The Policy requires that all pesticide application is done in compliance with labelling instructions and other applicable laws and regulations. The Policy further requires that pesticides be used and stored in a manner that ensures that pesticides will not enter or be released to waters of the state.

- **Petroleum Products.** Petroleum products (e.g., gasoline, diesel, oil, and grease) are toxic to aquatic wildlife and commonly spill or leak from vehicles, equipment, and storage areas. If petroleum products are mobilized, they have the potential to discharge to waters of the state during rain events.

Requirements contained in Policy Attachment A, Section 5: "*Nitrogen Management Plan*" and Section 2: "*Fertilizers and Soils*" specifically address these impacts.

General Water Quality Certification

Activities that involve construction and other work in waters of the United States may require a permit from the Army Corps pursuant to section 404 of the Clean Water Act. Section 401 of the Clean Water Act requires every applicant for a federal license or permit to provide the licensing or permitting federal agency with a section 401 water quality certification that the project will be in compliance with state water quality standards and implementation plans promulgated pursuant to section 303 of the Clean Water Act, and other appropriate requirements of state law.

The State Water Board may issue a decision on a water quality certification application.⁹ State water quality certification conditions become conditions of any federal license or permit for the project. The State Water Board may issue a general water quality certification for a class or classes of activities that, as here, are the same or similar, or involve the same or similar types of discharges and possible adverse impacts to water quality if it determines that these activities are more appropriately regulated under a general certification rather than individual certifications.¹⁰

Dredge or Fill Materials

Some activities related to establishing or maintaining cannabis cultivation sites or access roads may involve the discharge of dredge or fill material into waters of the United States (US) or waters of the state (e.g., excavation for a culvert, irrigation pipe, or pump structure installation). Dredged material is material that is excavated or dredged from a waterbody.¹¹ Fill material is material placed into a waterbody that has the effect of either replacing any portion of the water with dry land or changing the bottom elevation of the waterbody.¹² Cannabis cultivators are required to obtain authorization for discharges of dredge or fill materials to the waters of the US or to the non-federal waters of the state as described below:

⁹ California Code of Regulations title 23 section 3838.

¹⁰ California Code of Regulations title 23 section 3861.

¹¹ Cf. Code of Federal Regulations section 323.2(c) [defining "dredged material" under federal law].

¹² Cf. 33 Code of Federal Regulations section 323.2(e) [defining "dredged material" under federal law].

Discharges of dredged or fill material to waters of the US are regulated by the Army Corps under section 404 of the Clean Water Act and a water quality certification under section 401 of the Clean Water Act. Exempt activities include, among other things: normal farming, ranching and silviculture activities; maintenance of currently serviceable structures such as dikes, dams, levees, bridge abutments or approaches, and transportation structures; construction or maintenance of irrigation ditches, or maintenance (but not construction) of drainage ditches; and construction of farm roads or forest roads in compliance with applicable best management practices. Converting a wetland to a non-wetland or conversion from one wetland use to another (such as from silviculture to farming) is not exempt. Dischargers, including cannabis cultivators, proposing non-exempt discharges of dredged or fill material are required to obtain a section 404 permit from the Army Corps. Section 401 of the Clean Water Act requires an applicant for a dredge and fill permit to provide certification from the state that the proposed activity also complies with state water quality standards. Any conditions in a section 401 water quality certification are incorporated into the section 404 permit. The Army Corps may not issue a section 404 permit if the state denies certification. In California, the Water Boards issue water quality certifications. California law requires dischargers of dredged or fill material to obtain waste discharge requirements for those activities, whether or not the discharger obtains a section 404 permit and section 401 water quality certification.

The Cannabis General Order serves as waste discharge requirements for cannabis-cultivation discharges of dredge and fill materials. Cannabis cultivators enrolled in and conducting activities in compliance with the Cannabis General Order will not be required to obtain coverage for such activities under Water Quality Order No. 2004-0004-DWQ (*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction*), Water Quality Order No. 2003-0017-DWQ (*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that Have Received State Water Quality Certification*), or any successor order. Cannabis cultivators that require a section 401 water quality certification may either seek coverage under the Cannabis General Water Quality Certification or apply to the State Water Board or applicable Regional Water Board for a site-specific water quality certification.

The Policy includes a Cannabis General Water Quality Certification for cannabis cultivation activities that may require a federal permit. Cannabis cultivators seeking Clean Water Act section 401 water quality certification for a project must notify the appropriate Regional Water Board or State Water Board 60 days prior to the proposed commencement of the activity and submit information regarding the construction schedule and other relevant information. Unless the Regional Water Board or State Water Board determines that the project or activity does not meet the specified criteria for coverage under the General Water Quality Certification, the General Water Quality Certification will provide section 401 water quality certification coverage for the federal permit required for that project. Cannabis cultivators must not commence the activity until the appropriate Regional Water Board or State Water Board notifies the cannabis cultivator that the work is authorized. A list of projects authorized by this General Water Quality Certification will be posted on the appropriate Regional Water Board and State Water Board's website and will serve as notice to the United States Army Corps of project coverage. Projects that do not meet the criteria for coverage under the General Water Quality Certification must apply for individual certification.

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The General Water Quality Certification contained in the Policy does not apply to activities that will: 1) result in significant unavoidable environmental impacts including permanent impacts to wetlands and other waters from dredge and fill activities, and/or violation of water quality standards; 2) result in the potential direct or indirect take of any listed species; or 3) expose people and/or structures to potential adverse effects from flooding, landslides or soil erosion.¹³

Requirements contained in Policy Attachment A, *Section 1: "Cannabis General Water Quality Certification"* specifically address these impacts.

Irrigation Runoff

Irrigation runoff occurs when water is applied at too great a rate or quantity. Because site runoff cannot be used by the plant, it is considered a waste and unreasonable use of water.

Additionally, runoff has the potential to transport sediment, pesticides, fertilizers, and other harmful constituents to waters of the state. As a result, irrigation that causes runoff can be considered a waste and unreasonable use of water as well as a threat to water quality and designated beneficial uses. Requirements contained in Policy Attachment A, *Section 2: "Irrigation Runoff"* specifically address these impacts.

Land Disturbance and Erosion Control

Sediment from erosion is a major pollutant impairing many waters of the state. Excess sediment is defined as soil, rock, sand, silt, or clay that is delivered to waters in an amount that could negatively impact aquatic life, water quality, and designated beneficial uses. Roads, land development and improper site maintenance are key factors that can contribute to erosion.

Sediment may degrade water quality in numerous ways. It reduces the amount of oxygen available to plants and animals and can carry fertilizers and other chemicals mobilizing them and carrying them into waterways. Once in the stream system, sediment fills in spawning gravels and negatively impacts salmon and steelhead's ability to successfully form redds.¹⁴ The sediment reduces the available oxygen in redds that are formed, which can result in egg mortality and lower survival rates. Sedimentation in streams can cause or contribute to flooding, impede stream flow, increase water temperatures, and promote growth of toxic algae in the summer and fall.

Requirements contained in Policy Attachment A, *Section 2: "Land Development and Maintenance, Erosion Control, and Drainage Features"* specifically address these impacts.

Onsite Wastewater Treatment Systems

The Policy does not authorize discharges of either industrial or domestic wastewater to onsite wastewater treatment systems. Treatment and disposal of domestic wastewater that uses subsurface disposal may be regulated by a local agency or a Regional Water Board, consistent with the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems*¹⁵ (OWTS Policy). To date, local agencies have only been authorized to permit domestic wastewater discharges. Discharges of industrial wastewater, such as hydroponic or irrigation tail water generated in indoor cultivation activities, must be permitted by the appropriate Regional Water Board or State Water Board.

¹³ California Code of Regulations title 23 section 3861(d).

¹⁴ Spawning areas or nests made by a salmon or trout.

¹⁵ The OWTS Policy is available online at:

http://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf.

Use of cesspools is not authorized by the OWTS Policy and local agencies cannot approve their use. An outhouse may be acceptable in limited circumstances where the use is very limited, only human waste is discharged, and the use is protective of water quality. However, approval from the Regional Water Board must be obtained before initiating or continuing use of an outhouse. Factors that reduce the threat to water quality include a large property parcel size, relatively level terrain (topography), location outside flood hazard zones, very limited use, and no public access. Alternatives to an outhouse or cesspool include a properly designed septic system and leach field, a regularly serviced holding tank, or regularly serviced chemical toilets.

Requirements contained in Policy Attachment A, *Section 2: "Refuse and Domestic Waste"* specifically address these impacts.

Refuse, Domestic Waste, and Cannabis Cultivation Waste

Fish and Game Code section 5650 states that it is unlawful to deposit in, permit to pass into, or place where it can pass into the waters of the state, any substance or material that may harm fish, plant life, mammals, or bird life. This includes sediment/soil, petroleum products, fertilizers, pesticides, and poisons. Fish and Game Code section 5652 states that it is unlawful to deposit in, permit to pass into, or place where it can pass into the waters of the state or to abandon, dispose of or throw away, within 150 feet of the high water mark of waters of the state, any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal or the carcass of any dead bird.

Many cannabis cultivation sites are on lands that have never included permanent habitation on the property. This has led to the development of temporary facilities, both for living quarters and for human needs (bathrooms and bathing), that do not meet industry standards. Many cannabis cultivation properties were selected because they were remote and there is often a lack of county or city services like water, power, sewer, or garbage collection at these sites. Improperly stored or disposed trash and biological waste can become a source of contamination in waters of the state, either by direct leaching or mixing of fluids, or runoff from irrigation or storm events.

Additionally, cannabis cultivation, like other agricultural activities, generates waste (e.g., fertilizer containers, spent growth medium, soil amendments, etc.). If not managed properly, this waste has the potential to impact water quality and designated beneficial uses of waters of the state.

Requirements contained in Policy Attachment A, *Section 2: "Refuse and Domestic Waste"* specifically address these impacts.

Riparian and Wetland Protection and Management

Clearing or conversion of riparian or wetland areas for cannabis cultivation related activities can have many adverse impacts. Riparian vegetation reduces water temperatures, provides cover for aquatic species, helps to create and enhance aquatic habitat, and supports food production. Removal of riparian vegetation can result in increased water temperatures due to solar radiation, reduction of quantity and quality of aquatic and terrestrial habitat, and increased bank instability and erosion.

Requirements contained in Policy Attachment A, *Section 2: "Riparian and Wetland Protection and Management"* specifically address these impacts.

Road Construction and Maintenance

Proper design, location and maintenance of roads is necessary to prevent or minimize sediment discharges to waters of the state. Poorly constructed or maintained road features such as, drainage, culverts, fill prisms, and cut slopes can significantly increase erosion and sediment discharge. Poorly constructed or maintained watercourse crossings often lead to catastrophic failures that severely damage roads and receiving waters, degrading or eliminating habitat essential to fish and other aquatic life.

Unsurfaced logging roads and logging road watercourse crossings are generally the principle source of sediment delivered to watercourses associated with timber operations. To mitigate these impacts, the Forest Practice Rules (FPRs) include requirements that significantly reduce sediment discharge to waters of the state. (Cafferata 2015) Site development activities (e.g., road building) and timber harvest activities are subject to the California Water Code. The California Department of Forestry and Fire Protection (CAL FIRE) is the lead agency responsible for regulating timber harvesting under the FPRs. The State Water Board, California Board of Forestry and Fire Protection, and CAL FIRE entered into a Management Agency Agreement in 1988 to oversee water quality protection on Timber Harvest Plans (THPs). The FPRs require the submission and approval of a THP before the start of most timber operations. Once a THP is submitted to CAL FIRE, Regional Water Board staff review the plan along with CDFW, California Geological Survey, and CAL FIRE. Following plan approval by CAL FIRE, and prior to beginning timber harvest activities, land owners must apply to the appropriate Regional Water Board for waste discharge requirements (WDRs) or waivers of WDRs for discharges to waters of the state.

Qualified Professionals and licensed earthwork and paving contractors should be used to design, locate, construct, and inspect roads to reduce the impacts of road construction and use. Common examples of road drainage and maintenance issues include: surface rills or ruts, cut slopes that are undercut or failing, fill prism downcutting or failure, downcutting at drainage or watercourse crossing culvert outlets, erosion around or under watercourse crossing culverts or bridges, and debris accumulation or plugging of culvert inlets. Surfacing of exposed, disturbed, or bare surfaces can also greatly reduce runoff-induced erosion from road features. Erosion control features such as vegetative ground cover, straw mulch, slash, wood chips, straw wattles, fiber rolls, hay bales, geotextiles, and filter fabric fences may be used to prevent or minimize sediment transport and delivery to surface waters. Locally native, non-invasive, non-persistent grass species may be used for temporary erosion control benefits to stabilize disturbed land and prevent exposure of disturbed land to rainfall. The *Handbook for Forest, Ranch & Rural Roads* (Road Handbook)¹⁶ provides a guide for planning, designing, constructing, reconstructing, upgrading, maintaining, and closing wildland road. Development of the Road Handbook was funded in part by the State Water Board, USEPA, and CAL FIRE.

Requirements contained in Policy Attachment A, *Section 2: "Private Road/Land Development and Drainage"* specifically address these impacts.

¹⁶ The Handbook for Forest, Ranch, and Rural Roads (Weaver 2015) describes how to implement the Forest Practice Rules requirements for road construction and is available online at: <http://www.pacificwatershed.com/sites/default/files/RoadsEnglishBOOKapril2015b.pdf>.

Slope and Erosion Potential Relationship

The potential impacts of storm water runoff are influenced by site topography, soil type, the amount and intensity of precipitation, and erosion control measures designed to reduce storm water runoff. Fast moving water can erode and carry more sediment than slow moving water creating a greater potential for erosion and off-site discharge of turbid storm water from steep slopes than gradual slopes. The required levels of risk mitigation in the Policy and Cannabis General Order reflect this reality by increasing the Requirements with slope steepness, as follows:

- Personal use exempt and conditionally exempt sites must comply with a more conservative slope limit (20 percent) because the sites will be subject to less oversight and have minimal reporting Requirements. If the proposed exempt site does not comply with the slope Requirement, the cannabis cultivator must apply for coverage under the Cannabis General Order.
- Sites located on slopes up to 30 percent are classified as “low” risk. Erosion control and eroded material sediment capture can generally be accomplished through implementation of the Requirements. Sites located on mild slopes (lower percent value) generally require fewer maintenance activities to maintain the effectiveness of the erosion control measures.
- Sites located on slopes between 30 and 50 percent are classified as “moderate” risk. Erosion control and eroded material sediment capture can be accomplished through implementation of erosion control measures required by the Policy; however, careful design, installation, and maintenance of the erosion control measures are required to maintain water quality. An increased density of erosion control measures and engineered structures (e.g., retaining walls, terrace construction, etc.) may be required. (Crozier 1986, NRCS 2005) To mitigate the risk, a Site Erosion and Sediment Control Plan and increased riparian setback is required for sites that are located on slopes measuring between 30 and 50 percent.
- Slopes over 50 percent require structures or special techniques for stabilization. (RCDMC 2014) In very steeply sloping areas (50 percent or more), vegetation is best maintained to preserve native habitat and avoid erosion. The Policy prohibits new disturbance associated with cannabis cultivation activities on slopes greater than 50 percent. Cannabis cultivators operating cultivation activities on a slope greater than 50 percent are required to stabilize the area and cease cultivation activities unless they can obtain site-specific WDRs from the appropriate Regional Water Board.

Requirements contained in Policy Attachment A, *Section 2: “Limitations on Earthmoving”* specifically address these impacts.

Soil Disposal and Storage

Cultivation activities may include the use of potting soil or the amendment of existing soil to create enhanced growing medium. Cannabis cultivation land disturbance activities can result in excess excavated soil stockpiles. Runoff from soil stockpiles, imported soil, or soil amendments that are improperly stored or disposed of can be a source of sediment discharge to waters of the state during storm events. The discharge of these materials can cause water quality impacts from the soil, itself, as well as from any residual fertilizers or pesticides it may include. Requirements contained in Policy Attachment A, *Section 2: “Soil Disposal and Spoils Management”* specifically address these impacts.

Winterization

The outdoor cannabis cultivation growing season typically takes place between spring and fall. Most cannabis plants are cultivated as annuals, which mean the plant material is removed at the end of harvest to make space for new plants in the next growing cycle. Cannabis cultivators that do not establish a permanent homestead within the same parcel where cultivation takes place typically do not tend or visit the site as frequently as they do during the active cannabis cultivation period. During this inactive period, if winterization measures are not in place, potential pollutants (e.g. fertilizers, sediment, etc.) can be mobilized by precipitation and runoff and contaminate waters of the state, including groundwater and surface water sources.

Completion of winterization measures prior to the beginning of winter will minimize the risk of discharge of sediments and other waste constituents that can be easily mobilized. Post-harvest, bare soil can be a source of sediment during storm events. Properly installed erosion control measures, such as mats/blankets, wattles, or mulch, are the best means to prevent erosion or sediment discharges to waters of the state. Blocking or closing temporary access roads, in addition to application of erosion control measures, will preserve road slopes and prevent tire rutting and sedimentation. Use of heavy equipment on unpaved sites during rainy winter months may cause unnecessary sediment runoff. Restricting the use of heavy equipment during the winter period to emergencies only and applying appropriate erosion and sediment control measures when heavy equipment is used will minimize sediment discharge. Maintaining water drainage structures, (e.g., culverts, drop inlets, trash racks, and similar devices) in good operational condition will reduce damage caused by storm water runoff. Requirements contained in Policy Attachment A, *Section 2: "Winterization"* specifically address these impacts.

Water Diversion, Storage, and Use

Bypass

A diversion without means to bypass water has the potential to impact downstream water rights and negatively affect water quality and aquatic habitat. All water diversions must include means for bypassing water to satisfy downstream prior rights and any requirements of policies for water quality control, water quality control plans, water quality certifications, waste discharge requirements, or other local, state or federal instream flow requirements. Requirements contained in Policy Attachment A, *Section 2: "Water Supply, Diversion, and Storage"* and *Section 3: "Instream Flow Requirements for Surface Water Diversions"* specifically address these impacts.

Fish Screens and Diversion Structures

Instream water diversions have the potential to entrain fish and increase fish mortality. Entrainment of a species occurs when the diversion of water allows or causes the species in question to enter any off-stream portion of the diversion system and causes mortality, either due to the diversion process or because access back to the stream system is denied. The threat of entrainment remains even if exclusion devices, such as screens, are present, as the screen must be sized and maintained correctly for the species being excluded in that stream. The Policy requires cannabis cultivators to consult with CDFW to ensure the fish screens and other exclusion devices are designed and sized appropriately and prevent listed and sensitive species from becoming entrained. Diversion structures in fish bearing streams also have the potential to prevent or impede the passage of fish up and down stream. These impediments can have negative impacts on fish by limiting access to habitat for spawning and rearing and can lead to fish mortality. Requirements contained in Policy Attachment A, *Section 2: "Water Supply, Diversion, and Storage"* specifically address these impacts.

Groundwater Diversions and Wells

Diversions from groundwater can have negative impacts on the quantity and quality of groundwater aquifers, as well as surface water supplies, if not properly managed.

The proper installation, maintenance, and abandonment of wells are essential to protect groundwater quality. All wells used for cannabis cultivation must follow local ordinances as well as the California Well Standards as stipulated in California Department of Water Resources Bulletins 74-90 and 74-81. The legalization of cannabis cultivation could lead to an increase in groundwater diversions.

To address potential impacts of groundwater diversions on surface flow, the Policy includes a provision that allows the State Water Board to require a forbearance period for cannabis groundwater diversions in areas where such restrictions are necessary to protect instream flows. To evaluate these potential groundwater impacts, the State Water Board established low flow thresholds (described below in the Section below titled: *“Low Flow Thresholds”*). Such areas may include watersheds with: high surface water-groundwater connectivity; large numbers of cannabis groundwater diversions; and/or groundwater diversions in close proximity to streams.

Requirements contained in Policy Attachment A, *Section 2: “Water Supply, Diversion, and Storage”* and *Section 3: “Flow Requirements for Groundwater Diversions”*, specifically address these impacts.

Measuring and Reporting Water Diversions

Diversion measurement and reporting information will be used to monitor compliance with the flow requirements and forbearance period and account for water diverted and used for cannabis cultivation versus other beneficial uses. Requirements to use measurement devices and report water diverted for cannabis cultivation will improve Policy administration allowing the State Water Board and water users to more efficiently manage use of available water supplies while also protecting public trust resources. Requirements contained in Policy Attachment A, *Section 2: “Water Supply, Diversion, and Storage”* and *Section 3: “Gage Installation, Maintenance, and Operation Requirements”* specifically address these impacts.

Off-stream Storage Reservoirs

Off-stream storage reservoirs that are open to the environment can serve as a breeding ground for bullfrogs and a hospitable environment for a proliferation of other invasive species. Further, unmanaged overflow from off-stream storage reservoirs can negatively impact surface water quality through the transport of sediment, pesticides, fertilizers, and other harmful constituents to waters of the state, as well as potential channelization (and mobilization of sediment) in the surrounding area. To reduce environmental impacts, off-stream storage facilities that are open to the environment must be designed and managed to control invasive species, disperse overflows (to discourage channelization and promote infiltration), and maintain sufficient freeboard (to capture rainfall and incidental runoff). Requirements contained in Policy Attachment A, *Section 2: “Water Supply, Diversion, and Storage”* specifically address these impacts.

Onstream Reservoirs

Onstream reservoirs substantially alter watercourses and have the potential to disrupt the natural hydrograph and act as barriers to fish passage. Onstream reservoirs can have the effect of dampening or eliminating hydrograph peaks and flow variability, most notably during the initial fall storms when reservoirs are relatively empty. The potential localized impacts of unpermitted or new onstream reservoirs cannot be mitigated under the Policy. The Policy, therefore, requires that cannabis cultivators obtain an appropriative water right under the State Water Board's Water Rights Permitting and Licensing Program.

Rain Water Catchment

Rain water catchment systems can reduce reliance on surface and ground water resources. When properly implemented, rain water catchment systems that collect runoff from permanent, impermeable surfaces also have the potential to reduce the amount of storm water runoff. Capturing storm water runoff helps to reduce the transport of pollutants such as sediment, pesticides, fertilizers, and petroleum products to waters of the state. The State Water Board encourages methods of water collection from impervious surfaces, such as rooftop rainwater harvest, which reduce demand on streams and reduce water quality problems associated with storm water runoff.

Storage Bladders

Storage bladders have not been proven to be reliable long term water storage solutions. The State Water Board has documentation of numerous instances in which water storage bladders have failed and caused significant environmental impacts. Failure of bladders can result in: discharges of sediment, high temperature water, and other constituents to waterbodies; localized mortality of aquatic species; and impairment of aquatic habitat and water quality in downstream reaches. Regular inspection can help reduce the instances of storage bladder failure. Sufficient secondary containment can reduce the environmental impacts in the event of bladder failure. Requirements contained in Policy Attachment A, *Section 2: "Water Supply, Diversion, and Storage"* specifically address these impacts.

BACKGROUND AND RATIONALE FOR INSTREAM FLOW AND GAGING REQUIREMENTS

The Policy generally employs three types of Requirements to ensure sufficient instream flows for aquatic resources:

- dry season forbearance period and limitations on the wet season diversion period,
- narrative instream flow Requirements, and
- numeric instream flow Requirements.

These three protections work in concert to ensure that water diversions for cannabis cultivation do not affect the: instream flows needed for fish spawning, migration, and rearing; natural flow variability; or flows needed to maintain aquatic habitat and support aquatic resources. The instream flow Requirements apply statewide and may be modified overtime, as needed, as more information becomes available on cannabis cultivation water demand, the location and density of cannabis cultivation, and protectiveness of the instream flow Requirements. The Policy may be updated to incorporate, among other things:

- long-term, region-specific instream flow requirements for cannabis cultivation,
- watershed-specific studies that demonstrate more relaxed instream flow requirements or seasons of diversion will be as or more protective, or
- watershed-specific studies that demonstrate more protective instream flow requirements or diversion periods are needed to protect public trust resources.

Wet Season Diversion Period: As early as November 1 to March 31

The individual and cumulative effects of water diversions for cannabis cultivation during the dry season are likely to significantly decrease instream flow and, in some instances, reduce hydrologic connectivity or completely dewater streams. During the recent drought, in many locations where cannabis was densely cultivated, stream dewatering occurred for multiple years. Minimum flows that provide for habitat connectivity are needed to maintain juvenile salmonid intra-stream passage conditions in early summer. Instream flows are also needed to maintain habitat conditions necessary for juvenile salmonid viability throughout the dry season, including adequate dissolved oxygen concentrations, low water temperatures, and high rates of invertebrate drift from riffles to pools. Juvenile salmonids require adequate dissolved oxygen concentrations and other water quality parameters to survive the stressful summer months.

During the summer rearing period, juvenile salmonids are dependent on an input of dissolved oxygen from upstream. Riffles and pools may lose hydrologic connectivity at low flows, which causes dissolved oxygen concentrations to drop in pools. When riffles and pools lose hydrologic connectivity, dissolved oxygen concentrations in pools begins to drop within days. Low dissolved oxygen concentrations can negatively impact juvenile salmonid growth, development, and behavior and can lead to fish mortality. Low flows, coupled with elevated stream temperatures, tend to cause stressful conditions for cold water aquatic species, such as anadromous salmonids. Elevated stream temperatures can decrease salmonid growth and viability. Prolonged periods of stressful stream temperatures or short-term periods of extremely high temperatures can both lead to fish mortality.

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As previously mentioned, a typical outdoor cannabis cultivation site requires the most water at the same time that the majority of the state's water bodies are in their lowest flow period (summer to fall). Increased diversion during this period greatly affects the quantity and quality of water available, negatively impacts designated beneficial uses, and threatens the survival of endangered salmon, steelhead, and other aquatic life. In an effort to minimize the impacts that may occur from current and anticipated increased levels of cannabis cultivation, the Policy includes a forbearance period, during which water diversions for cannabis cultivation are prohibited. Currently, water diverted for cannabis cultivation is causing the most significant impacts during the dry season, when stream flows are low and water demand is high.

Minimum flows that provide for habitat connectivity are needed to maintain juvenile salmonid intra-stream passage conditions in early summer, which allow juvenile salmonids to move from their spawning grounds to suitable summer rearing habitat. Instream flows are also needed to maintain habitat conditions necessary for juvenile salmonid viability throughout the dry season, including adequate dissolved oxygen concentrations, low water temperatures, and invertebrate drift from riffles to pools.

To ensure protection of salmonid species from the adverse effects of diversions during low flow periods, diversions are not permitted during the late spring, summer, or fall months, when streamflow is especially important to anadromous salmonid populations. The wet season diversion period (diversion period) is therefore restricted to the period of higher flows, from as early as November 1 to March 31, when water is most available and impacts on fishery resources will be minimized.

During development of the State Water Board's *Policy for Maintaining Stream Flows in Northern California Coastal Streams* (Instream Flow Policy) (State Water Board 2014), multiple diversion periods were evaluated with regard to impacts on anadromous salmonid populations. While a diversion period start date of October 1 was determined to be sufficiently protective of their upstream migration needs, it was noted that "the majority of channel and riparian maintenance flows occur after the first few fall storms, usually after October 1 and before March 31". (R2 Consulting, 2007) The Instream Flow Policy research also concluded that traditional agricultural diversions permitted to divert during the dry season would be reduced or ceased by October 1 of each year, which would further diminish the impacts from cannabis cultivation diversions occurring after this period. No sooner than November 1 was selected as the beginning of the diversion period for the Policy to allow time for:

- winter base flows to stabilize prior to diversion,
- fall flushing flows to pass through stream channels prior to diversion, and
- early fall spawning salmonid species to begin establishing redds in streams.

The Instream Flow Policy designated December 15 as the start of the diversion period based on peer review and public comments specific to the coastal streams and species located in the Instream Flow Policy area. The main concern was that the anadromous fish migrated during high flow events (between October and December 15) and diversions, in particular onstream reservoirs, had the potential to dampen high flow events and impede migration. However, it is not anticipated that diversions for cannabis cultivation will significantly dampen high flow events, because the Policy does not allow onstream reservoirs and has a maximum diversion rate of 10 gallons per minute. With these extra protections (which are not included in the Instream Flow Policy) the Policy sets the start date of the diversion period as early as November 1. This diversion period (as early as November 1 – March 31) provides a reasonable period of diversion while being sufficiently protective of aquatic species. Additionally, the Policy may be updated

with a more restrictive diversion period or additional requirements to address protection of high flow events if it is determined that diversions for cannabis cultivation are having negative localized impacts on high flow events.

To ensure the above-stated goals are accomplished by the beginning of the diversion period, cannabis cultivators are not authorized to begin diverting until after seven consecutive days in which the surface waterbody's real time daily average flow is greater than the numeric flow Requirement. The diversion period ends on March 31 because many streams begin to see flows drop in April, as spring storms decrease and temperatures begin to rise. Setting the end of the diversion period on March 31 will help protect the spring recession flow. Many aquatic species depend on the spring recession flow for life history cues such as spawning and breeding. The spring recession flow is an important trigger for anadromous salmonids, both for smolt out migration and for juvenile salmonids that over summer in the stream that it is time to move from the spawning grounds to summer rearing habitat. In dry years the spring recession flow is also protected since the diversion period may end earlier than March 31 if the surface waterbody's real time daily average flow drops below the minimum monthly instream flow requirement.

Requirements contained in Policy Attachment A, Section 3: "*Instream Flow Requirements for Surface Water Diversions*" specifically address these impacts.

Diversion Rate

Maintaining variability of natural stream hydrographs is extremely important for preserving both the form and function of water sources and the aquatic and riparian communities they support. Storm events and the associated peak flows are important for sediment distribution and riparian recruitment along streams. A maximum diversion rate of 10 gallons per minute was developed in consultation with CDFW because it is not anticipated that this rate will adversely affect the natural high flows needed for forming and maintaining adequate channel structure and habitat for fish. Lower volume diversion rates can also reduce cumulative impacts that may occur when multiple water users are diverting at the same time. The maximum diversion rate set forth in the Policy will reduce the potential cumulative impacts of diversions and protect aquatic habitat and designated beneficial uses. Requirements contained in Policy Attachment A, *Section 2: "Water Supply, Diversion, and Storage"* specifically address these impacts.

50% Visual Bypass Requirement

The instream flow requirement compliance gages are located in areas that are generally reflective of the water availability and total demand occurring upstream of the gaging location or in a similar watershed. However, impacts may still occur in areas where there is significant localized cannabis cultivation compared to water availability or in areas where the compliance gage does not adequately reflect the demand in a paired watershed. To help ensure diversion of water for cannabis cultivation does not negatively impact flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability, the Policy requires that the cannabis cultivator bypass a minimum of 50% of the streamflow past the cannabis cultivator's point of diversion, as estimated based on the cultivator's visual observation.

The 50% visual bypass Requirement is intended to protect smaller water sources and headwater streams from localized cumulative effects of diversions and ensure adequate minimum flows are maintained. For example, if diversions are allowed in a watershed based on the assigned compliance gage, but the stream being diverted from is only flowing at 15 gallons per minute, the diverter would not be able to take the full 10 gallons per minute (as that would represent 67% of the streamflow). The amount of “50%” was selected for the following reasons:

- The Tessmann method, on which the flow Requirements are based, in general, suggests during the wet season that 40% of mean annual flow or mean monthly flow should remain instream at all times. Based on this, 50% represents a protective flow level; and
- 50% of streamflow is relatively easy to visually estimate when flows are low. A diverter should be able to compare the rate of water being diverted with the rate of water passing the diversion and easily determine which is greater. If the amount of water being diverted is less than the amount of water flowing past the point of diversion, then the 50% bypass requirement is being met.

Requirements contained in Policy Attachment A, *Section 3: “Instream Flow Requirements for Surface Water Diversions”* specifically address these impacts.

Methodology for Development of Numeric Instream Flow Requirements

The State Water Board evaluated methodologies to develop instream flow Requirements that:

- used existing information,
- could be applied throughout the state,
- could accommodate seasonal flow patterns,
- had the flexibility to develop a flow regime at established or new gage locations, and
- could meet the geographic scope and timelines of the legislative directives.

The State Water Board, in consultation with the CDFW, determined that using the Tessmann Method to develop short-term, interim instream flow Requirements was the best methodology to meet the timeline, scale, and goals of this effort. In general, the Tessmann Method was used to generate minimum monthly instream flow Requirements based on natural monthly streamflows and natural annual flow metrics. For the development of long-term flow requirements¹⁷, the State Water Board, in consultation with CDFW, will evaluate more scientifically robust methods that are more reflective of regional variability and the needs of target species.

The Tessmann method is an adaptation of the Tennant desktop flow regime methodology that was modified to generate minimum monthly instream flow recommendations based on natural monthly flow and natural annual flow metrics (Tessmann 1979). Below is a brief overview of the Tennant Methodology and Tessmann’s adaptation.

¹⁷ Water Code section 13149(b)(5).

Tennant Methodology

The Tennant Method, as outlined in Donald Tennant's *"Instream Flow Regimes for Fish, Wildlife, Recreation, and Related Environmental Resources"* (Tennant 1976), develops instream flow regimens for the protection of fish and wildlife by using percentages of annual average natural streamflow. The average annual flow is calculated from recorded or estimated hydrologic records. Once average annual flow has been determined, a base flow schedule can be created using Table 4. Tennant recommends using the "most appropriate and reasonable flow(s) that can be justified to provide protection and habitat for all aquatic resources."

Table 4. Instream Flow Regimens for Fish, Wildlife, Recreation, and Related Environmental Resources

Description of Flow	Recommended Base Flow Regimens	
	October – March	April – September
Flushing or Maximum	200%	
Optimum Range	60%-100%	
Outstanding	40%	60%
Excellent	30%	50%
Good	20%	40%
Fair or Degrading	10%	30%
Poor or Minimum	10%	10%
Severe Degradation	10% - 0	10% - 0

The Tennant Method was tested through detailed field studies conducted on 11 streams in three states between 1964 and 1974. The work involved "physical, chemical, and biological analyses of 38 different flows at 50 cross sections on 196 stream miles, affecting both coldwater and warmwater fisheries."

Based upon his studies, Tennant came to the following conclusions which should be taken into consideration when implementing the Tennant Method:

- Ten percent of the average flow: Minimum instantaneous flow recommended to facilitate short-term survival for most aquatic organisms.
- Thirty percent of the average flow: Base flow recommended to sustain good survival habitat for most aquatic life forms.
- Sixty percent of the average flow: Base flow recommended to provide excellent to outstanding habitat for most aquatic life forms during primary periods of growth. Supports majority of recreational uses.

Tessmann Methodology – A Common Modification of the Tennant Method

The *Environmental Assessment Technical Appendix E, "Reconnaissance Elements of the Western Dakotas Region of South Dakota Study"* published in 1979 by Stephen A. Tessmann details how the Tessmann method was developed, including limitations and considerations. When reviewing existing flow prescription methods to incorporate into his own analysis, Tessmann generally preferred the Tennant method due to simplicity, ease of implementation and the ability to mimic, to a certain degree, the natural hydrograph and maintain flushing flow requirements. Tessmann found that, although the Tennant Method would be the most appropriate approach for his endeavor, it was not well adapted to the prairie rivers of Western South Dakota, which are characterized by great natural fluctuations of flow. Taking into consideration the importance of flow cycles and silt load, Tessmann made several modifications

to the Tennant Method to adjust for watersheds with more varying seasonality or for flashy stream systems.

While the Tennant method specified dividing the water year into two six month periods with a recommendation of 30% and 50% of mean annual flow to maintain “Excellent conditions” for fish, wildlife and recreation, Tessmann sought to develop a method using specific monthly periods. As taken from Tessmann’s study, “Extreme fluctuations in periodicity are accommodated by applying a compromise value of 40% on a monthly basis, with some stipulations.” The Tessmann method flow requirement criteria is shown in Table 5.

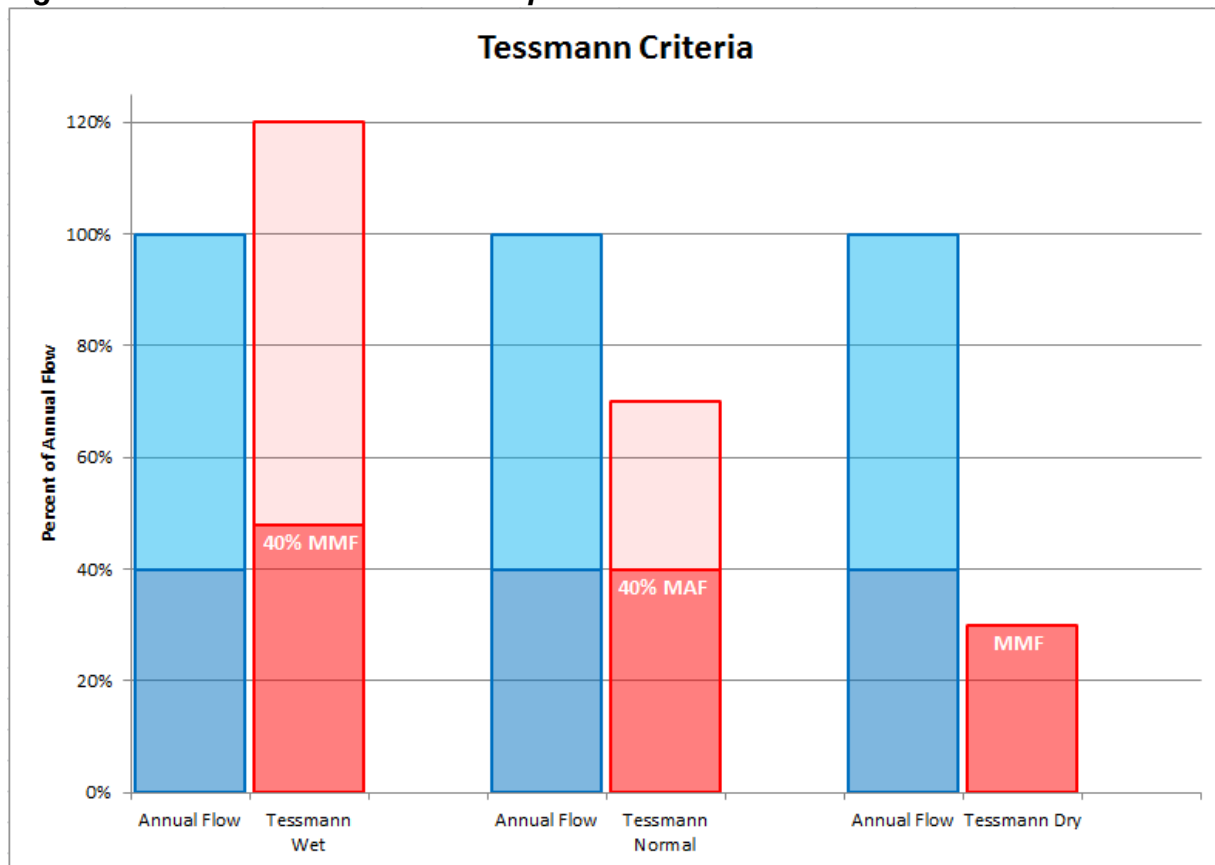
Table 5. Tessmann Method Flow Requirements

Situation	Minimum Monthly Flow
40% Mean MF > 40% Mean AF	40% Mean MF
Mean MF > 40% Mean AF <i>and</i> 40% Mean MF < 40% mean AF	40% Mean AF
Mean MF < 40% Mean AF	Mean MF

*MF = Monthly Flow, AF = Annual Flow

As depicted in Figure 6, the Tessmann method analyzes each individual monthly mean flow and places it in one of three categories (dry, wet or normal) with respect to the mean annual flow. In a “dry month,” the mean monthly flow will be less than 40% of mean annual flow and, therefore, the mean monthly flow will be assigned as the minimum flow requirement. In a “wet month,” mean monthly flow will exceed mean annual flow and, therefore, 40% of the mean monthly flow will be assigned as the minimum flow requirement. If the month is neither “dry” nor “wet,” consider it “normal” and, therefore, 40% of the mean annual flow will be assigned as the minimum flow requirement. See figure below to aid visualization of this concept:

Additionally, Tessmann’s Method prescribes a 14 day period of 200% of mean annual flow during the month of highest runoff for the purpose of flushing the stream’s silt load and flooding streamside habitat.

Figure 6. Tessmann Method Flow Requirement Criteria

Flow Model for Estimating Natural Monthly Streamflows in California

The majority of established desktop methods use a hydrologic standard setting approach that develops flow requirements based on natural streamflow metrics. The State Water Board applied the Tessmann Method using predicted historical flow data sourced from a flow modeling effort conducted by USGS in cooperation with The Nature Conservancy (TNC) and Trout Unlimited. The USGS flow modeling effort developed empirical flow models that predicted the natural (unaffected by land use or water management) monthly streamflows from 1950 to 2012 for the majority of the USGS National Hydrologic Database stream reaches in California (Carlisle, et. al. 2016). The natural monthly streamflow metrics were used to develop the mean monthly and mean annual flows used in the Tessmann Method.

As described in more detail in the USGS *Open-File Report* (Carlisle 2016), the concept of the reference-condition was used where a set of reference sites with known gage flow hydrologic record data were used to develop models that were subsequently applied to non-reference sites (such as ungaged stream systems or highly modified systems where hydrologic disturbance is known or suspected). The approach used is based on statistical models of related observed data generally consisting of two types of indicators: static variables that describe watershed features (topography, geology, soils, etc.); and time-series variables, primarily consisting of antecedent precipitation and air temperature.

Six different types of statistical models were compared in developing the final model, including five machine-learning models and one multiple linear regression. The random forest machine learning technique proved to perform substantively better than all other modeling approaches and consistently exhibited better precision.

A separate model was developed for each month in each region to predict natural monthly flows for any specific year from 1950 to 2012, resulting in 36 separate sub models. The final data matrix for developing models of natural monthly flows included every year for which each reference site had a measured monthly flow value, the set of weather data and modeled runoff associated with each year's measured monthly flow plus the previous 12 months, as well as the full set of static physical watershed characteristics.

As summarized in the USGS *Open File Report* (Carlisle 2016), the “models developed to estimate natural monthly flows performed well and should provide a useful baseline for future studies for how stream flows in California respond to changes in land use, water management, and climate.”

Applying the Tessmann Methodology to USGS/TNC Monthly Flow Data

To facilitate the applied approach, a calculator was created using Microsoft Excel, which converts filtered USGS/TNC monthly natural flow prediction data records into monthly minimum instream flow recommendations for a given “ComID segment” (a unique segment identifier), as identified from the NHDPlusV2 database¹⁸, by applying the Tessmann methodology. The USGS/TNC data, as received, has a row entry for each unique segment identifier, year, month, and for four different flow statistics (maximum, mean, median and minimum) an estimated average value, a lower 10th percentile value and an upper 90th percentile value of what the model projected.

For the purposes of the calculator, the only value used for each unique segment identifier, year and month, was the estimated mean flow. The estimated mean monthly flow values from each year were averaged over the period of record, by month, resulting in one mean monthly flow value for each month. All monthly flow values were averaged over the entire period of record to calculate the mean annual flow value. Tessmann's equations were applied to the mean monthly flow values and then compared to the mean annual flow value resulting in a minimum instream flow target for each month for each unique segment identifier in the calculator.

This calculator was used to generate instream flow Requirements for the unique segment identifier's represented by 306 compliance gages (see “Rationale and Methodology for Compliance Gage Assignments,” Section below for details regarding compliance gage selection). Cannabis diverters will be required to monitor these gages to ensure they are in compliance with the Policy's numeric flow Requirements. The calculator may be used to generate minimum monthly instream flow requirements at additional compliance gages, as identified or required, on stream systems impacted by cannabis cultivation.

¹⁸ The United States Geological Survey (USGS) National Hydrography Database Plus Version 2 (NHD Plus V2)

Low Flow Thresholds

The State Water Board recognizes that in some locations groundwater diversions are having a significant impact on stream flows. The expansion of cannabis cultivation has and will continue to increase the amount of groundwater diverted, as a source for both new cannabis cultivators as well as existing surface water diverters that switch to groundwater diversions. To evaluate these groundwater impacts, the State Water Board, in consultation with CDFW, established low flow thresholds using the USGS/TNC flow modeling data to calculate mean monthly flows using the New England Aquatic Base Flow Standard methodology (USFWS 1999) at compliance gages in the nine priority regions. Requirements contained in Policy Attachment A, *Section 3: “Flow Requirements for Groundwater Diversions”* and *Section 4: “Watershed Compliance Gage Assignments”* specifically address these impacts.

Methodology for Development of Dry Season Low Flow Threshold Values

The New England Aquatic Base Flow (ABF) Standard was developed in 1981 and implemented as an internal United States Fish and Wildlife Service (USFWS) directive that establishes standard procedures for USFWS personnel when reviewing water development projects in New England. (USFWS 1999) The USFWS directive uses a bifurcated approach to developing instream flow recommendations. A choice must be made between using the ABF Standard versus site-specific studies such as the Instream Flow Incremental Method (IFIM). Complex circumstances often necessitate site-specific studies. However, the ABF Standard is implemented in situation when: a project is relatively straightforward; the waters are not over-allocated to uses such as water supply, hydropower or irrigation; a single flow recommendation is sufficient; the administrative process is straightforward; time and cost constraints are significant issues; or a goal of the parties involved is to minimize risk and provide certainty during the regulatory process.

The ABF Standard is applied in one of two ways, depending on whether the stream system in question meets certain criteria. In general, the criteria include a minimum size drainage area of 50 square miles, a period of record for each stream gaging station of at least 25 years, gaging records of good-to-excellent quality, a basically free flowing or unregulated stream, and median monthly flow values calculated by taking the median of monthly average flows for the period of record. If these requirements are not met, a default flow is selected as the flow requirement. A default flow is simply a generic flow criterion applicable to a stream that does not meet the minimum ABF criteria (e.g., 25 years of records, etc.) as discussed previously. The default flows are developed from the flow statistics from 48 stream gages in New England. If hydrologic statistics are unavailable, or other criteria are not met, default values for April/May, August and February are assumed to be 4.0, 0.5 and 1.0 cubic feet per second per square mile of drainage. These ABF default flows are based on New England hydrology (developed statistically in the Connecticut River basin on a reach level), however, and should not be blindly used in other regions, such as those in California.

The State Water Board has determined that the ABF Standard of selecting the median of mean monthly flows is appropriate for setting a dry season low flow threshold for each compliance gage location. While a 25 year historical gage record of actual flows is not available at all gage locations, the State Water Board has chosen to use the USGS/TNC mean natural monthly streamflow predictions over the 65 year period observed in the dataset for the ABF calculations. Median monthly flow values were calculated by taking the median of predicted natural monthly mean flow.

The ABF Standard, as developed for the New England region, uses the limiting factors concept to identify critical life cycle functions, temporal periods, and chemical and physical parameters that could function as limiting factors on aquatic life. Low flow conditions in August typically represent a natural limiting period because of high stream temperatures and diminished living space, dissolved oxygen and food supply. The median flow for August was therefore designated as the ABF. Some applications in the southeastern United States have calculated the ABF using September rather than August median flow, since September was the month with the lowest median flow in those regions.

A review of the mean monthly flow statistics for the gages in which the low flow threshold Requirements will be implemented indicate that the month of September is often the lowest flowing month, accounting for approximately 61 percent of the dataset. The second most frequently occurring lowest flow month is August, at 22 percent, followed by October at 12 percent. The remaining 5 percent of occurrences were in April, June, July and November combined. In general, in California, the combination of lowest flows and highest temperatures occur during August, September, and October, therefore the low flow threshold for each compliance gage is calculated based on the median August mean monthly flow, median September mean monthly flow, or the median October mean monthly flow, whichever is lowest.

Requirements contained in Policy Attachment A, *Section 3: “Flow Requirements for Groundwater Diversions”* and *Section 4: “Watershed Compliance Gage Assignments”* specifically address these impacts.

RATIONALE AND METHODOLOGY FOR COMPLIANCE GAGE ASSIGNMENTS

Identifying Appropriate Compliance Gages

Compliance with the numeric instream flow Requirements identified in the Policy is based on hydrology at selected gages chosen to represent watersheds throughout California. To determine which existing gages could serve as compliance gages, State Water Board staff reviewed active gage networks in California. Numerous federal, state and local agencies, and nongovernmental organizations (NGOs) operate streamflow gages in California with varying levels of data availability, reporting frequency, and data quality control. Due to time limitations, only the gages that meet the following criteria were selected for use:

1. operated by the USGS, Army Corps, United States Bureau of Reclamation (USBR) or the California Department of Water Resources (DWR); and
2. reported on the National Water Information System (NWIS) or DWR-California Data Exchange Center (CDEC) websites.

This selection was made due to the availability of documentation related to data quality control and the broad confidence that can be placed in these datasets.

Once the gage networks and data sources were selected, a list of the active gages was created. The NWIS website¹⁹ was queried on March 19, 2016 for Location=California, Site Type=Stream, Parameters=Streamflow, ft³/s and returned approximately 587 gages operated by the USGS. A similar query of the CDEC²⁰ on August 18, 2016, for Status=Active, and Sensor Type=Flow, Full Natural; Full Natural Flow; Flow, River Discharge; Flow, River Discharge Precise, Flow, Mean Discharge returned approximately 379 gages. After removing duplicates and gages operated by local agencies or NGO's, a list of 717 gages was created for further investigation.

The active gage names were manually reviewed, and any gage with the term "canal," "spillway," "diversion," or similar terms were categorized as an "Excluded Gage," that do not provide information on natural streamflow. All remaining gages were categorized as "Potential Compliance Points" and subjected to additional review.

Each of the remaining gages was evaluated for use as a compliance gage based on the location and stream flow data collected. Based on this evaluation, the gages were placed into three main categories: compliance gage, compliance gage downstream of a dam, or excluded gage. Gages were excluded if they were not active, were slated for de-activation, did not report discharge, did not measure streamflow, or were heavily impacted by anthropogenic actions. The compliance gages were then subdivided into "reference" and "non-reference" sites, based on data provided by the University of California at Davis, which identified sites with little to no upstream impacts as "reference gages." Numeric flow Requirements using the Tessmann Method were developed at each gage that was categorized as either a compliance gage or a compliance gage downstream of a dam.

The gages were then plotted in GIS along with the USGS National Hydrography Dataset (NHD) [NHDPlusV2] and the USGS Watershed Boundary Dataset (WBD). Using the WBD at the levels of Hydrologic Unit Code (HUC) -8, HUC-10 and HUC-12, a shapefile was created for each potential compliance gage, and included all HUC-12 level areas represented by the measurements at the gage. If a gage was located at the downstream end of a HUC-12, that HUC-12 area and all upstream contributing HUC-12s were included in the shapefile. Professional judgement was used to include or exclude a HUC-12 area if the gage was located in the middle or upper area of the HUC, indicating that all areas of that HUC-12 were not well represented in the flow measured at the gage. The remaining upstream contributing HUC-12 areas were then used in the shapefile, which was named with the Gage ID. During the drainage area mapping exercise, if a major reservoir, rim dam, water transfer or other flow regulating feature was observed which would impact flows at downstream gages, those gages were re-categorized as "Excluded Gage" and their drainage areas were not mapped.

Once the drainage area was mapped for each potential compliance gage, a more detailed assessment of each gage was conducted. As a first step, State Water Board staff retrieved the direct weblink for each gage and determined whether the gage was active, the type of sensor or information that was available, and the reporting frequency of the data. This data were then attributed to the project shapefile.

¹⁹ http://waterdata.usgs.gov/nwis/dv?referred_module=sw

²⁰ <http://cdec.water.ca.gov/cgi-progs/staSearch>

The second step in the gage assessment was to check gage locations and mapped drainage area. If the gage appeared on an NHDPlusV2 segment, a brief check was made to verify the gage had not been snapped to a non-stream feature such as a canal, or had not been snapped to a minor tributary instead of the proper stream. If the gage was not located on an NHDPlusV2 segment, the point was dragged to the nearest point along the nearest stream segment. If multiple stream segments were in close proximity to a plotted gage site, additional investigation was conducted to determine the appropriate stream on which to place the point. A note was made for all gages that appeared on a segment that was classified as something other than a stream (e.g., artificial path, canal, pipeline, etc.) and these gages were re-classified as “Excluded Gages”. The mapped drainage area was then checked by plotting the NHDPlusV2 streams, and visually checking the perimeter of the mapped drainage area for potential intra-basin transfers. As part of this assessment, identified impacted gages were re-categorized as “Excluded Gages.” The results of the gage assessment are summarized below in Table 6.

Gage Assessment Summary

	Total Count	Reference	Non-Reference
Compliance	246	57	189
Compliance- Below Dam	60	NA	NA
Excluded Gage	411	NA	NA

* NA = Not Applicable

Identifying Ungaged Watershed Boundaries

Cannabis cultivators diverting from within a watershed represented by one of the 306 compliance gages (including those compliance gages below dams) listed in the Policy, Attachment A, Section 4 will be monitoring that gage to comply with Policy’s numeric flow Requirements. Unfortunately, due to a limited number of usable existing compliance gages, many watersheds throughout the State of California remain ungaged, with no direct way of monitoring real-time flow.

After all the compliance gages and their corresponding drainage areas were identified, staff focused on the remaining areas, labelled “white space,” or areas not represented by an existing state or federally operated streamflow gage. The scope of this analysis was limited to the nine “Priority” regions: the Klamath, Upper Sacramento, North Coast, Middle Sacramento, South Sacramento, North Central Coast, South Central Coast, San Joaquin and South Coast Regions. It is anticipated that this analysis will be completed for the remaining five regions and included in the final Staff Report.

In an ArcMap GIS project, all the shapefiles representing gaged areas (as described in the prior section) in a single region were made visible and overlain on the Priority Region shape which was shaded white for ease of visibility. Using the WBD (at the HUC-8, -10, and -12 levels), white space drainage areas were identified as individual watersheds then grouped into several categories, as described below. The NHD was used as needed to identify individual watersheds. The first step in this process was to make the HUC-8 layer visible, and identify any complete HUC-8 scale watershed areas that were not covered by an existing gage. Any full HUC-8 scale watershed areas were maintained as a unit. Next, the HUC-10 layer was made visible and any full HUC-10 drainage area (without existing gages) was also maintained as a unit. Finally, the HUC-12 layer was made visible and all remaining white space areas were categorized at the HUC-12 scale.

A layer was created for each individual watershed area in each category (at the lowest HUC# scale), and color coded by category for ease of visual reference. A name was given to the layer, including the WBD HUC name and scale (watershed names were used rather than HUC numbers for ease of reference in the GIS project). Finally, the white space areas and the gage areas were merged into a single shapefile to ensure an entire region was addressed.

A spreadsheet was then populated with the white space layer name, the HUC number, and the lowest stream segment COMID²¹ from the NHDplusV2 dataset. A quality control step was then undertaken to identify where an incorrect stream segment COMID was selected or to identify other issues with the NHD or WBD selection process. The size of the white space drainage area (retrieved from the WBD or determined using GIS) was compared to the corresponding cumulative drainage area for the lowest COMID (retrieved from the NHD). A threshold of 10 percent difference was used and values which exceeded the threshold suggest that the wrong COMID was selected, or that some other issue existed either in the NHD network or the watershed layer. If the threshold could not be met by correcting an error, the white space drainage area was categorized as “No Gage Assigned.”

Categories of Ungaged Watersheds – White Spaces

- **Interstate** - This category contained interstate and inter-nation watersheds which drained into or out of California. Watersheds draining into California retained the entire watershed area including the areas outside California’s border, and a layer was created. The stream segment COMID was selected at the outlet of the identified watershed. Watersheds originating in California and draining to states other than California were identified as including any HUC which was partially or wholly located within California. While a layer was created for each of these watersheds, no COMIDs were identified at this time.
- **General** - This category included general watershed areas which could be individually identified as HUC-8, HUC-10, or HUC-12 watersheds. In general, minor storage reservoirs, water transfers, diversions and other flow impacts were not factored into the identification of these individual watersheds, while Rim dams and major flow regulating reservoirs were breakpoints for the watershed identification (there was generally an inflow gage at the reservoir to aid in this distinction). A layer was created for each watershed at the largest practical size, as described above. The COMID at the outlet of each white space watershed was manually identified.
- **Frontal** - The WBD identifies groups of small watersheds draining directly to the ocean or large estuaries and bays with the term “Frontal.” These Frontal groupings are done at the HUC-12 scale and follow the general sizing rules of the WBD which aim for HUC-12 areas to be approximately 160-240 square kilometers. The groupings are also geographically segregated between larger watersheds (individual HUC-12 or larger watersheds) draining to the coast. Due to the nature of these WBD units, no single stream drains the entire area. The COMID manually selected to represent these areas was either: 1) the outlet of the largest single drainage; -or- 2) if multiple similarly-sized drainages were present, the outlet of the drainage with the highest Strahler Order²² was

²¹ The Common Identifier (COMID) is a unique integer value (e.g., 8922715, 10017314, 22598685) that identifies each individual stream segment in the NHD.

²² Strahler Order is a “top down” classification system in which the headwater streams are of the first order. Where two streams of equal order merge, the downstream segment is given the next higher integer order. When two streams of different orders merge, the downstream segment retains the higher order value of the two.

selected; or 3) where disconnected drainages or other hydrography made the objective selection process difficult, the outlet of the largest segment that was classified in the NHD as a stream/river was identified.

- **Mainstem** - As the whitespace areas within a region were filled in, HUC-12 units along mainstem rivers often remained uncategorized. These areas were either below an existing streamflow gage, or below a regulating reservoir. These HUCs include both the mainstem river, as well as small minor watersheds draining directly into the mainstem river which do not constitute their own HUC-12 units. These mainstem areas could not be paired using the standard process, and were manually assigned to another existing gage which best represented flow in that reach.
- **No Gage Assigned** - Whitespace areas that failed the quality control check, or otherwise did not fit into one of the above categories require additional review. The two largest groups of whitespace areas requiring additional review include those areas with excessive impacts from urban development or from irrigated agriculture. These watershed areas were readily identifiable through aerial photographs, as well as the NHD patterns. The NHD patterns in these areas are often disconnected, or contain high proportions of segments coded as something other than “stream/river” (including canals, pipelines, and other artificial paths). Oftentimes, the COMID at the outlet returns a cumulative drainage area far less than the watershed size, due to the disconnected nature of the drainage network. Additionally, flow patterns were anticipated to be heavily altered in these areas such that a link to a similar gaged watershed may not adequately reflect local conditions including irrigation patterns, or urban runoff/discharges. Watersheds were still identified and layers created according to the general procedures, however the COMID selection and overall pairing process will have to be altered for these areas. Additional investigation is required in these areas to determine if an appropriate compliance gage can be identified.

Paired Watershed Gage Approach; General Pairing Procedure

Cannabis cultivators diverting from a reach located within a watershed represented by a compliance gage will be monitoring that gage to comply with the Policy’s numeric flow Requirements. However, diversions from reaches located within watersheds that do not contribute to, or are not supplied by a watershed represented by a valid compliance gage had to be paired with a compliance gage designated by the State Water Board. Only the gages that were categorized as “non-reference” compliance gages were used for the watershed pairing. Reference gages were not used for pairing because they represent natural streamflow and would not represent watersheds with existing diversions.

The general pairing procedure paired watersheds based on a set of weighted criteria to best correlate a diverter’s ungaged watershed to one with a designated compliance gage. The most critical factor in correlating watershed compliance gages is the timing of the onset and subsequent diminishment of peak flow periods during the wet season of a given stream system.

Three factors were evaluated in the watershed pairing procedure: hydrograph, proximity, and drainage area, as follows:

- **Hydrograph** - Using available data from the USGS/TNC model (Carlisle 2016), the normalized annual hydrograph (mean monthly predicted flow, normalized by mean annual flow, plotted over time) was generated for each gage station and each ungaged watershed. The sum of the absolute differences in mean monthly flows was calculated and converted to a percentage, providing a way to identify the confidence level of the correlation strength between flow duration and timing in watersheds.

- **Proximity** - The geographic coordinates of the centroid of each watershed boundary area were determined using GIS software, thus allowing calculation of the average estimated distance between each watershed. The assumption is that geographically proximate watersheds will share relatively more similar geological and climatic attributes, resulting in generally stronger hydraulic and hydrologic correlations.
- **Drainage Area** - The ratio of the two watershed surface areas was calculated. The assumption is that watersheds with more similar surface areas will have relatively more similar runoff response times, among other hydraulic and hydrologic correlations.

Each of the three criteria was converted to a modifier between 0 and 1, with 1 being a theoretical perfect match and 0 being a theoretical non-match. For every potential match between an ungaged watershed and a compliance gage, all three modifiers were calculated, raised to a fractional exponent as a means of providing calibration, and then each modifier was collectively multiplied together to result in one final overall matching factor between 0 and 1. Of the resulting calculations, the pair with a matching factor closest to 1 represents the best available match between watershed and compliance gage.

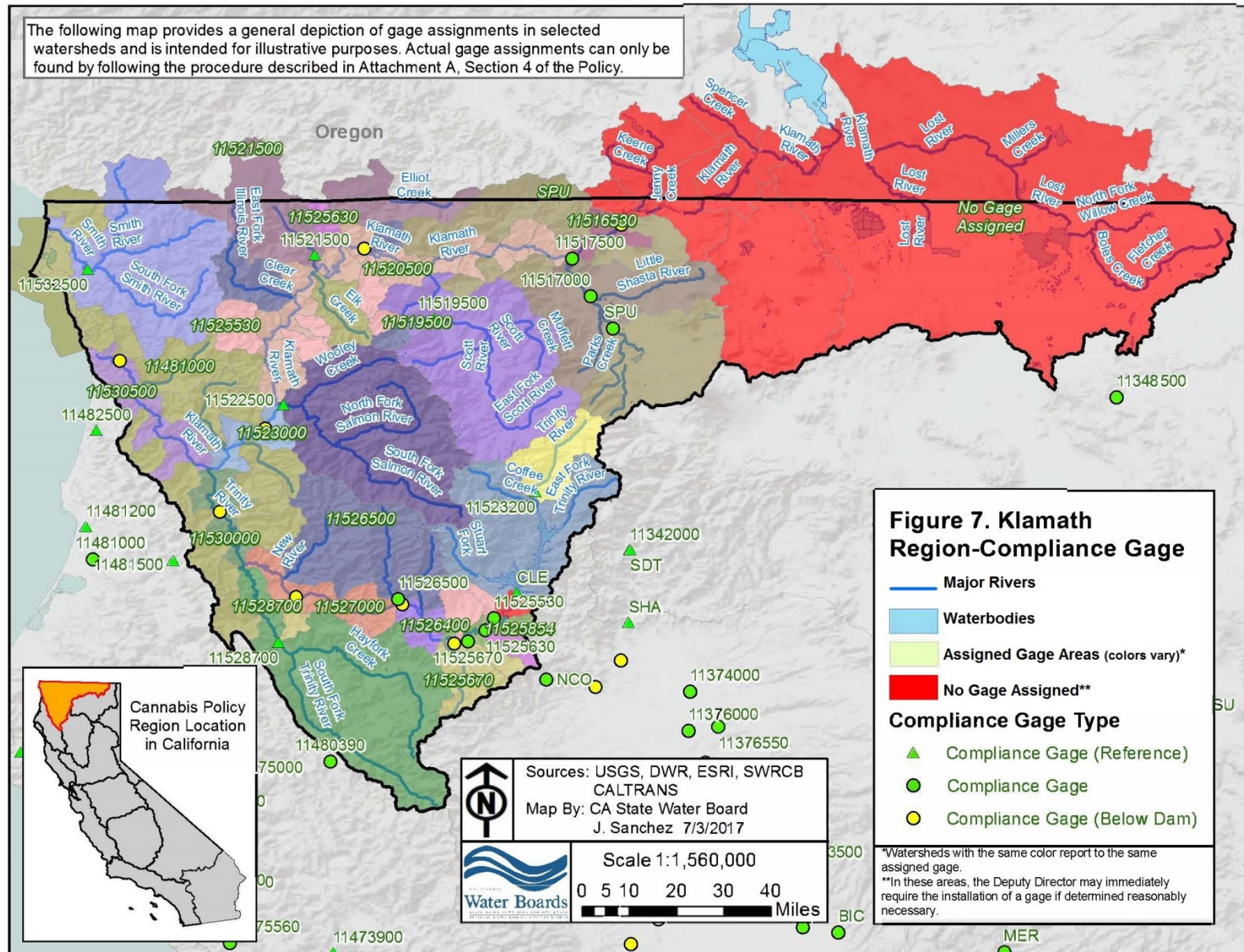
To effectively select the best match, the most important matching criteria must be calibrated to have a heavier overall weighting than the others. For this analysis, the highest priority was placed on the hydrograph match, followed by proximity (shortest distance between watersheds), followed by drainage area (smallest difference in size).

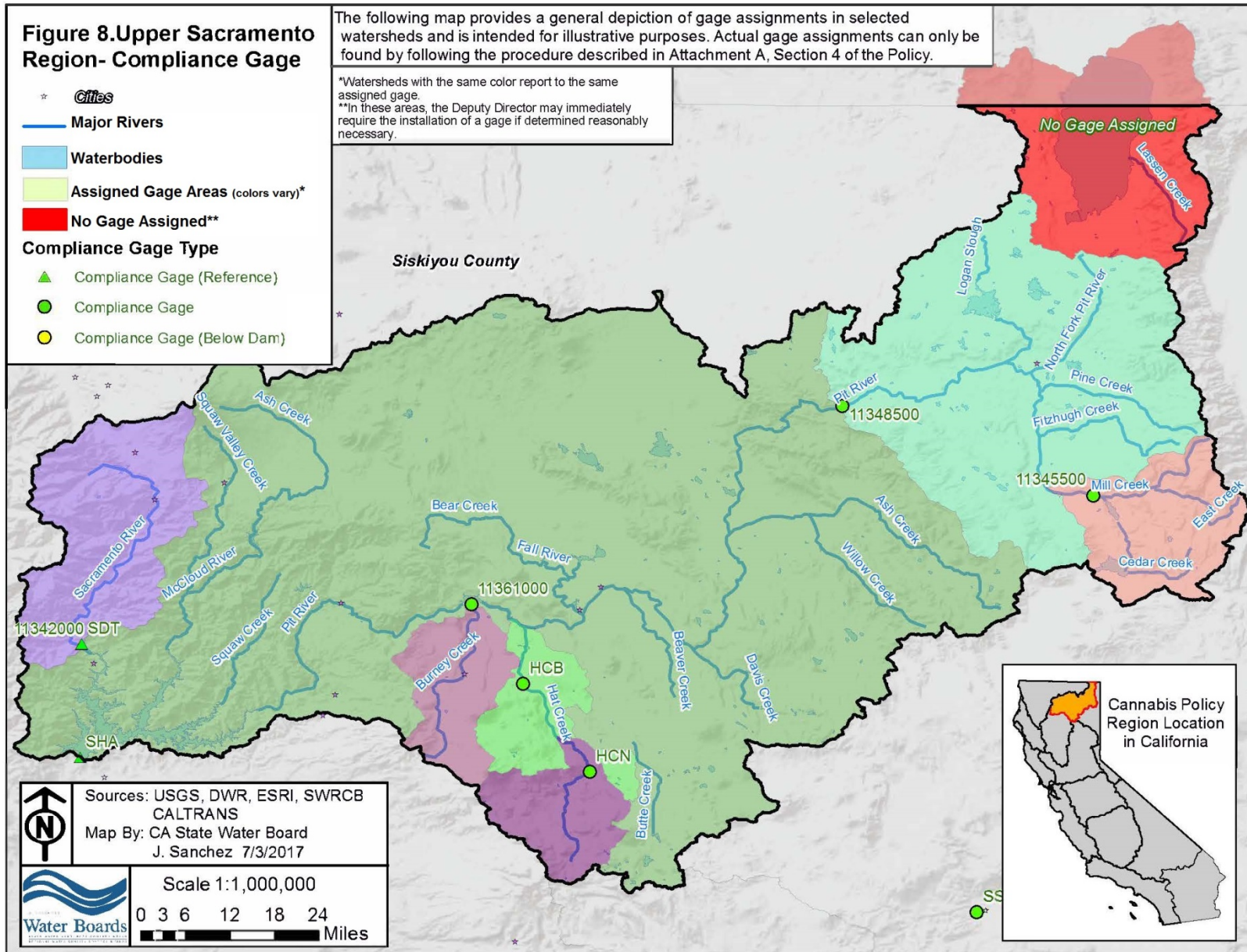
After each modifier was converted to a fraction between 0 and 1, fractional exponents were used to force the value of each fractional modifier closer to 1, therefore providing a way of lessening a specific modifier's relative impact on the overall matching factor once all three modifiers are multiplied together. An exponent was chosen, as opposed to a fractional multiplier, in an effort to force the poorer matches to have a greater impact on lowering the overall correlation score.

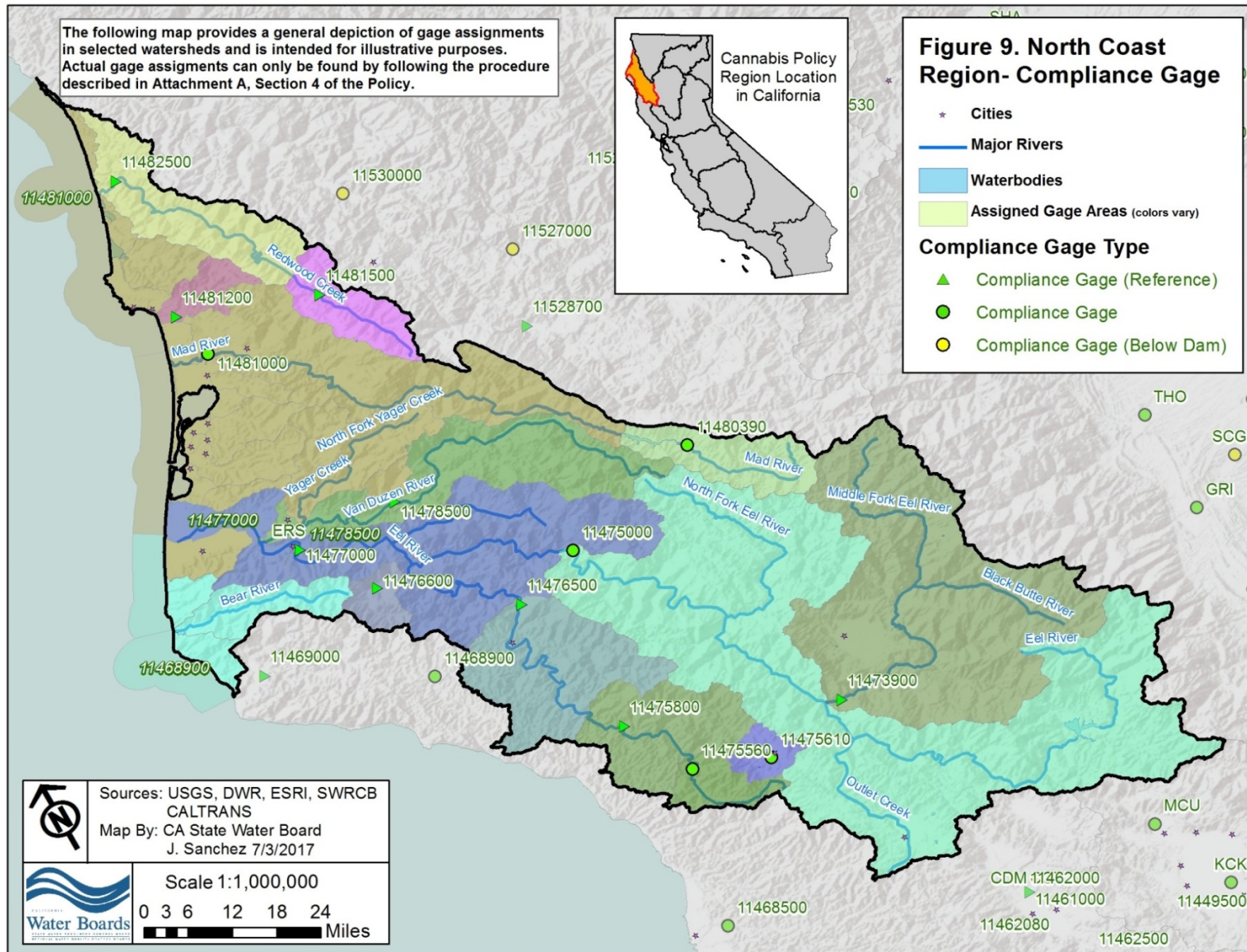
While the range for each matching factor varies depending on each comparison analyzed, the matching factor for the hydrograph was weighted up to 232% heavier than proximity/distance, which was weighted up to 143% heavier than the drainage area comparison. State Water Board staff arrived at these weighting factors based on several iterations of running the matches and manually analyzing results for proper matching. These weighting factors can be adjusted in the future, if necessary.

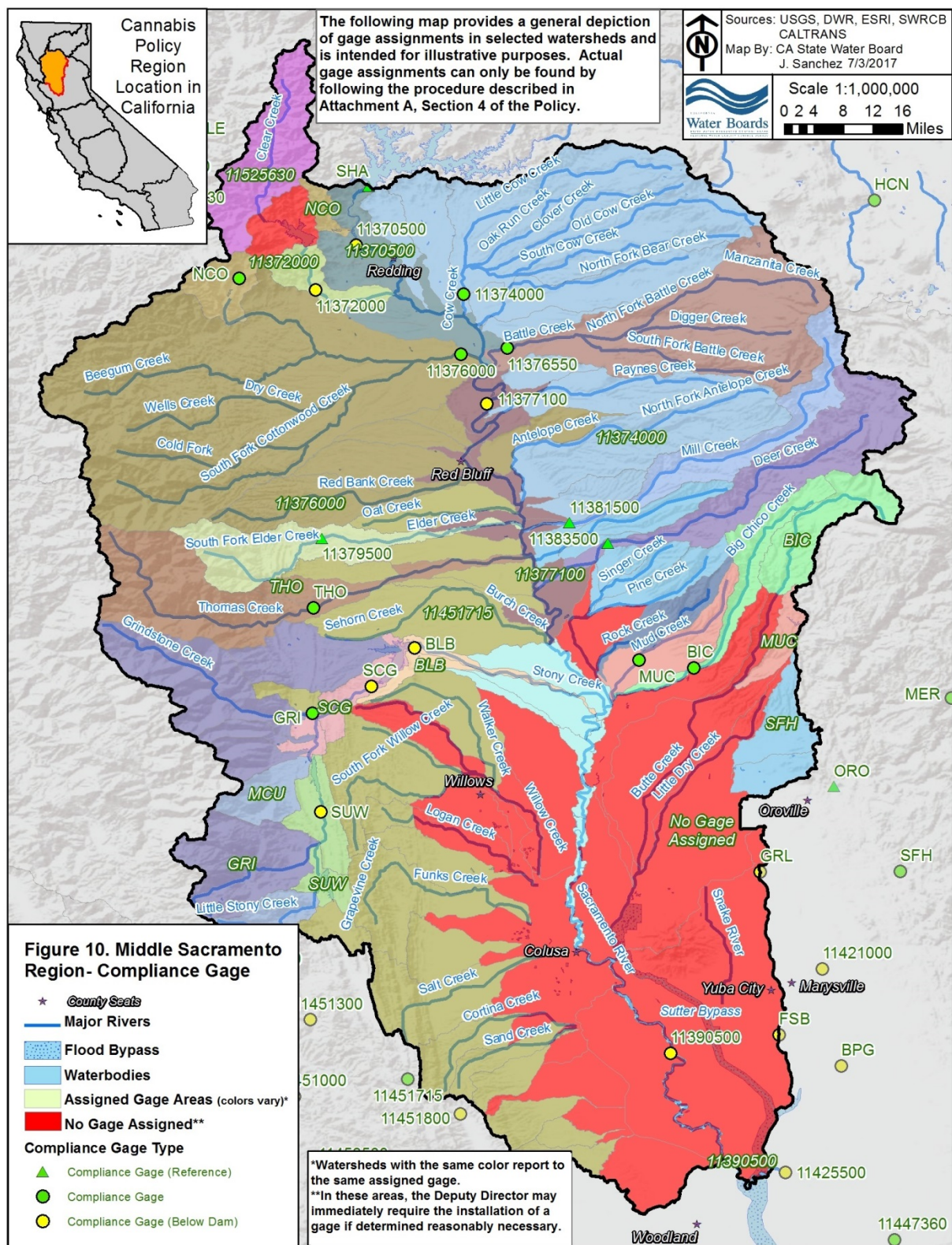
Gage Assignment Maps

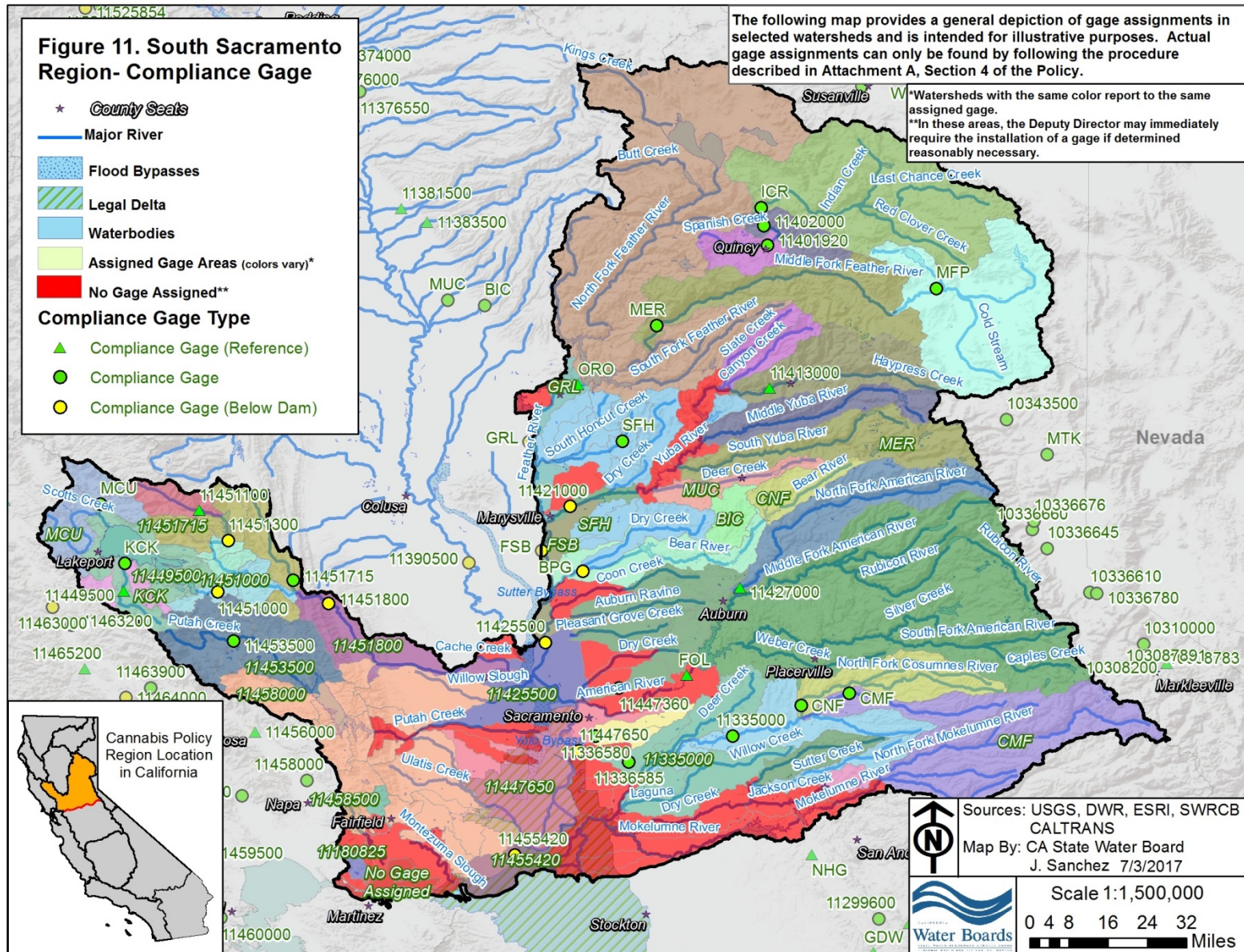
The following maps provide a general depiction of compliance gage assignments in both the Priority and Non-Priority Cannabis Policy Regions and are included for illustrative purposes. Actual gage assignments can be found by following the procedure described in Attachment A, Section 4 of the Policy.

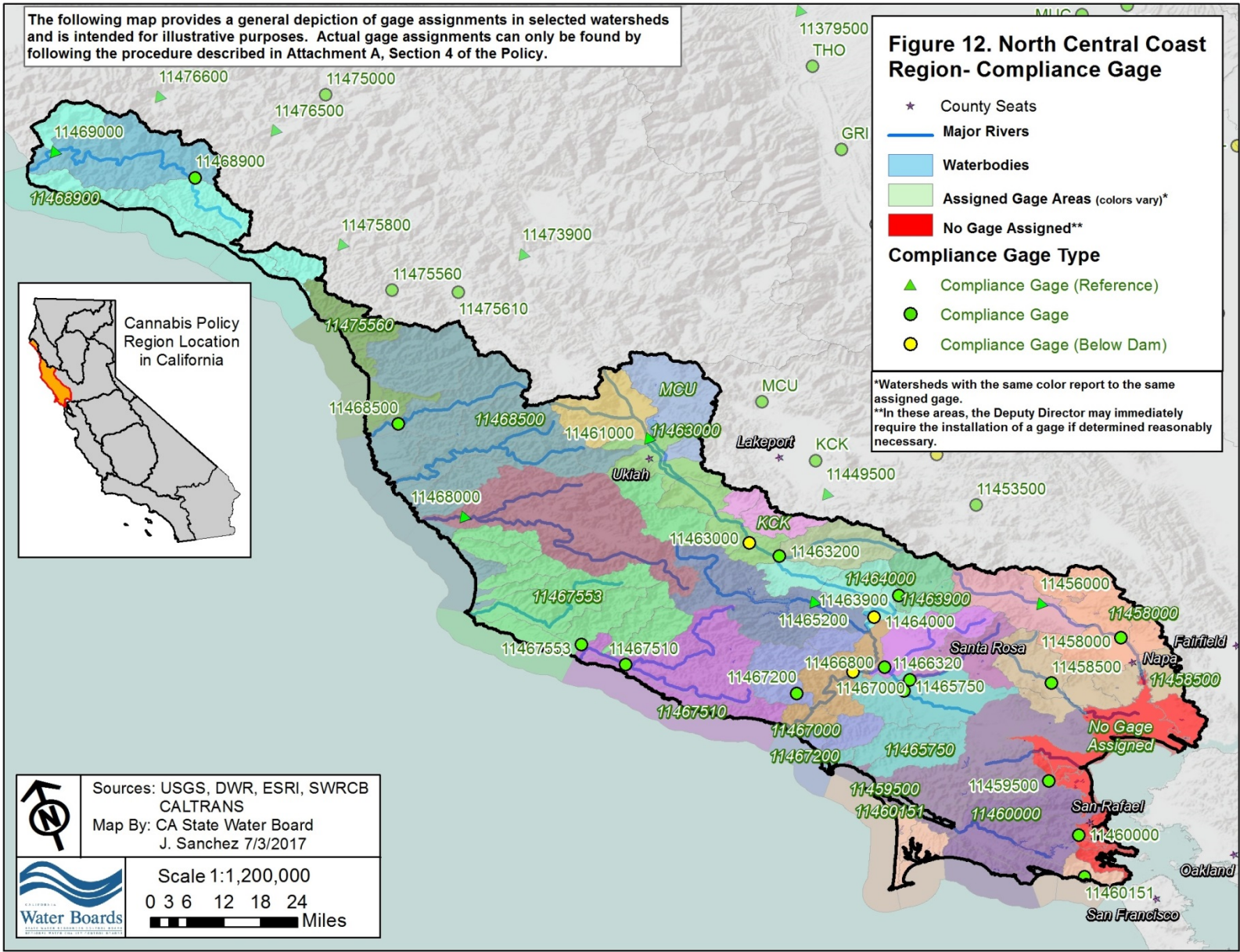


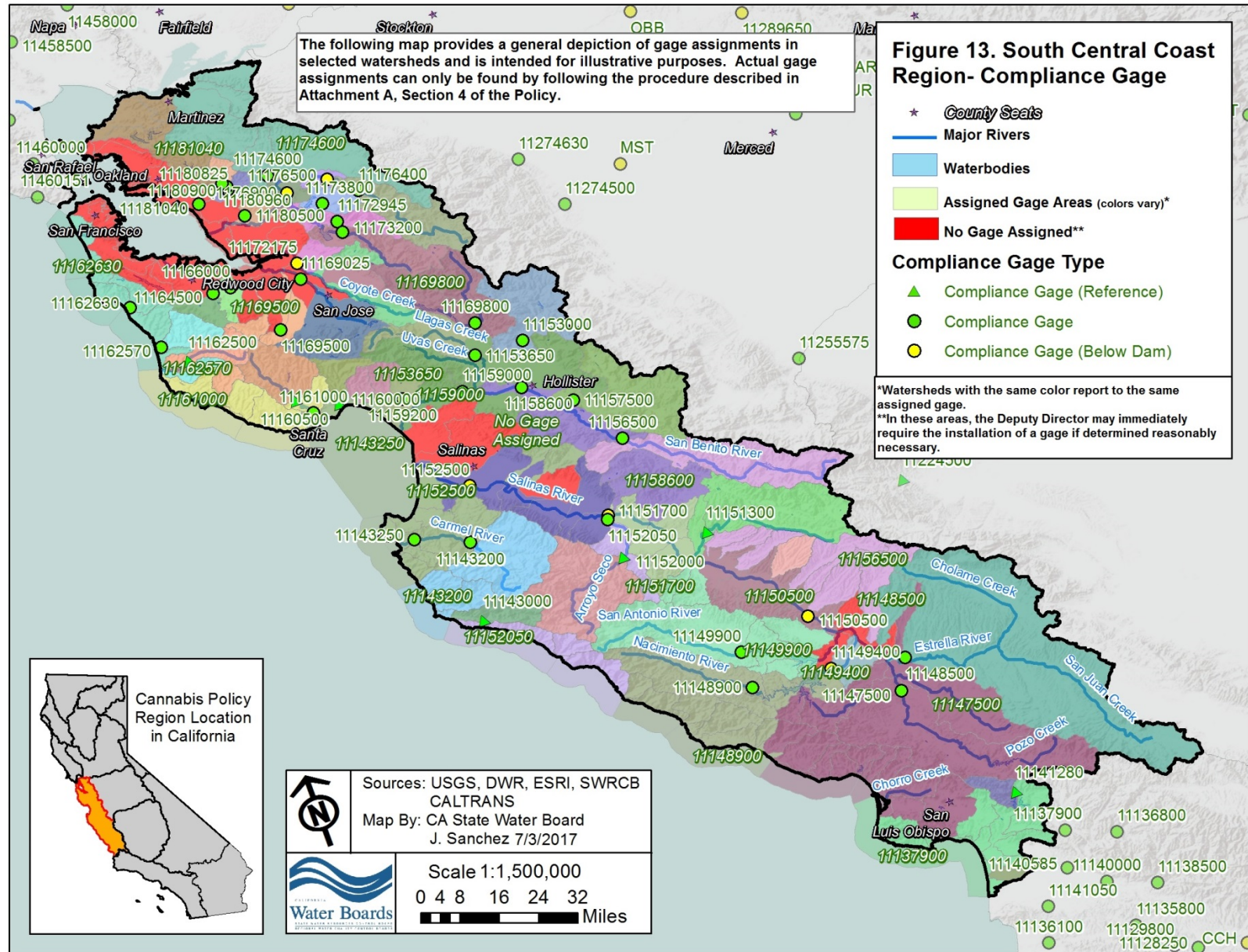


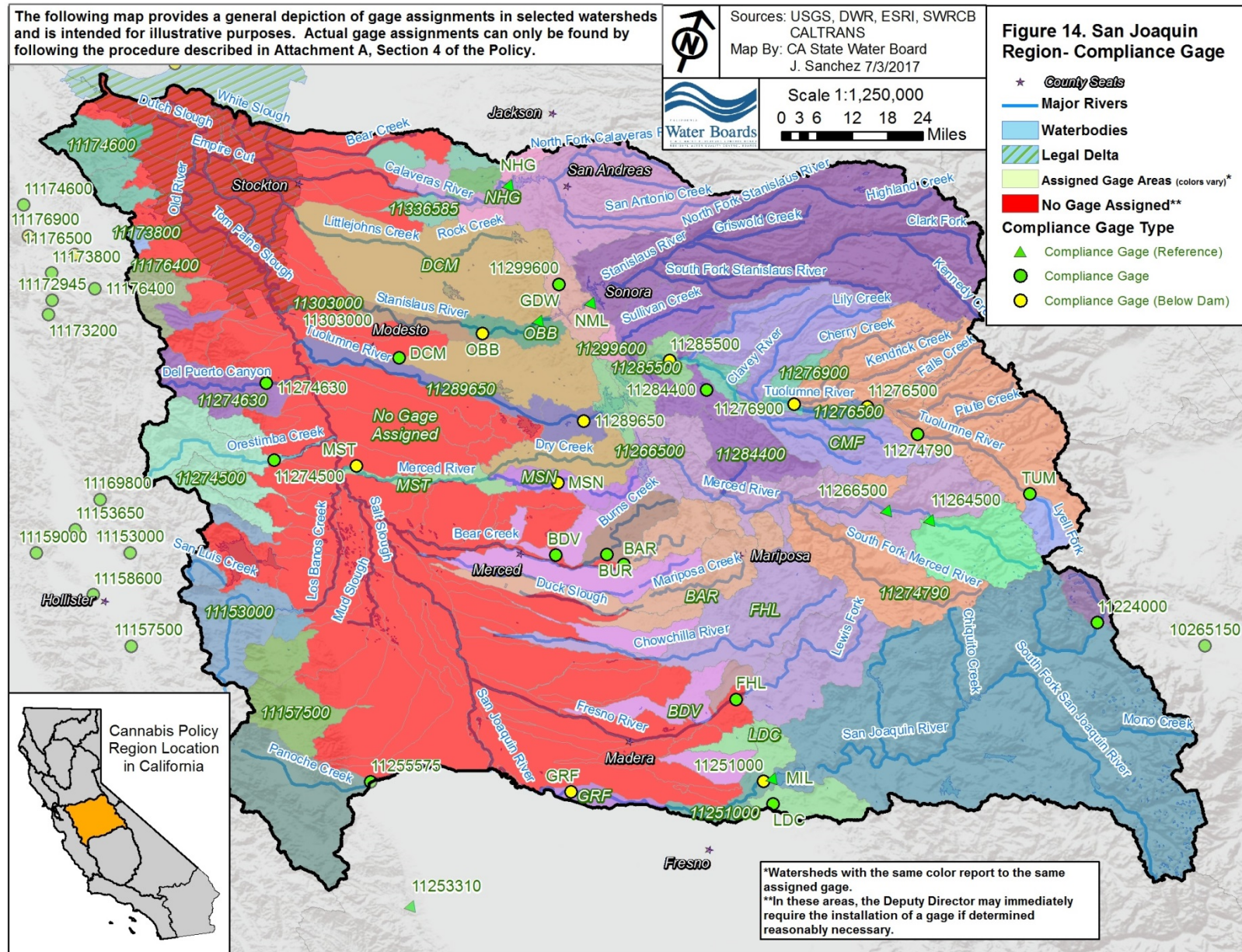


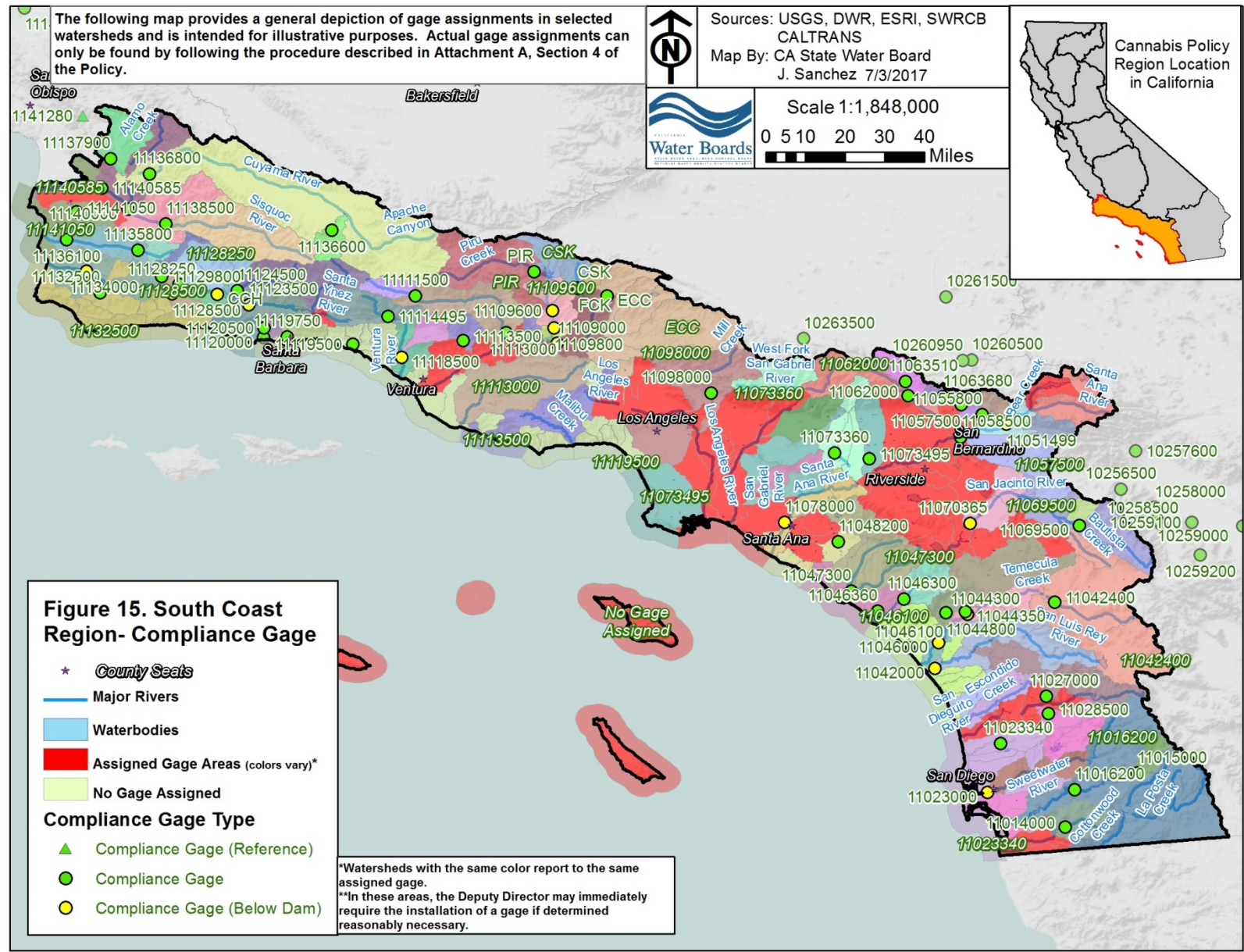


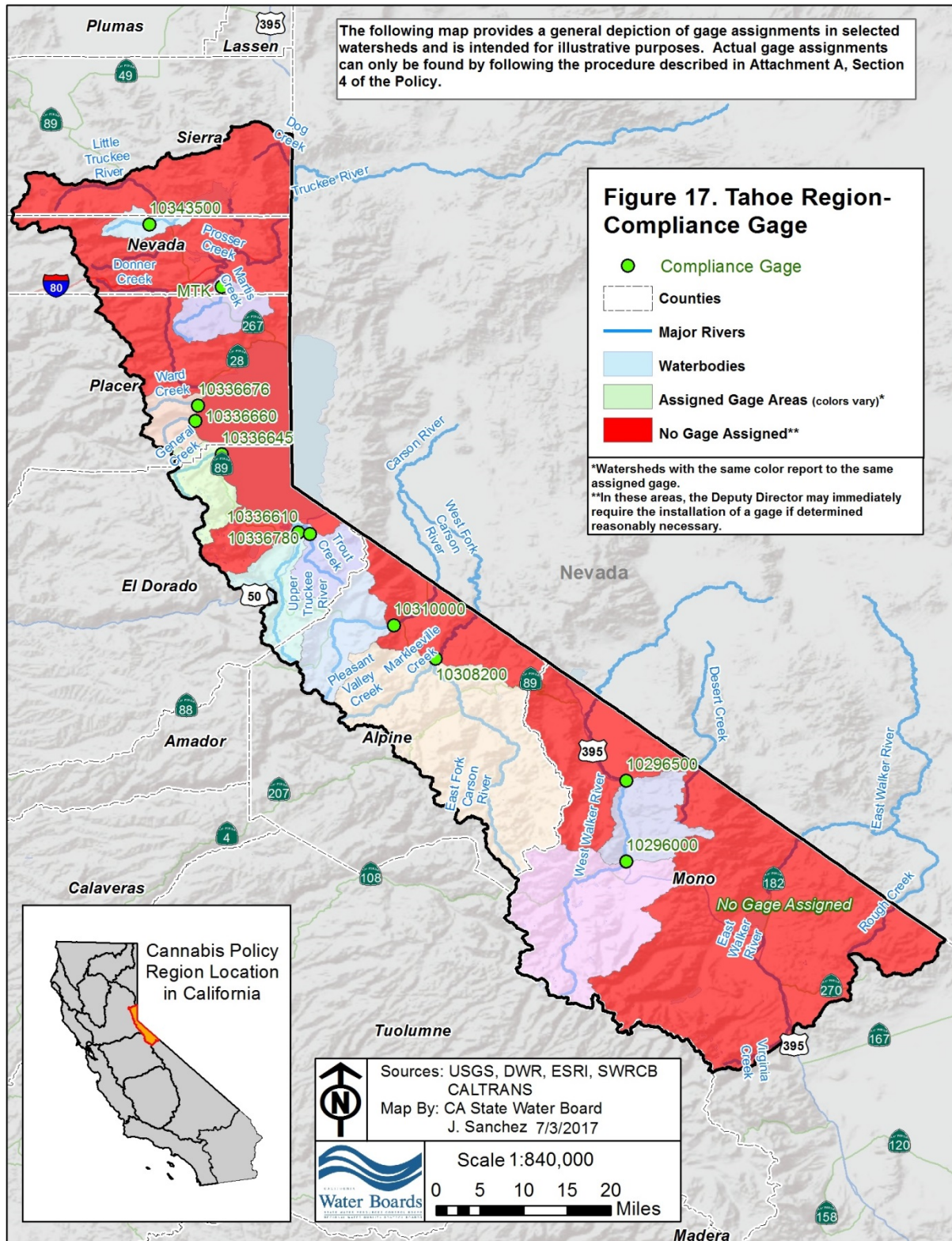


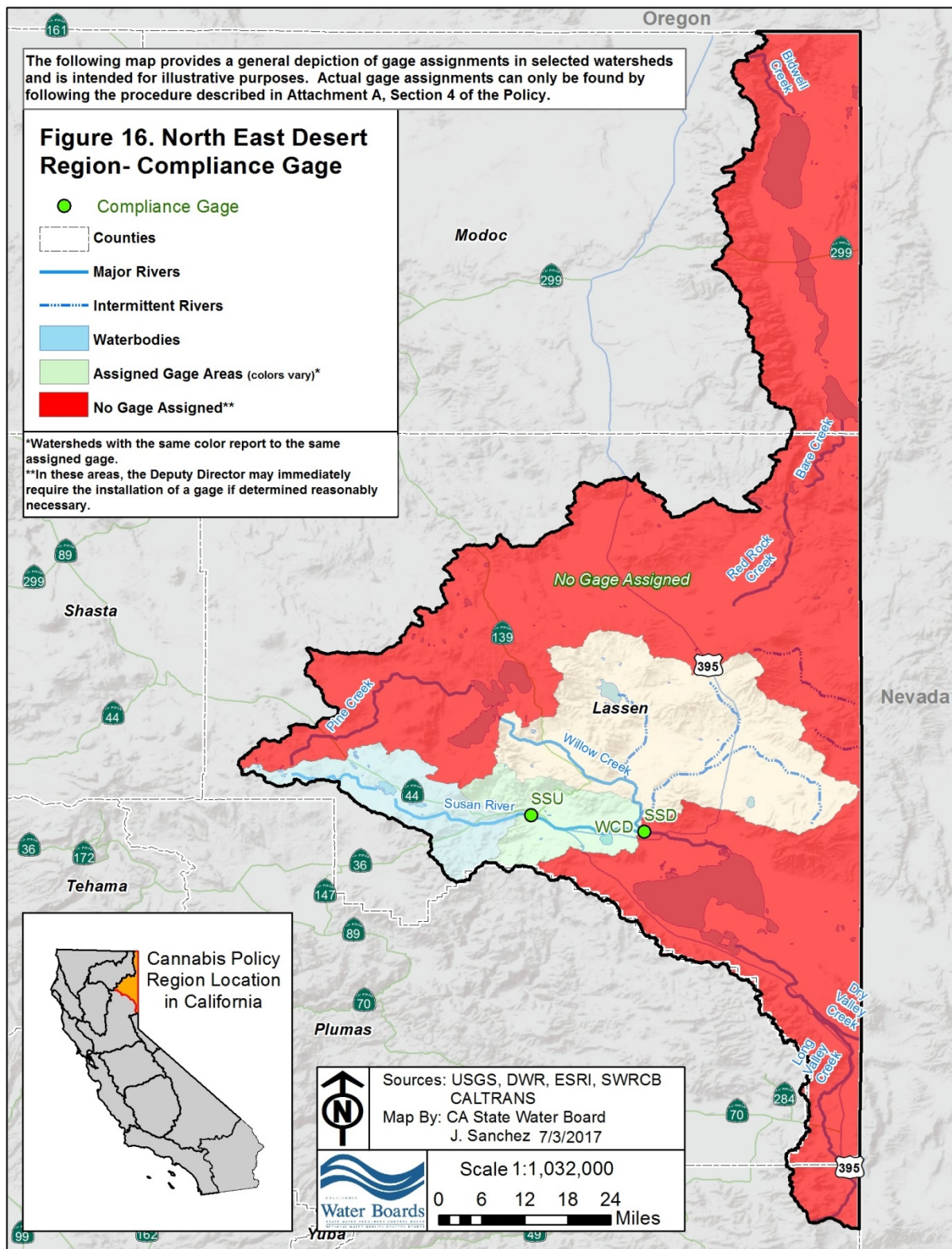


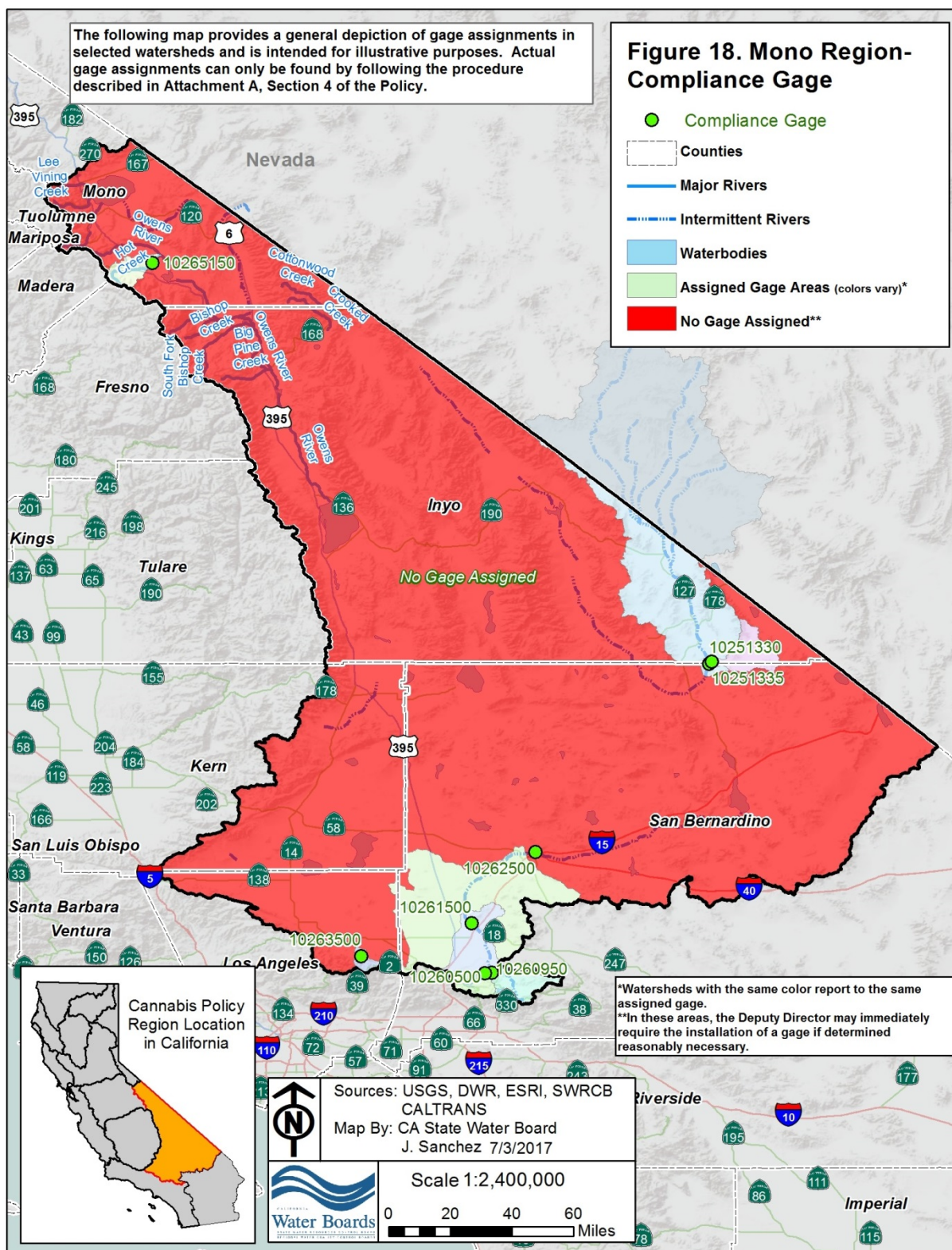


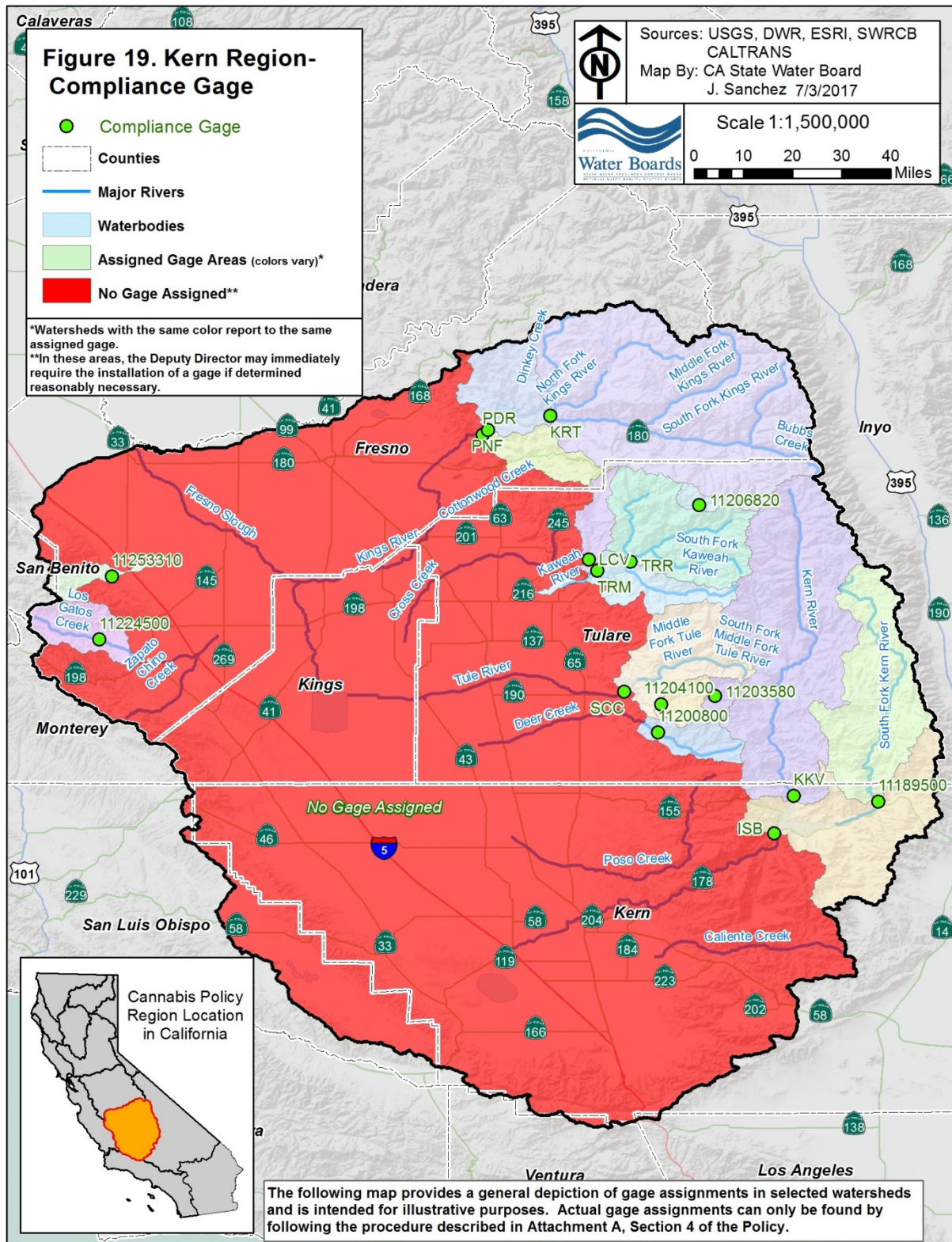


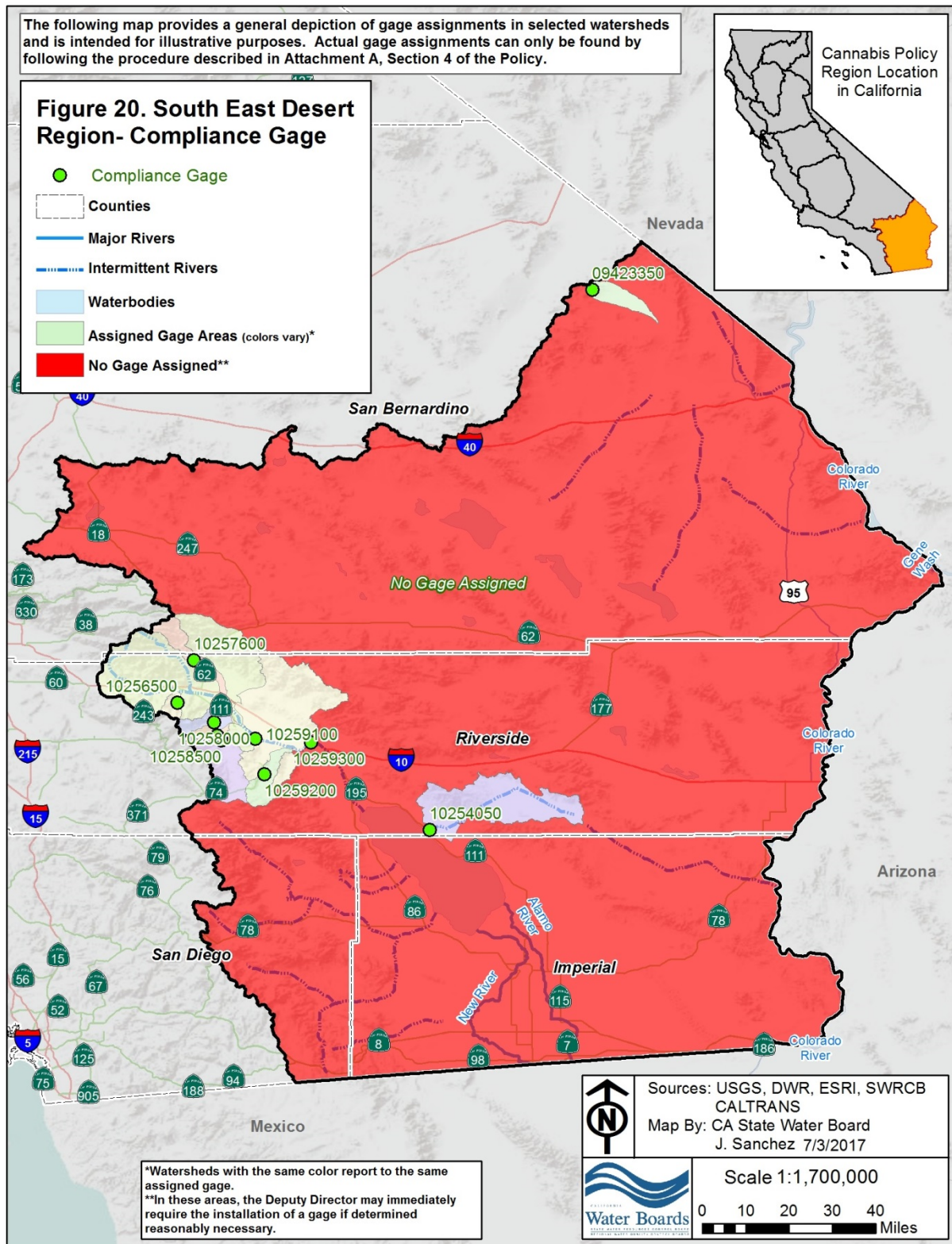












WATER QUALITY ANTIDEGRADATION ANALYSIS

State Water Board Resolution No. 68-16, the *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (the Antidegradation Policy), requires that the discharge of waste to the waters of the state be regulated to achieve the highest water quality consistent with the maximum benefit to the people of the state. The quality of some waters is higher than established by adopted policies and that higher quality water must be maintained to the maximum extent possible consistent with the Antidegradation Policy. The Antidegradation Policy requires the following:

- Whenever the quality of water is better than the quality established in policies as of the date on which such policies become effective, such high quality will be maintained until it has been demonstrated to the State that any change will be consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water, and will not result in water quality less than that prescribed in the policies.
- Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur, and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

To obtain coverage under the Cannabis General Order, cannabis cultivators must self-certify that all applicable Requirements have been, or will be implemented by the **November 15** following the enrollment date. Those cannabis cultivators that cannot implement all applicable Requirements by **November 15**, must submit a proposed time schedule and scope of work to the Regional Water Board for use in preparing a time schedule order. Interim Requirements must also be implemented to prevent unseasonable precipitation events from resulting in discharges of waste constituents. Interim Requirements are those that can be implemented immediately following site development. Furthermore, to avoid water quality degradation from erosion and sedimentation, construction and grading activities must not occur during the winter period, as defined in the Policy. Emergency construction and site grading activities are subject to authorization by the applicable Regional Water Board Executive Officer or designee on a site specific basis. The Regional Water Board Executive Officer may require a separate work plan, compliance schedule, and require that all work is supervised a Qualified Professional as defined in the Policy.

Although background water quality varies significantly in those areas covered by the Policy, most receiving waters are considered high quality waters for one or more constituent of concern. The Requirements of the Policy represent the best practicable treatment or control of discharges from cannabis cultivation sites. To the extent a discharge may be to high quality waters, the Policy authorizes limited degradation consistent with the Antidegradation Policy.

State taxes will be imposed on growing and selling cannabis beginning January 1, 2018. In addition, local governments are authorized to add additional local taxes. The annual state and local tax revenue is forecast to be approximately \$1 billion. The revenue will address social, legal, and environmental issues related to cannabis. (LAO 2016)

Limited degradation of groundwater by some waste constituents associated with discharges from cannabis cultivation activities, after effective Requirements are implemented, is consistent with the maximum benefit to the people of the state. The economic benefit described above and the need to provide a safe supply of cannabis is of maximum benefit to the people of the state and provides sufficient justification for allowing limited water quality degradation that may occur pursuant to the Policy, Cannabis General Order, and Cannabis General Water Quality Certification provided the terms of the applicable water quality control plans (commonly referred to as Basin Plans), and other applicable policies and plans of the Water Boards are consistently met.

The State Water Board anticipates most cannabis cultivation canopy areas (as defined by CDFA) will be less than one acre. Because most cannabis cultivation sites will be relatively small, they are inherently less of a threat to water quality. However, cumulative impacts from a regional concentration of small cultivation sites may result in significant water quality impacts if applicable Requirements are not implemented. All cannabis cultivators must certify that they are in compliance with Requirements (or a Regional Water Board compliance schedule) associated with their cannabis cultivation site tier ranking. Cannabis cultivators that are not in compliance with the Policy are subject to enforcement actions, including imposition of administrative civil liabilities.

All cannabis cultivators must comply with the minimum riparian setback Requirements in the Policy. High risk sites (any portion of the disturbed area is located within the riparian setback Requirements), with the exception of activities authorized by CDFW with a Lake or Streambed Alteration Agreement or under a Clean Water Act section 401/section 404 permit (e.g. watercourse crossing, installation of diversion works), will be assessed the high-risk fee until the activities comply with the riparian setback Requirements. For sites established prior to July 1, 2017, the Cannabis General Order includes a compliance schedule to achieve compliance with riparian setback Requirements. It is the cannabis cultivator's responsibility to notify the Regional Water Board of compliance with the riparian setback Requirements to reassess the annual fee. If the site is unable to meet the compliance schedule contained in the Cannabis General Order for complying with the riparian setback Requirements, the Regional Water Board may issue a site-specific enforcement order and compliance schedule.

Water Code section 13276 identifies 12 types of waste discharge that may result from cannabis cultivation. The 12 types can be grouped according to type of discharge and are described below.

- a. Discharges of sediment from roads, improperly constructed or maintained stream crossings, drainage culverts, disturbed areas, or cultivation sites to surface water. Discharges of sediment can be controlled through compliance with Policy Requirements.
- b. Discharges resulting from development within and adjacent to wetlands and riparian zones. Discharges to wetlands and riparian zones can be controlled through compliance with Policy Requirements.
- c. Discharges of fertilizers, pesticides (including herbicides and rodenticides) to surface water or groundwater. Discharges of the chemicals described can be controlled through compliance with Policy Requirements.

- d. Spills or leaks of fuels, lubricants, hydraulic oil, or other chemical associated with pumps, construction, or other equipment. Discharges of these waste materials can be controlled through compliance with Policy Requirements.
- e. Discharges of trash, household refuse, or domestic wastewater. Discharges of these waste materials can be controlled through compliance with Policy Requirements.

Cannabis cultivators enrolled in the Cannabis General Order must submit a Site Management Plan that describes how they are complying with Policy Requirements.

See information presented in the previous sections (“*Constituents of Concern*” and “*Slope and Erosion Potential Relationship*”) under the broader Background and Rationale for Requirements to Address Water Diversion and Waste Discharge Associated with Cannabis Cultivation section of the Staff Report for further information supporting this Antidegradation Analysis.

Compliance with the Policy and any water quality related mitigation measures in other current, future, and/or location-specific California Environmental Quality Act (CEQA) documents addressing cannabis cultivation and associated activities will ensure compliance with the applicable water quality control plans.

Cannabis cultivators that want to terminate coverage under the Cannabis General Order must submit a Notice of Termination (NOT). The NOT must include a Site Closure Report (described in Policy Attachment A, Section 5: *Permitting and Reporting*”) and a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving an NOT.

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State Water Resources Control Board

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Cannabis Cultivation Policy

Staff Report

Appendix 1 Regional Descriptions

July 7, 2017

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1.0 PRIORITY REGION DESCRIPTIONS

This appendix to the Cannabis Cultivation Policy (Policy) Staff Report provides an overview of the nine priority regions for which instream flow Requirements and associated gage implementation plans have been developed. The nine priority regions are: Klamath, North Coast, North Central Coast, Upper Sacramento, Middle Sacramento, South Sacramento, San Joaquin, South Central Coast, and South Coast. Maps and figures for each priority region are located at the end of each regional description and include maps of the regional areas, elevation, climate, precipitation, hydrologic classifications, and anadromous fish distribution, and graphs of monthly average temperature and precipitation patterns.

For the purposes of the Policy, the term special-status refers to species or distinct populations that are federally listed as threatened or endangered, listed as threatened or endangered by the state of California, listed as a species of concern by the National Marine Fisheries Service (NMFS), or listed as species of special concern by the California Department of Fish and Wildlife (CDFW)¹. The presence of special-status anadromous salmonid populations within the nine cannabis policy regions was determined based on anadromous salmonid population distribution information obtained from the University of California, Davis (UC Davis) PISCES database, a compilation of data describing California's native fishes (Santos et al. 2014).

1.1 Klamath Region

The Klamath Region covers approximately 10,897 square miles in northern California and southern Oregon (Figure A-1). Elevations in this region range from sea level to over 7,500 feet in the Klamath Mountains and Trinity Alps, and over 14,000 feet at the peak of Mount Shasta (Figure A-2). The region includes the major watersheds of the Smith River, as well as the Klamath River and its main tributaries, the Trinity, Salmon, Scott, and Shasta Rivers. Although the Klamath Region spans portions of northern California and southern Oregon, only the portion of the Klamath Region located in California will be subject to this cannabis policy.

1.1.1 Climate and Precipitation

The climate of the Klamath Region varies according to the two major terrain types: mountains and plateau. The western portion of the Klamath Region is generally characterized by a Mediterranean climate, and the eastern portion of the Klamath Region is generally characterized by a Cool Interior climate (Figure A-3). The western portion of the Klamath Mountains are characterized by a Mediterranean climate with cool summers, coastal areas and the lower Smith River watershed are characterized by a Mediterranean climate with summer coastal fog, and the upper Trinity River watershed is characterized by a Mediterranean climate with hot summers. The Modoc Plateau geomorphic province and the mountain ranges flanking the Scott River watershed are characterized by cool continental climates with dry summers. Temperatures patterns vary within the Klamath Region, and inland areas tend to exhibit more significant temperature extremes compared to coastal areas. The lower Klamath and Trinity River watersheds exhibit average annual maximum temperatures above 75 degrees Fahrenheit, while the Modoc Plateau and coastal areas in this region remain cooler, with average annual maximum temperatures of 60 degrees Fahrenheit in most locations, or 40 degrees Fahrenheit at high elevations. Average annual minimum temperatures near the Klamath Region coast and in low lying areas are tempered by the ocean influence and remain above freezing, while

¹ No California salmonids were federally proposed for listing as threatened or endangered or designated as a State Candidate for threatened or endangered listing by the state of California at the time of the preparation of this report (CDFW 2017b).

average annual minimum temperatures further inland and at high elevations drop below freezing.

Precipitation patterns also vary within the Klamath Region, and the Klamath Mountains tend to receive a much larger amount of precipitation annually compared to the Modoc Plateau. The Klamath Mountains tend to receive an average of over 120 inches of precipitation annually, while the Modoc Plateau tends to receive an average of less than 15 inches of precipitation annually (Figure A-4). The Modoc Plateau receives a significant portion of precipitation as snowfall, and snow also falls in high elevation areas in the central Klamath Mountains. Precipitation generally falls in the Klamath Mountains from October to May, and peaks in December and January (Chart A-1). Precipitation generally falls in the Modoc Plateau from November to March (Chart A-2). (WRCC 2016)

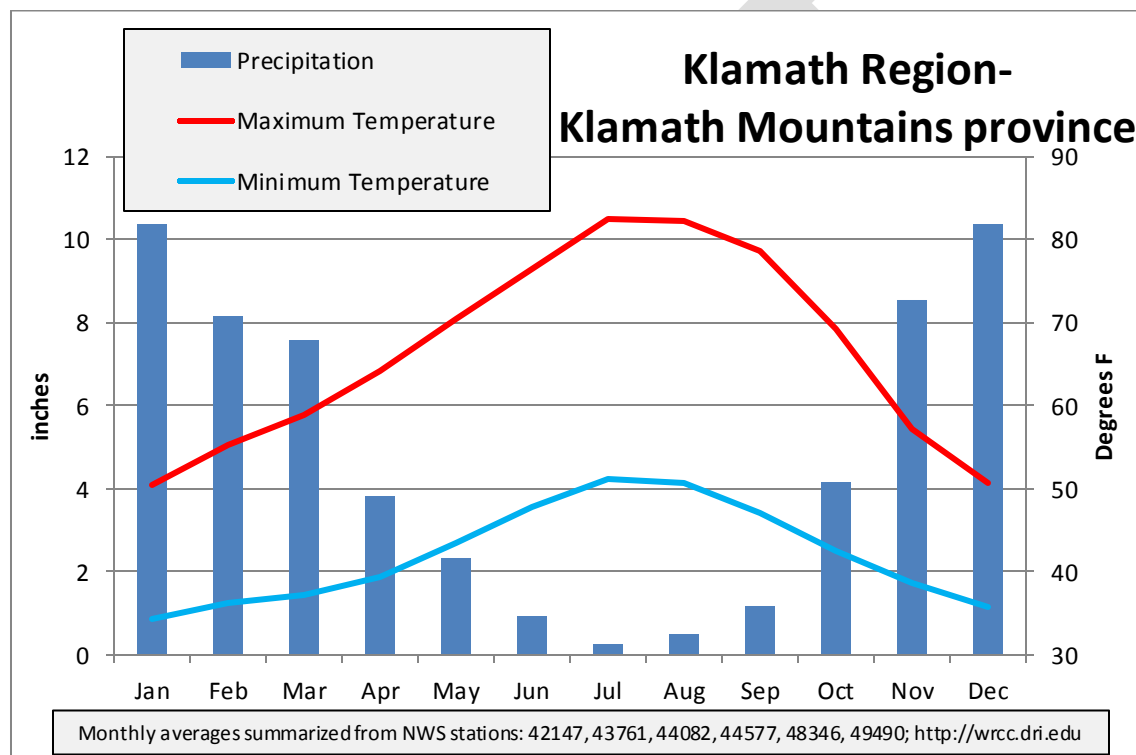


Chart A-1. Average annual patterns of temperature and precipitation in the Klamath Region, Klamath Mountains province.

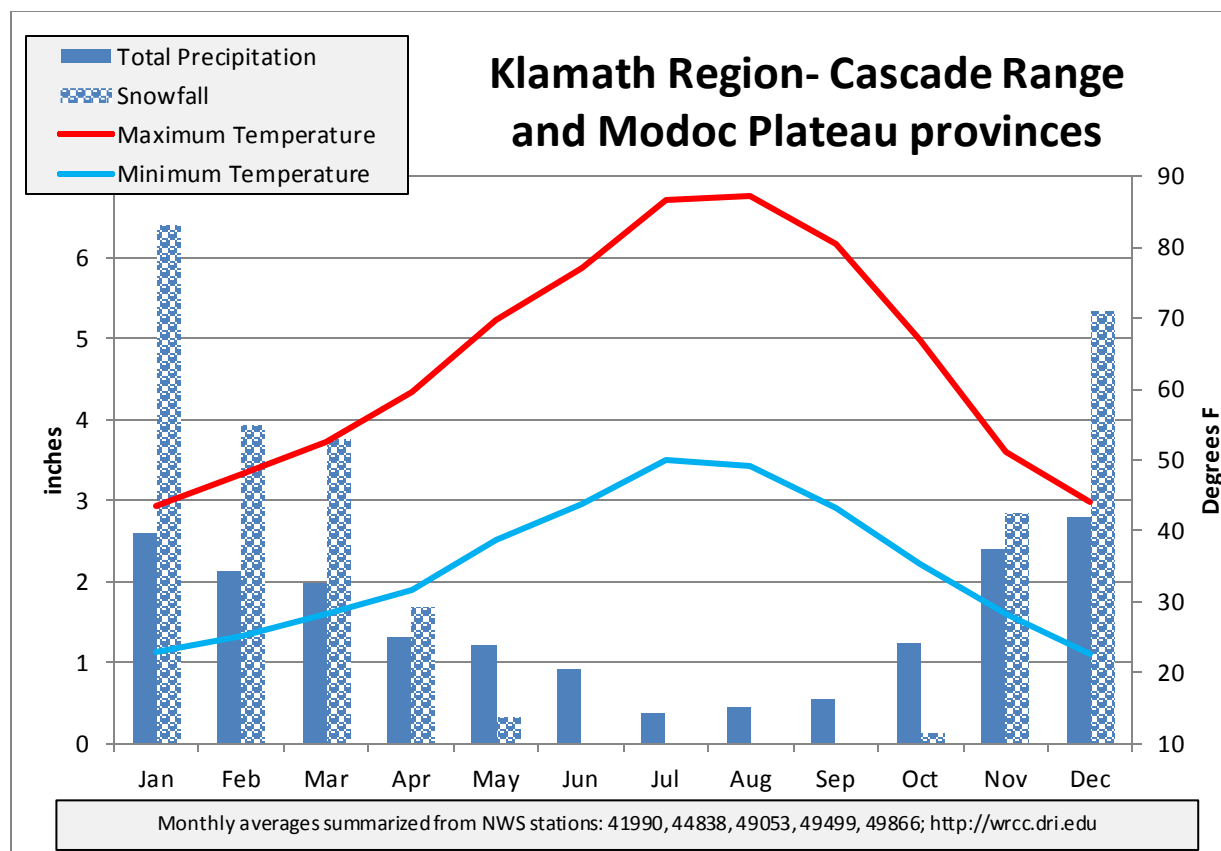


Chart A-2. Average annual patterns of temperature and precipitation in the Klamath Region, Cascade Range and Modoc Plateau provinces.

1.1.2 Hydrology

The hydrology of Klamath Region streams varies greatly from west to east, and several UC Davis hydrologic classifications exist for stream reaches in this region (Lane et al 2016). Many stream reaches located near the coast, within the Smith and lower Klamath River watersheds, are primarily classified as Winter Storm (WS) systems. Further inland, most tributaries to the Klamath River are classified as Low-Volume Snowmelt and Rain (LSR) systems. The mainstem Trinity River, located in the southern portion of the Klamath Region, is classified as High-Volume Snowmelt and Rain (HSR) system, and some tributaries in the Trinity River watersheds are classified as Perennial Groundwater and Rain (PGR) systems. Most stream reaches on the Modoc Plateau are classified as High Elevation and Low Precipitation (HELP) systems; however, Modoc Plateau streams generally exhibit low stream densities due to the Modoc Plateau's underlying porous volcanic geology. Please refer to (Figure A-5) for a stream classification map of the Klamath Region.

1.1.3 Geology

The Klamath Region is predominantly located in the Klamath Mountains, Cascade Range, and Modoc Plateau geomorphic provinces. The Klamath Mountains and Cascade Range are rugged mountain ranges, and the Modoc Plateau is an elevated volcanic plateau located in the northeastern corner of California. The western portion of the Klamath Mountains are underlain by marine sedimentary units with areas of igneous intrusive units, the central Klamath Mountains are underlain primarily by metamorphosed sedimentary and volcanic rock, and the

upper Trinity, Scott and Salmon watersheds are underlain by intrusive igneous rock. The portion of the Cascade Range located in the Klamath Region contains the stratovolcano Mount Shasta. The Cascade Range is generally underlain by igneous rock, including lava flows, pyroclastic flows, and alluvium eroded from volcanic features. The Modoc Plateau is a volcanic table land consisting of lava flows, tuff beds and small volcanic cones. Significant subterranean streamflows occur through porous volcanic features in the Modoc Plateau (CGS 2002).

1.1.4 Anadromous Salmonid Population

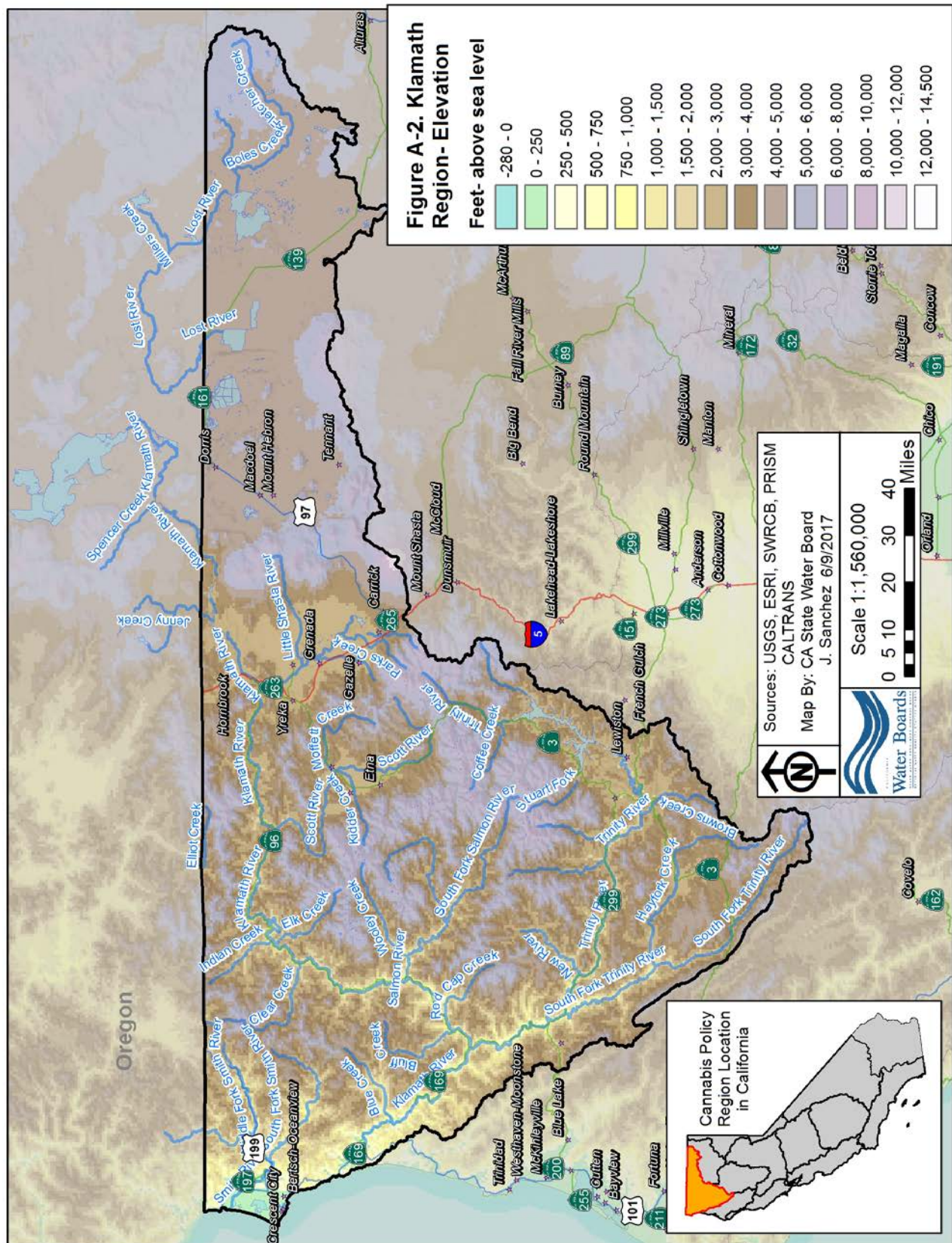
Five special-status evolutionarily significant units (ESUs), distinct population segments (DPSes), or distinct taxonomic entities² (DTEs) are currently extant within the Klamath Region (Figure A-6):

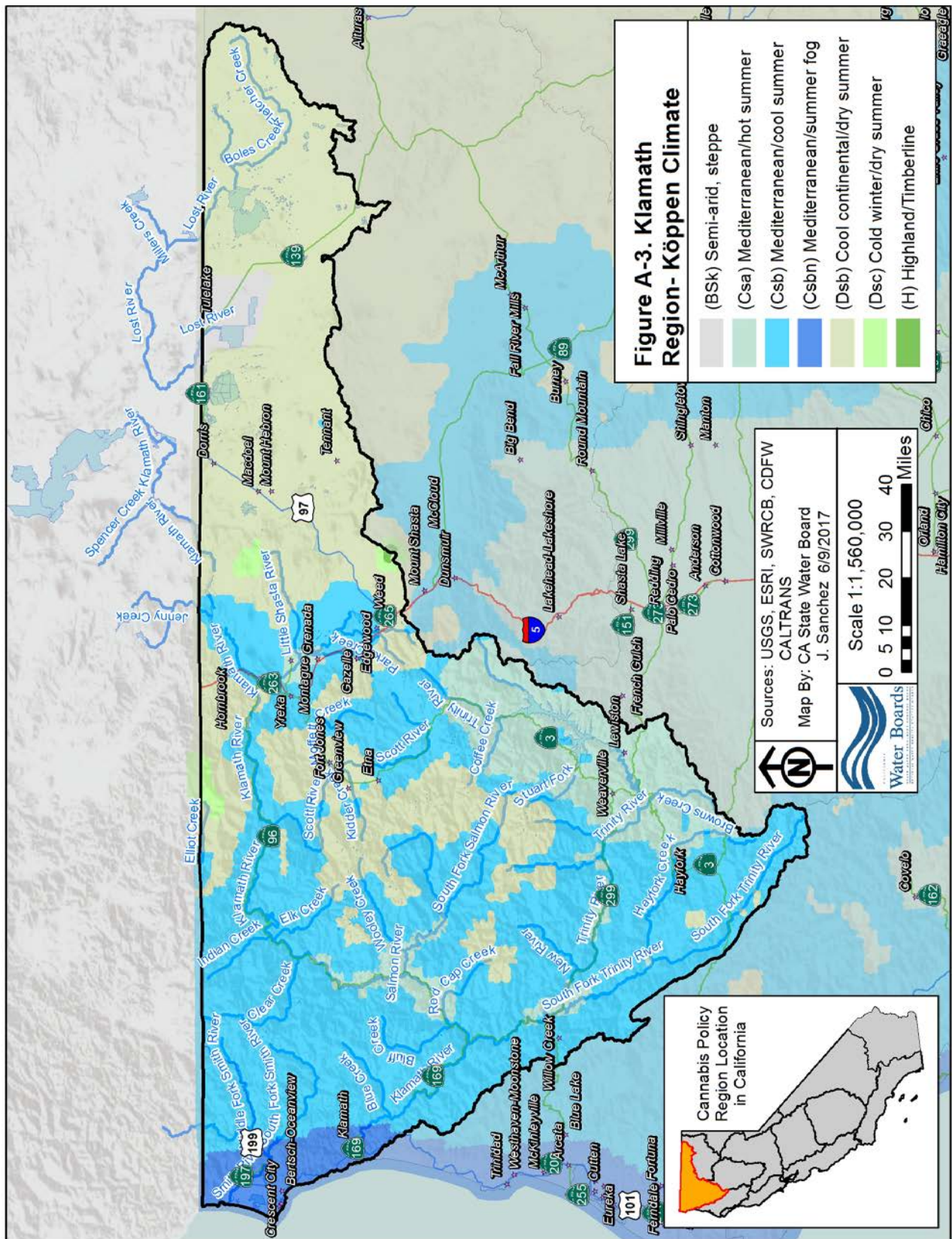
- the Southern Oregon/Northern California Coastal (SONCC) Chinook salmon ESU,
- the Upper Klamath-Trinity fall-run (UKTR FR) Chinook salmon DTE³,
- the Upper Klamath-Trinity spring-run (UKTR SR) Chinook salmon DTE,
- the Klamath Mountains Province (KMP) steelhead DPS, and
- the Southern Oregon/Northern California Coast (SONCC) coho salmon ESU.

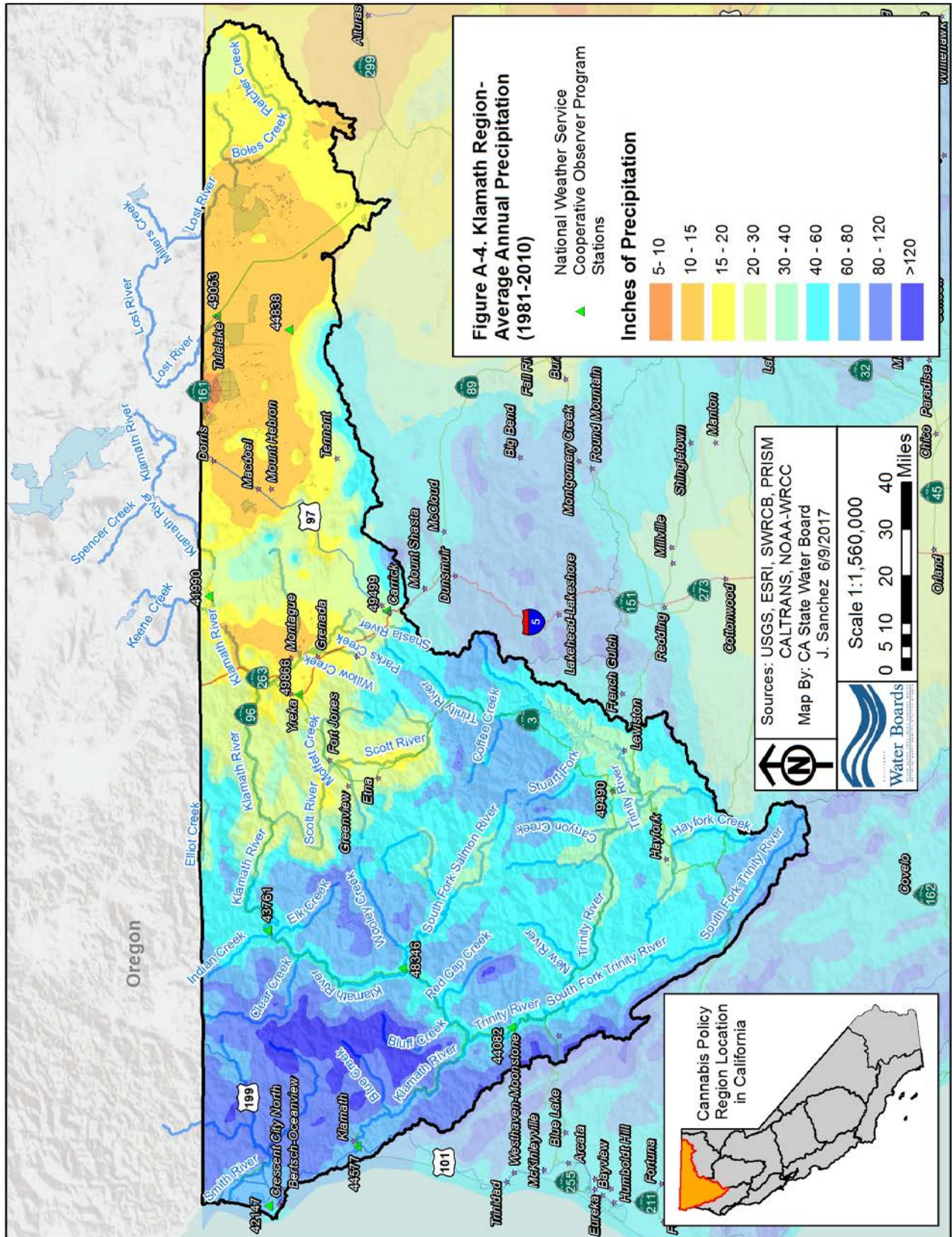
The SONCC coho salmon ESU is currently listed as threatened under the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA) (CDFW 2017b). The SONCC Chinook salmon, UKTR FR Chinook salmon, UKTR SR Chinook salmon, and the KMP steelhead populations are listed as species of special concern by CDFW (Moyle et al. 2015).

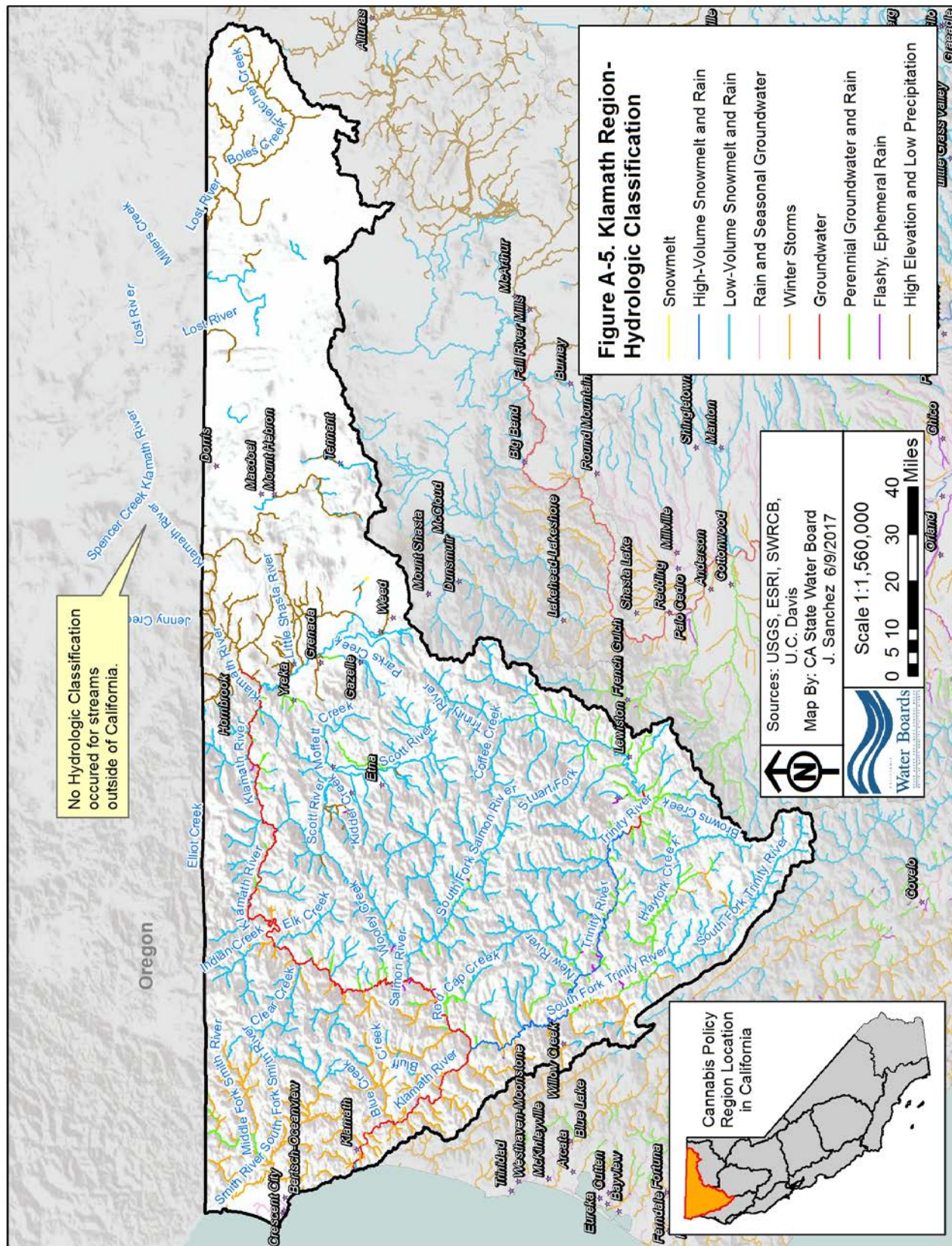
² The term Distinct Taxonomic Entity (DTE) is applied in this document in reference to salmonid populations given consideration by CDFW as distinct, or separate, taxa, but that are not currently designated as individual ESUs or DPSes by NMFS.

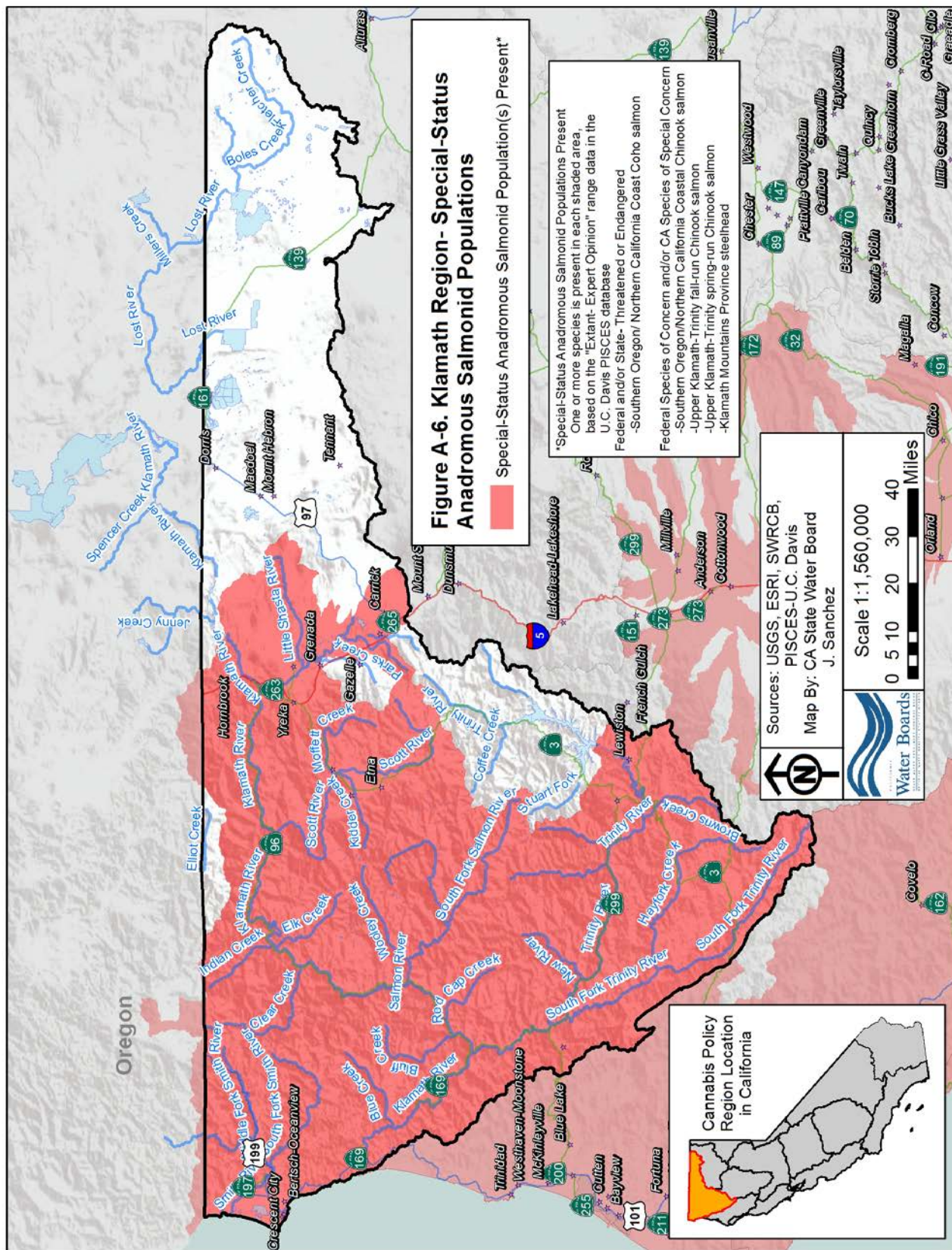
³ UKTR FR and UKTR SR Chinook salmon together constitute a single ESU; however, CDFW treats the two runs as distinct taxonomic entities based upon their distinct life-history strategies and in consideration of the unique management concerns of each run (Moyle et al. 2015).











1.2 Upper Sacramento Region

The Upper Sacramento Region covers approximately 6,956 square miles in north-central California, as shown in attached (Figure A-7). Elevations in the region range from 1,000 feet near Lake Shasta, to over 6,000 feet in the mountains bordering the Modoc Plateau. The elevation of Mount Lassen, located on a southern boundary of the region, exceeds 10,400 feet, while the peak of Mount Shasta, located on a northern boundary of the region, reaches over 14,000 feet. Please refer to (Figure A-8) for an elevation map of the Upper Sacramento Region. The major watershed comprising the region is the Sacramento River and its significant tributaries of the Upper Sacramento, McCloud and Pit Rivers.

1.2.1 Climate and Precipitation

The climate of the Upper Sacramento Region varies substantially between the western and eastern portions of the region. The western portion of the Upper Sacramento Region, located in the Cascade Range geomorphic province, is characterized by a Mediterranean climate, while the eastern portion of the region, located in the Modoc Plateau geomorphic province, is characterized by a Cool Interior climate. The areas surrounding Shasta Lake and the lower tributary canyons are characterized by Mediterranean climates with hot summers. Between Mount Shasta and the town of Burney, the Cascade Range transitions to the Modoc Plateau, and the climate in this transitional area is characterized as Mediterranean with cool summers. The Modoc Plateau geomorphic province is characterized by a Cool Interior climate; specifically, cool, continental climate with dry summers. Please refer to (FigureA-9) for a climatic map of the Upper Sacramento Region.

Temperature conditions also vary greatly from southwest to northeast within the Upper Sacramento Region. Temperatures tend to be higher in the Cascade Range, located in the western portion of the Upper Sacramento Region, compared to the Modoc Plateau, located in the eastern portion of the region. Average annual maximum temperatures near Shasta Lake, in the southwestern portion of the Upper Sacramento Region, exceed 70 degrees Fahrenheit. To contrast, average annual maximum temperatures on the Modoc Plateau exceed 60 degrees Fahrenheit and high elevation temperatures exceed 50 degrees Fahrenheit. Average annual minimum temperatures near Lake Shasta typically fall below 50 degrees Fahrenheit, while average annual minimum temperatures on the Modoc Plateau and at high elevations are typically below freezing.

Average annual precipitation amounts and snowfall patterns also vary greatly from west to east within the Upper Sacramento Region. The western portion of the Upper Sacramento Region tends to receive higher precipitation amounts than the eastern portion of the Upper Sacramento Region; nearly 120 inches of annual precipitation tends to fall around Mount Lassen and Mount Shasta in the central portion of the region, while under 15 inches of annual precipitation tends to fall on the Modoc Plateau. The Cascade Range typically receives moderate amounts snowfall during the winter months, extreme amounts of snowfall tend to occur further east and near Mount Lassen, and the Modoc Plateau typically receives a moderate amount of snowfall. Precipitation events generally occur from November to April in both the Cascade Range and Modoc Plateau provinces.

Please refer to (Figure A-10) for a precipitation map of the Upper Sacramento Region. Charts A-3 and A-4 below, illustrate precipitation and temperature patterns in the Upper Sacramento Region for the Cascade Range geomorphic province and for the Modoc Plateau geomorphic province, and illustrate the key differences in precipitation and temperature conditions between the two regions.

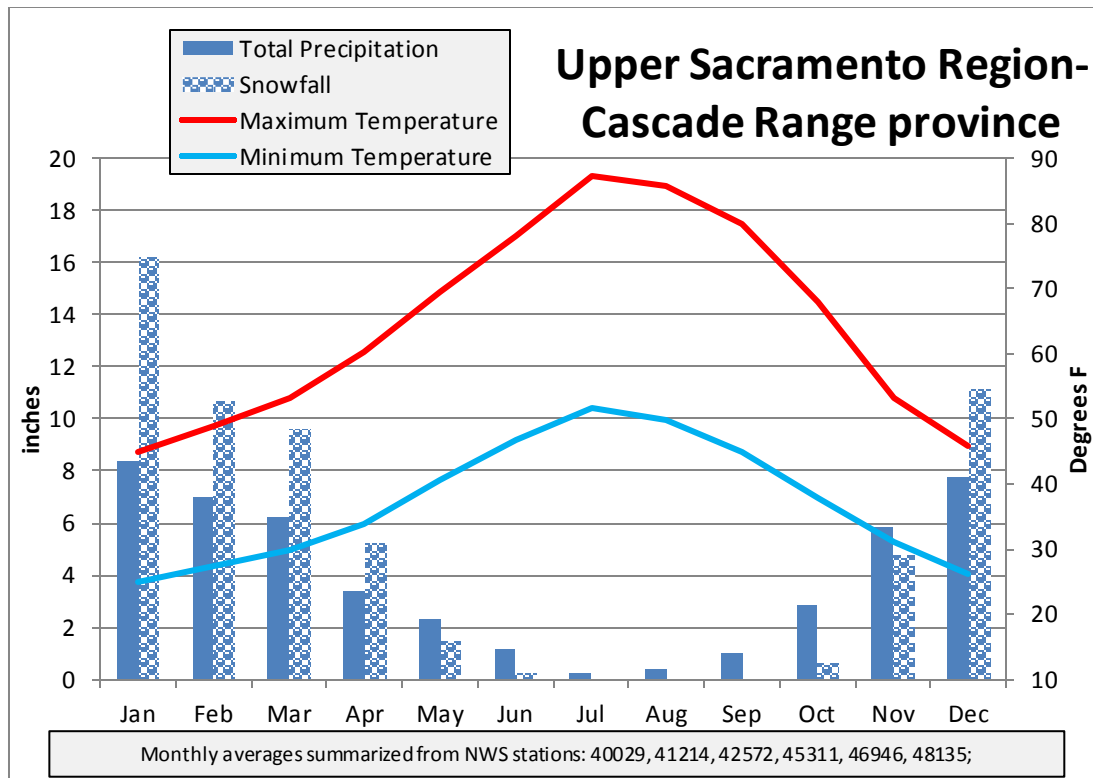


Chart A-3. Average annual patterns of temperature and precipitation in the Upper Sacramento Region, Cascade Range province.

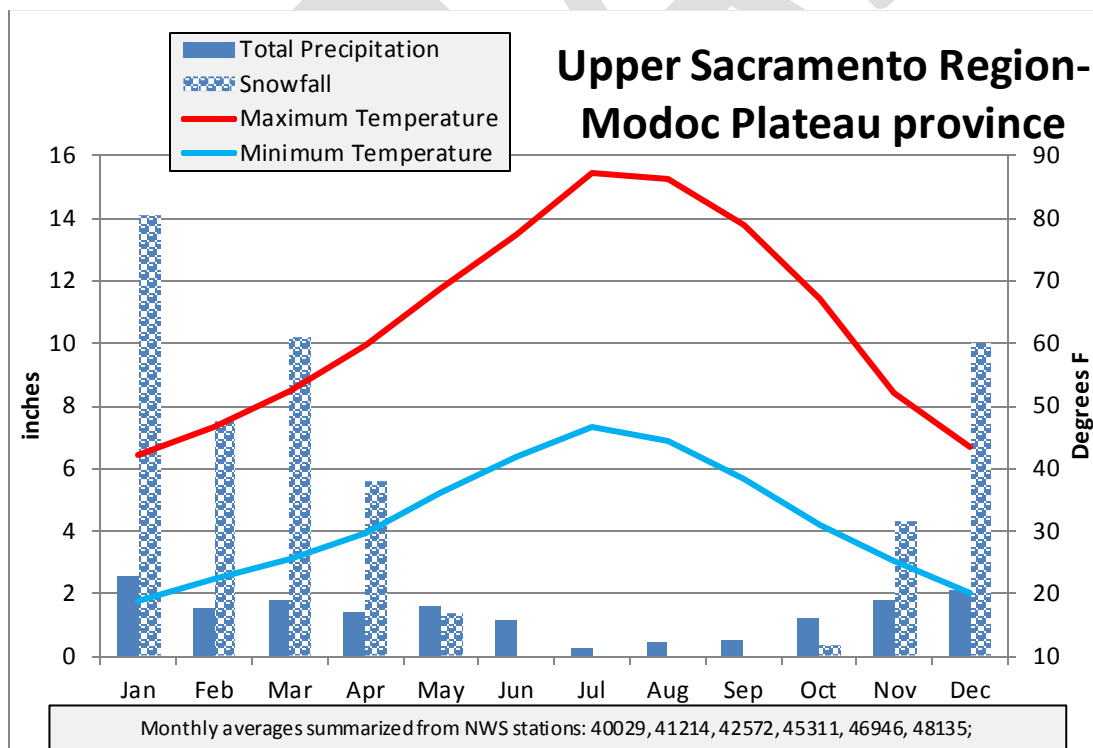


Chart A-4. Average annual patterns of temperature and precipitation in the Upper Sacramento Region, Modoc Plateau province.

1.2.2 Hydrology

The hydrology of stream reaches in the Upper Sacramento Region varies from west to east, and stream reaches in this region are described by several UC Davis hydrologic classifications. Stream reaches in the Cascade Range geomorphic province are generally categorized by Winter Storms (WS) and Low-Volume Snowmelt and Rain (LSR) hydrologic classifications. Small tributaries surrounding Shasta Lake, in the southwest portion of the Upper Sacramento Region, are primarily classified as WS systems. The Upper Sacramento and McCloud River watersheds, located in the Cascade Range geomorphic province, primarily contain stream reaches that are classified as LSR systems. Most stream reaches on the Modoc Plateau, including tributaries in the middle and upper Pit River watershed, are classified as High Elevation and Low Precipitation (HELP) stream reaches. The mainstem Pit River below Lake Briton is classified as a Groundwater (GW) system. Please refer to (Figure A-11) for a depiction of the stream classifications within the Upper Sacramento Region. (Lane et al 2016)

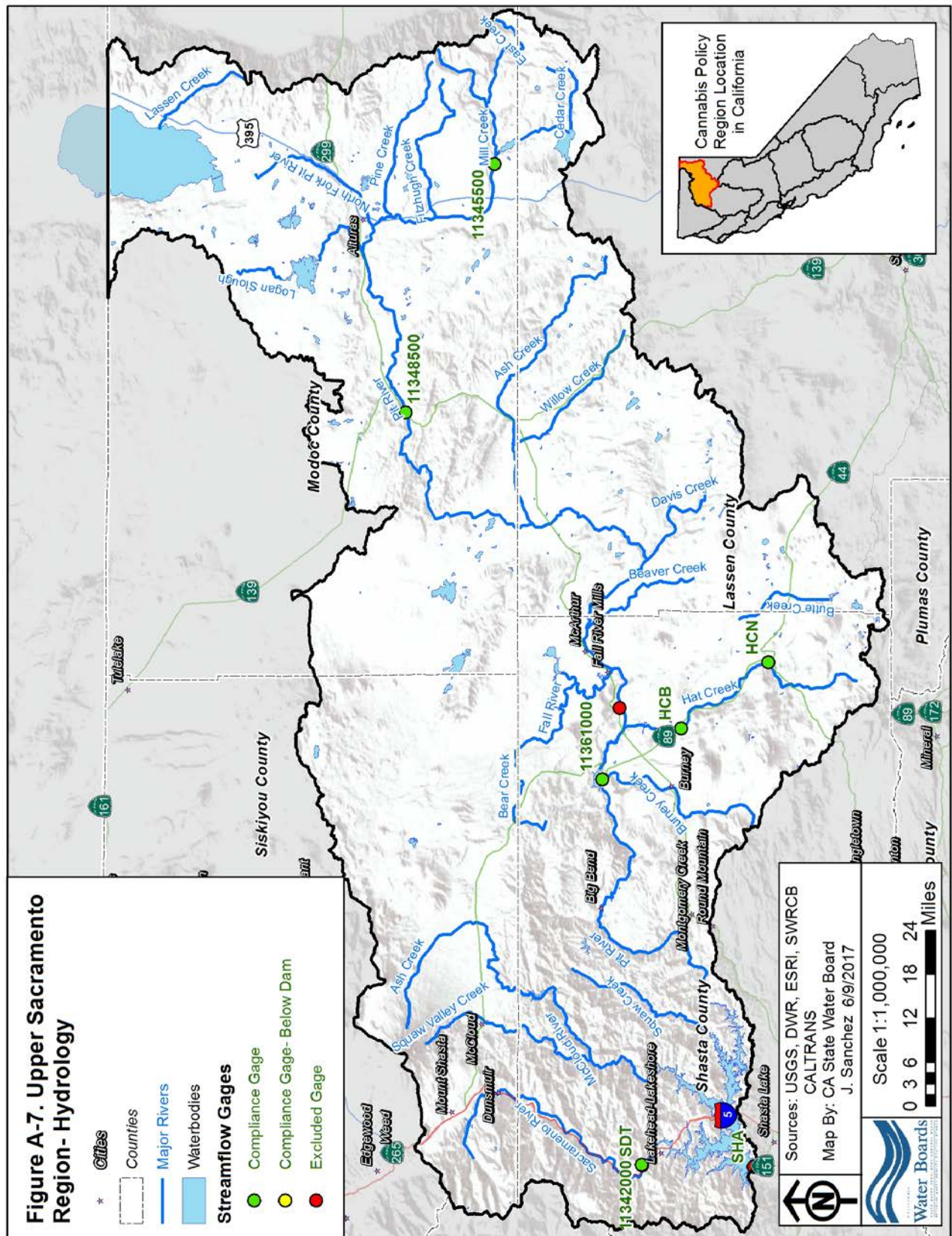
1.2.3 Geology

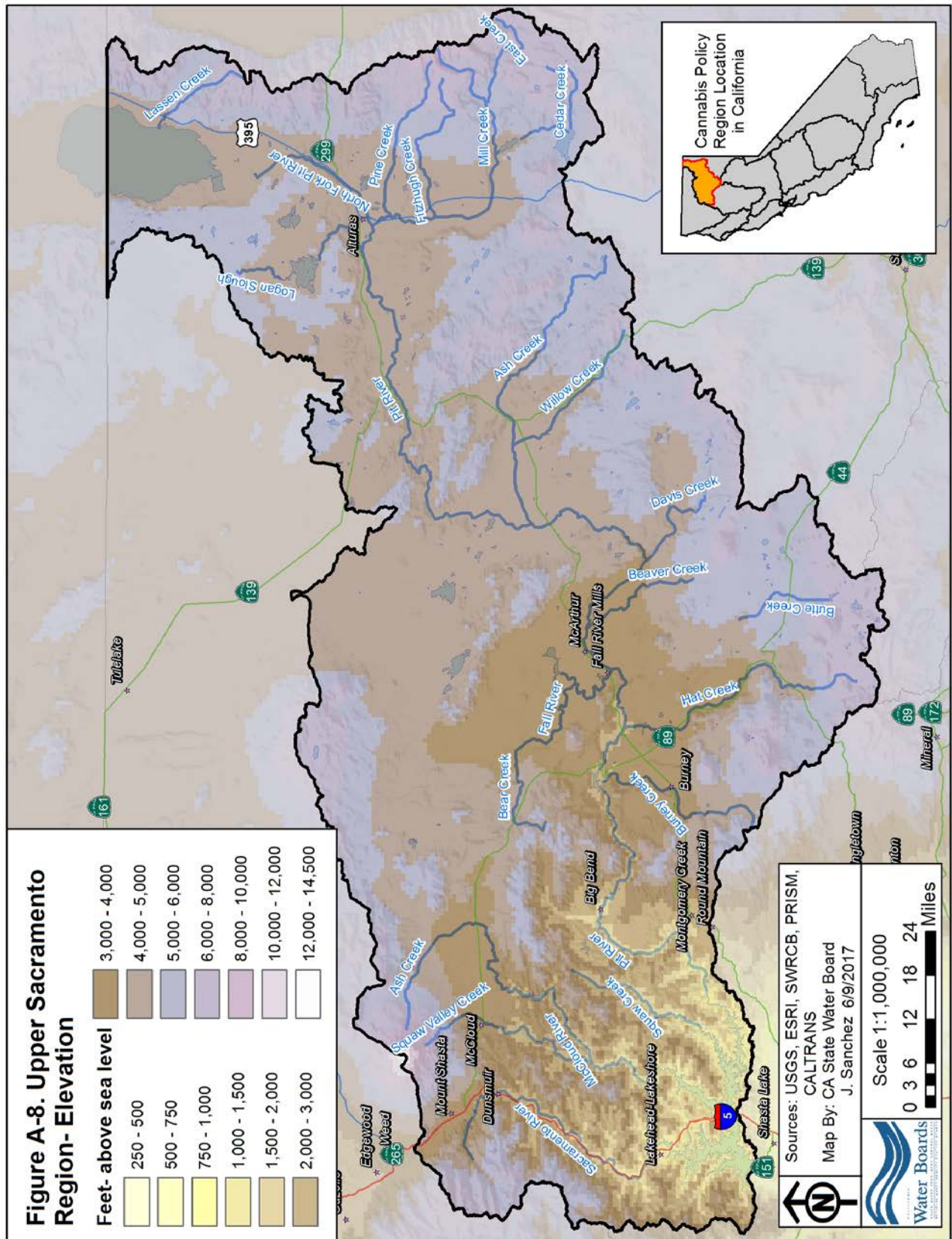
The Upper Sacramento Region is primarily underlain by the Cascade Range geomorphic province in the western portion of the region, and by the Modoc Plateau geomorphic province in the eastern portion of the region. Very small areas of the Klamath Mountains and the Basin and Range geomorphic provinces are located at the western and eastern margins of the Upper Sacramento Region, respectively. (CGS 2002).

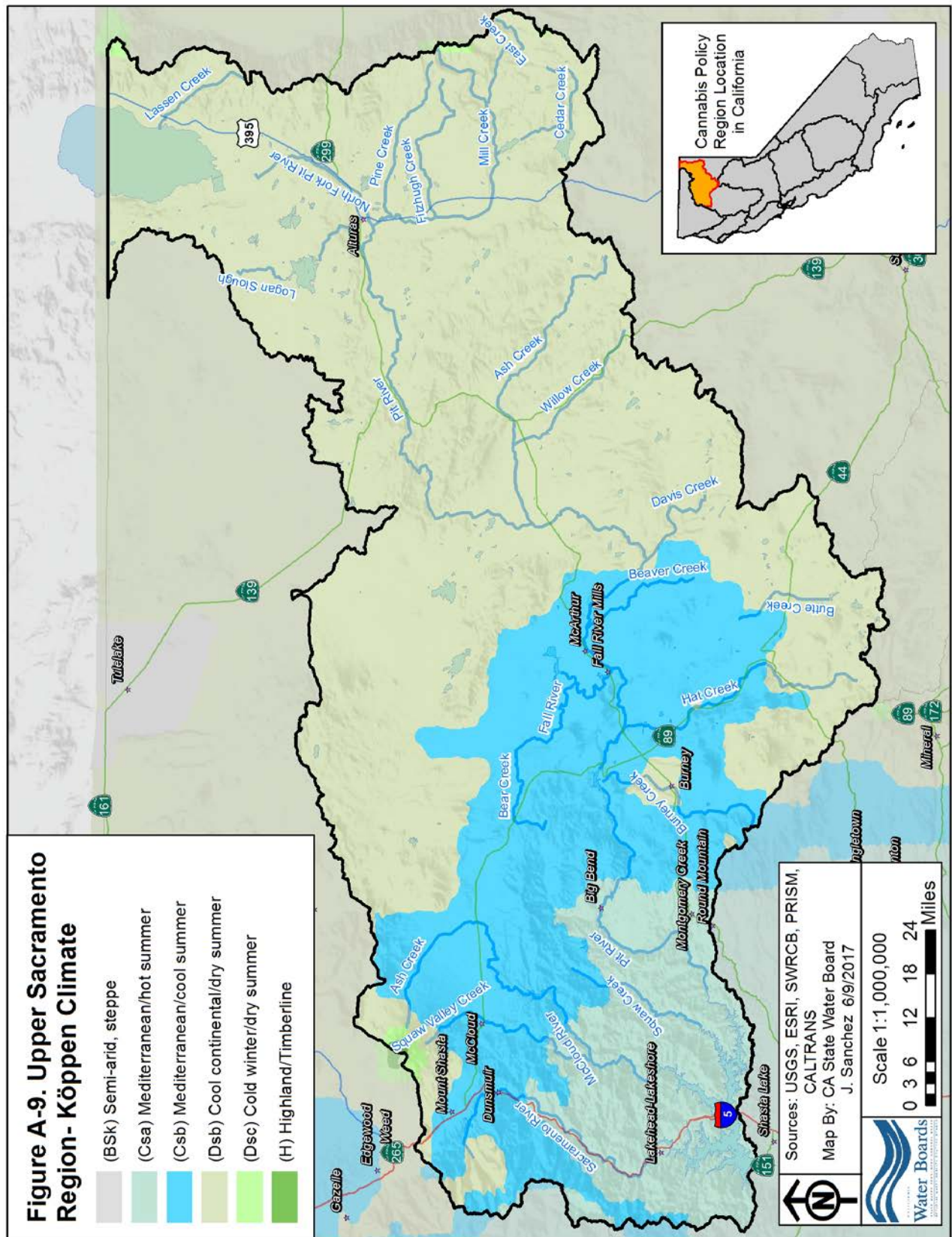
Volcanic geology dominates the Upper Sacramento Region. The Cascade Range geomorphic province is characterized by extrusive volcanic activity, and the active volcano Mount Lassen and the potentially active Mount Shasta are located on the boundaries of the Upper Sacramento Region. The Cascade Range is generally underlain by igneous rock, including lava flows, pyroclastic flows and alluvium eroded from volcanic features. The Modoc Plateau is a volcanic table land underlain by lava flows, tuff beds and small volcanic cones. Significant subterranean streamflows occur through porous volcanic features of the Modoc Plateau. (CGS 2002)

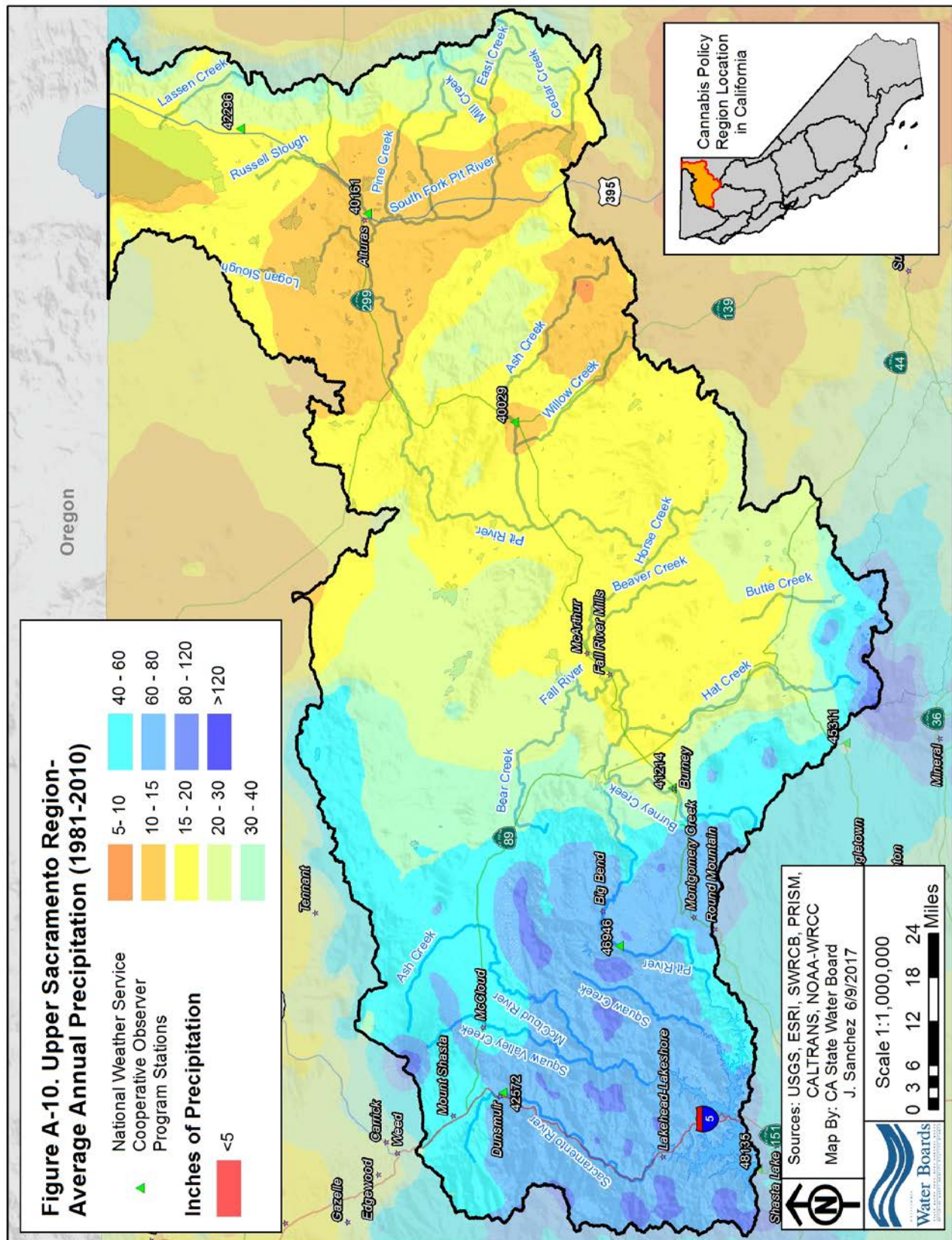
1.2.4 Anadromous Salmonid Population

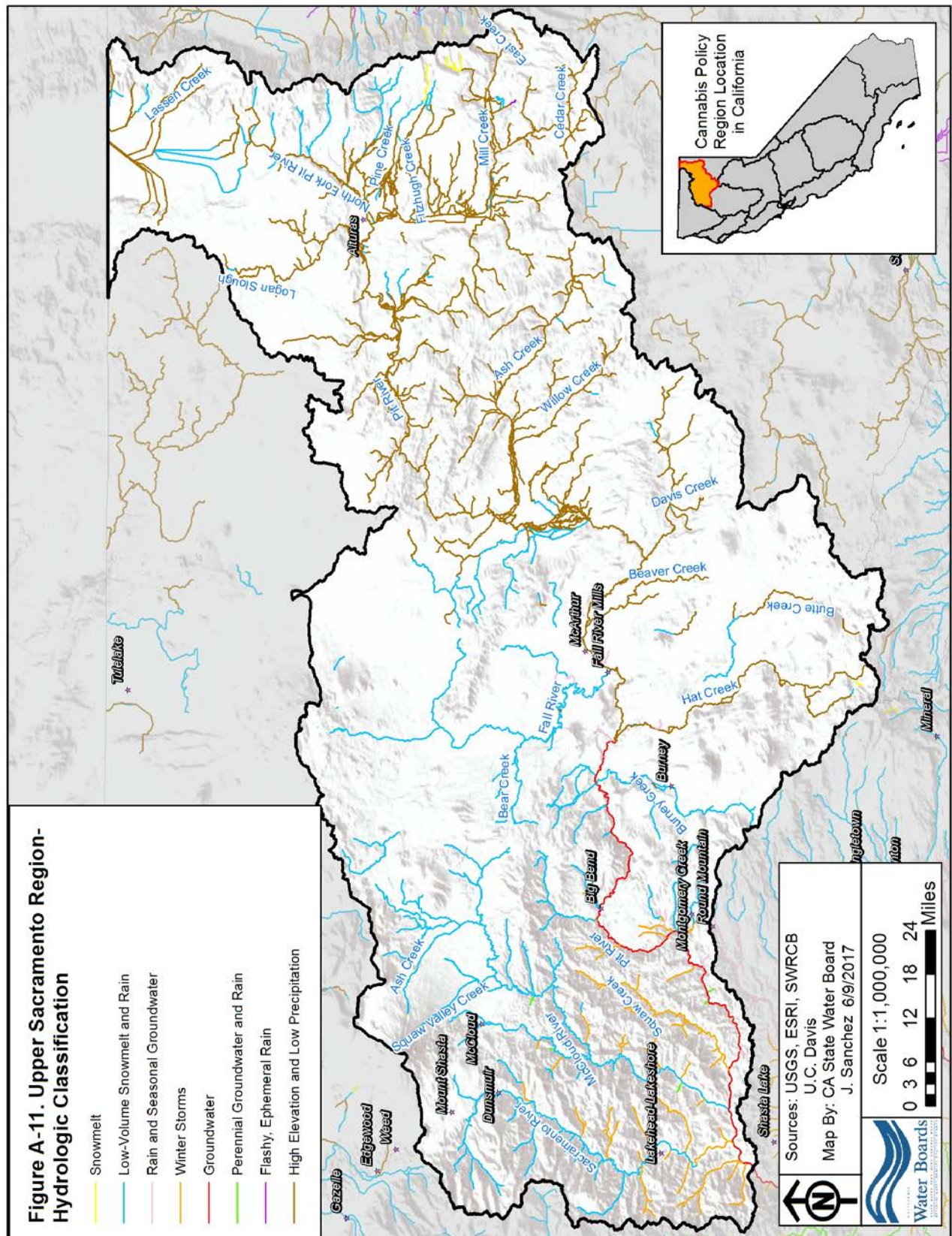
No anadromous salmonid populations are currently extant within the Upper Sacramento Region. Keswick Dam, located on the mainstem Sacramento River near Redding, currently blocks upstream migration into the Upper Sacramento Region. Historically, populations of Sacramento River Winter Run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley fall-run Chinook salmon, Central Valley late fall-run Chinook salmon, and California Central Valley steelhead inhabited the Upper Sacramento Region.











1.3 North Coast Region

The North Coast Region covers approximately 4,947 square miles along the northern coast of California, as shown in attached (Figure A-12). Elevations in the North Coast Region range from sea level to over 7,000 feet along the eastern margin of the region; please refer to (Figure A-13) for an elevation map of the North Coast Region. The North Coast Region includes the major watersheds of Redwood Creek in the north, the Mad River near the middle of the region, and the Eel River and its tributaries in the south.

1.3.1 Climate and Precipitation

The climate of the North Coast Region is described as Mediterranean, with dry summers and moist to wet winters. Please refer to (Figure A-14) for a climatic map of the North Coast Region.

Precipitation and temperatures patterns vary within the North Coast Region based on proximity to the coast and on elevation. Temperatures in coastal areas of the North Coast Region are generally less variable compared to temperatures in areas further inland, and the ocean influence in the coastal areas tends to buffer temperature variations. Temperatures also tend to be cooler overall at higher elevation in the North Coast Region compared to lower elevations. Average annual maximum temperatures in the North Coast Region range from over 60 degrees Fahrenheit near the coast to over 70 degrees Fahrenheit inland, with slightly cooler maximum temperatures at the higher elevations. Average annual minimum temperatures in the North Coast Region range from below 40 degrees Fahrenheit at high elevations to below 50 degrees Fahrenheit in coastal areas and at lower elevation areas further inland.

The North Coast Region tends to receive precipitation during the months of October through May, and typically receives the largest amounts of precipitation in December and January. Average annual precipitation in the North Coast Region ranges from 40 inches in valleys and at lower elevations to over 120 inches in the Coast Range mountains. Precipitation falls primarily as rain in the North Coast Region, although small amounts of snow occasionally fall at peak elevations. (WRCC 2016)

Please refer to (Figure A-15) for a precipitation map of the North Coast Region. Please refer to Chart A-6 below, for an illustration of typical precipitation and temperature patterns in the North Coast Region.

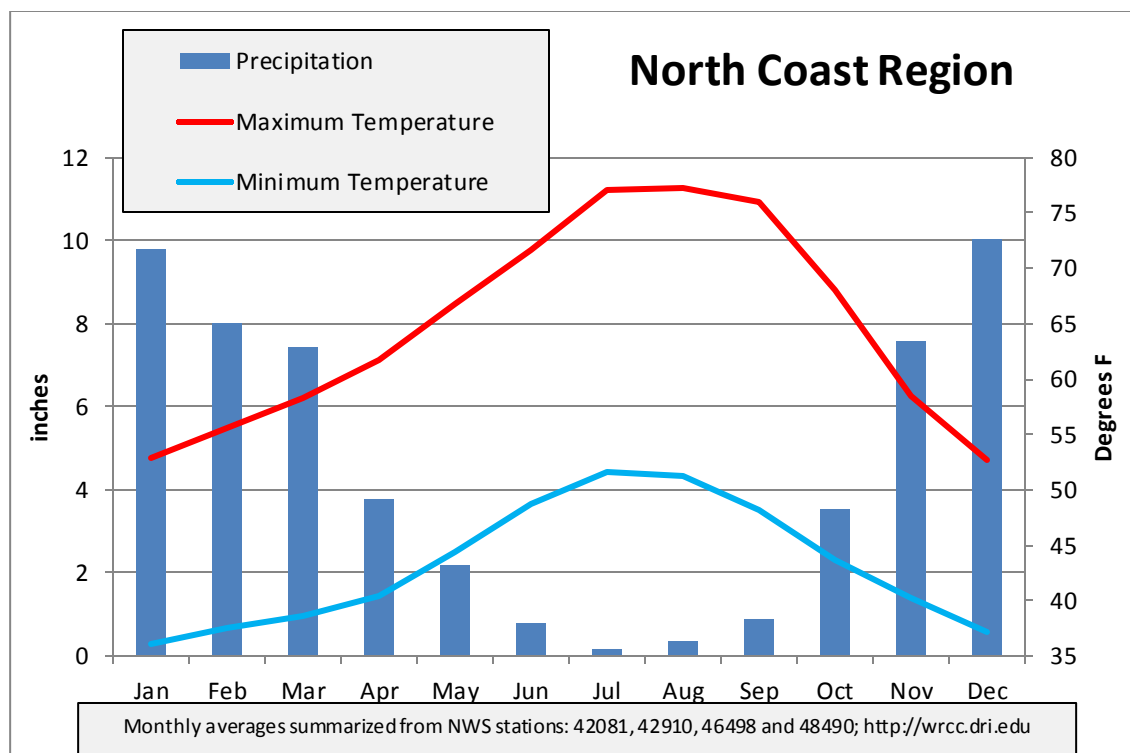


Chart A-5. Average annual patterns of temperature and precipitation in the North Coast Region.

1.3.2 Hydrology

The North Coast Region contains many stream reaches that are hydrologically classified as Winter Storm (WS) systems, although several other UC Davis hydrologic classifications exist for stream reaches in the North Coast Region. WS stream reaches are generally found at lower elevations in the North Coast Region. Several additional hydrologic classifications are also present in the North Coast Region. Many higher elevation stream reaches fall into the Low-Volume Snowmelt and Rain (LSR) class. Some stream reaches in the southern portion of the North Coast Region are hydrologically classified under the Flashy, Ephemeral Rain (FER) classification. Finally, a smaller number of stream reaches located throughout the North Coast Region fall into the Perennial Groundwater and Rain (PGR) stream class. Please refer to (Figure A-16) for a hydrologic classification map for the North Coast Region. (Lane et al 2016).

1.3.3 Geology

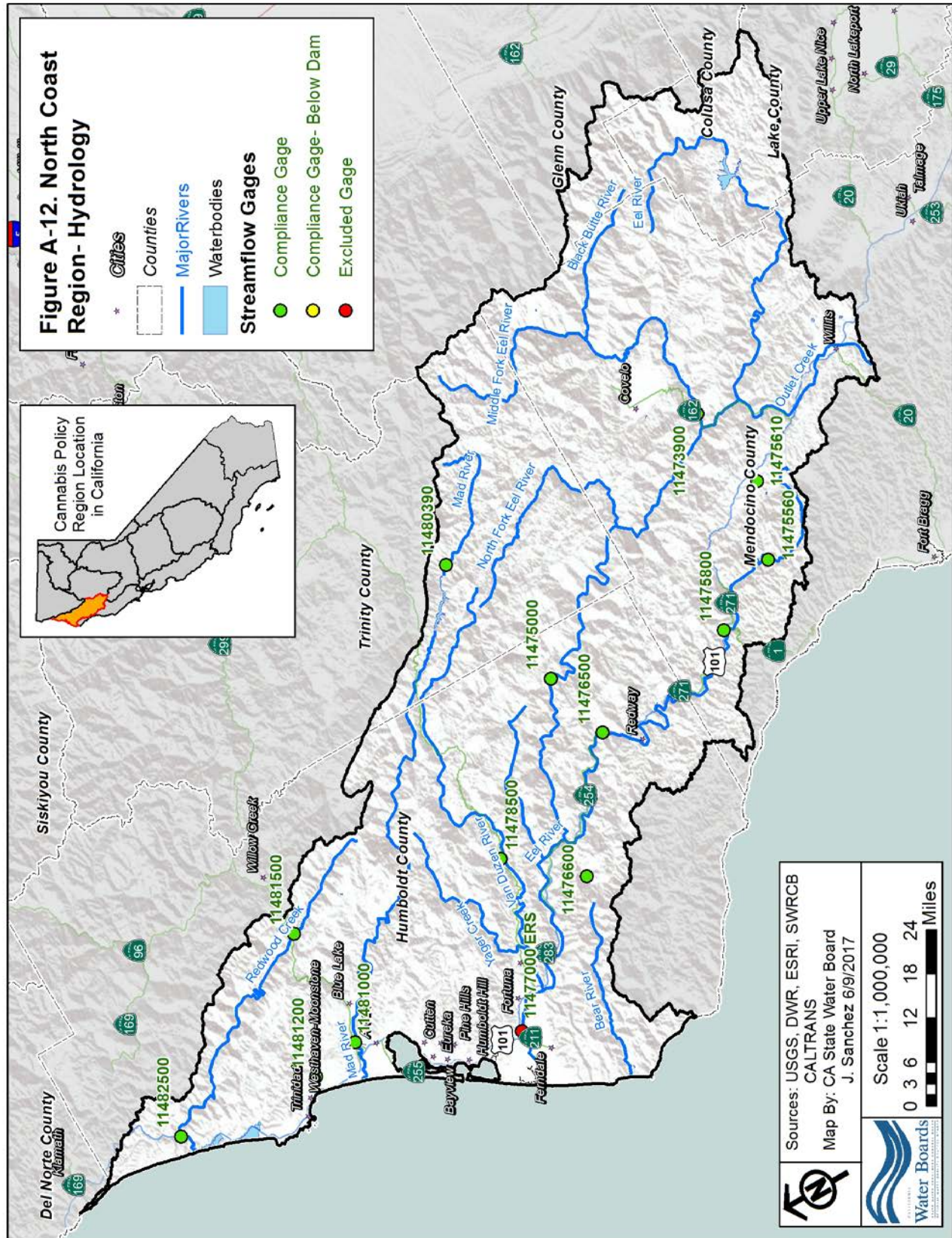
The North Coast Region is located in the Coast Ranges geomorphic province. The San Andreas Fault is a prominent feature in the Coast Ranges and is the driving force responsible for much of the existing topography. The Coast Ranges in the North Coast Region are dominated by irregular, knobby, landslide topography. The North Coast Region is comprised of sedimentary and metamorphic rock, with areas of unconsolidated alluvium in valley floors and along the coastline. (CGS 2002) The region also contains soft, easily eroded soils, allowing the rivers to carry high sediment loads and carve extensive floodplains that support riparian habitats.

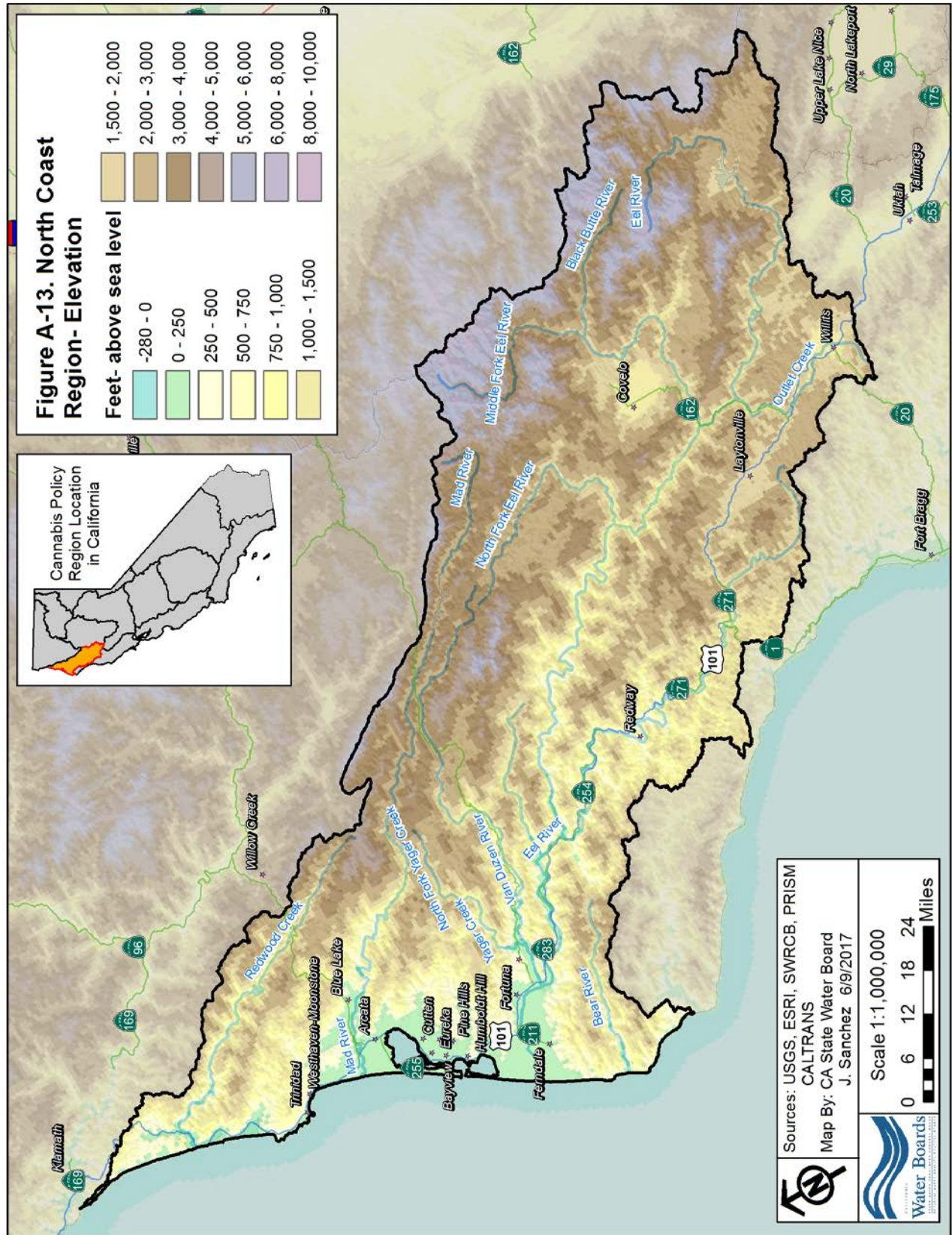
1.3.4 Anadromous Salmonid Population

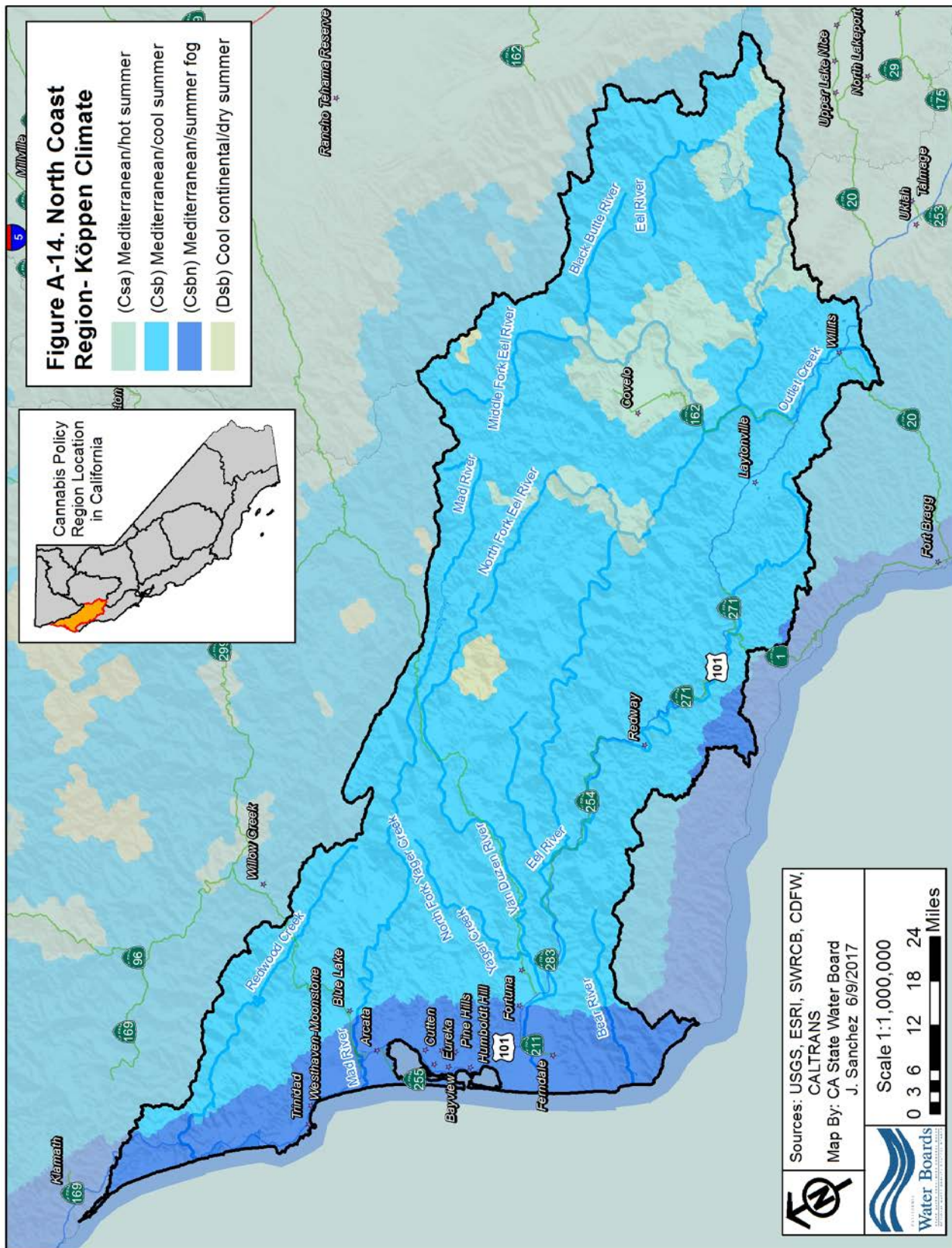
Three special-status ESUs, DPSes, or DTEs are currently extant within the North Coast Region (Figure A-17):

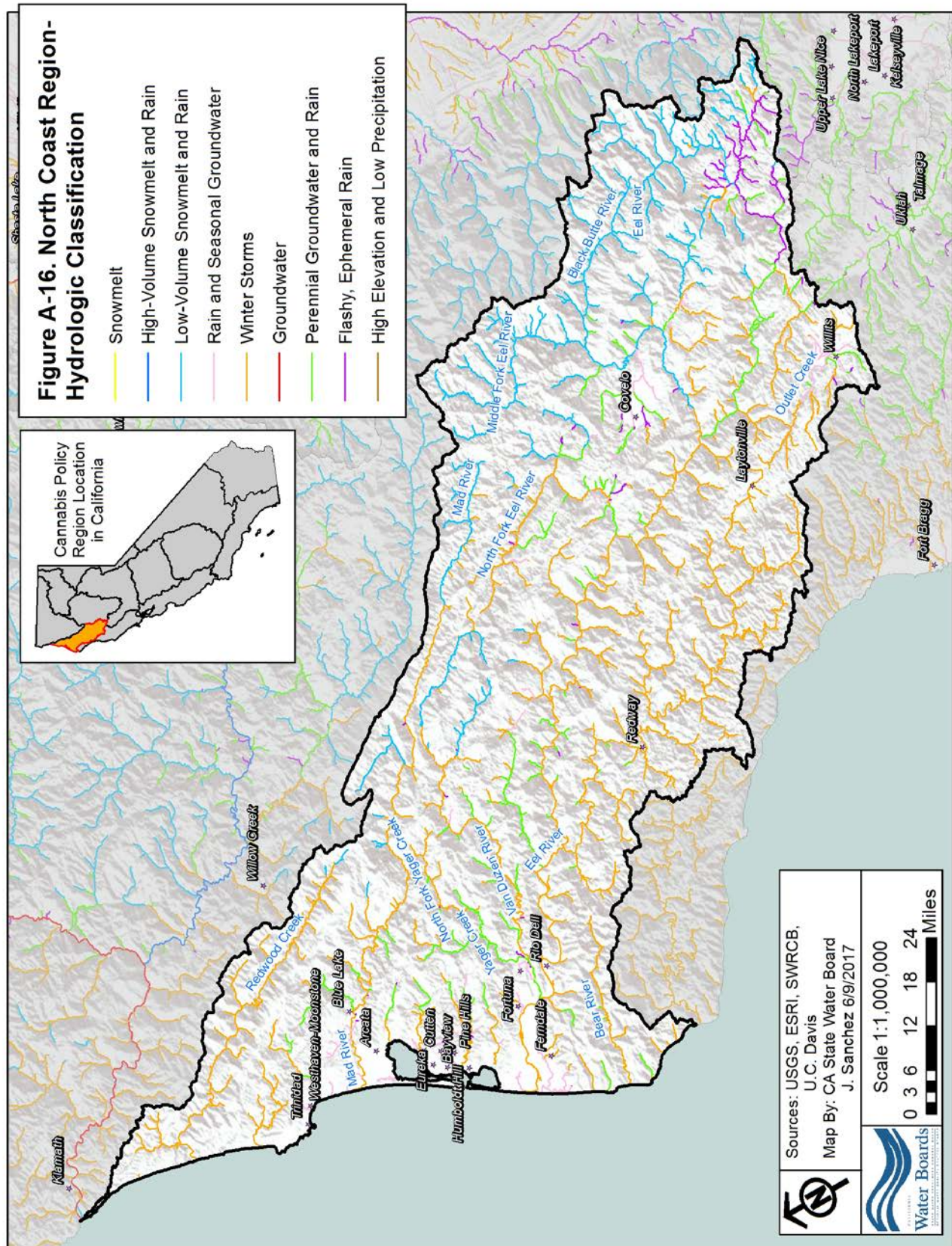
- the California Coastal (CC) Chinook salmon ESU,
- the Northern California (NC) steelhead DPS, and
- the SONCC coho salmon ESU.

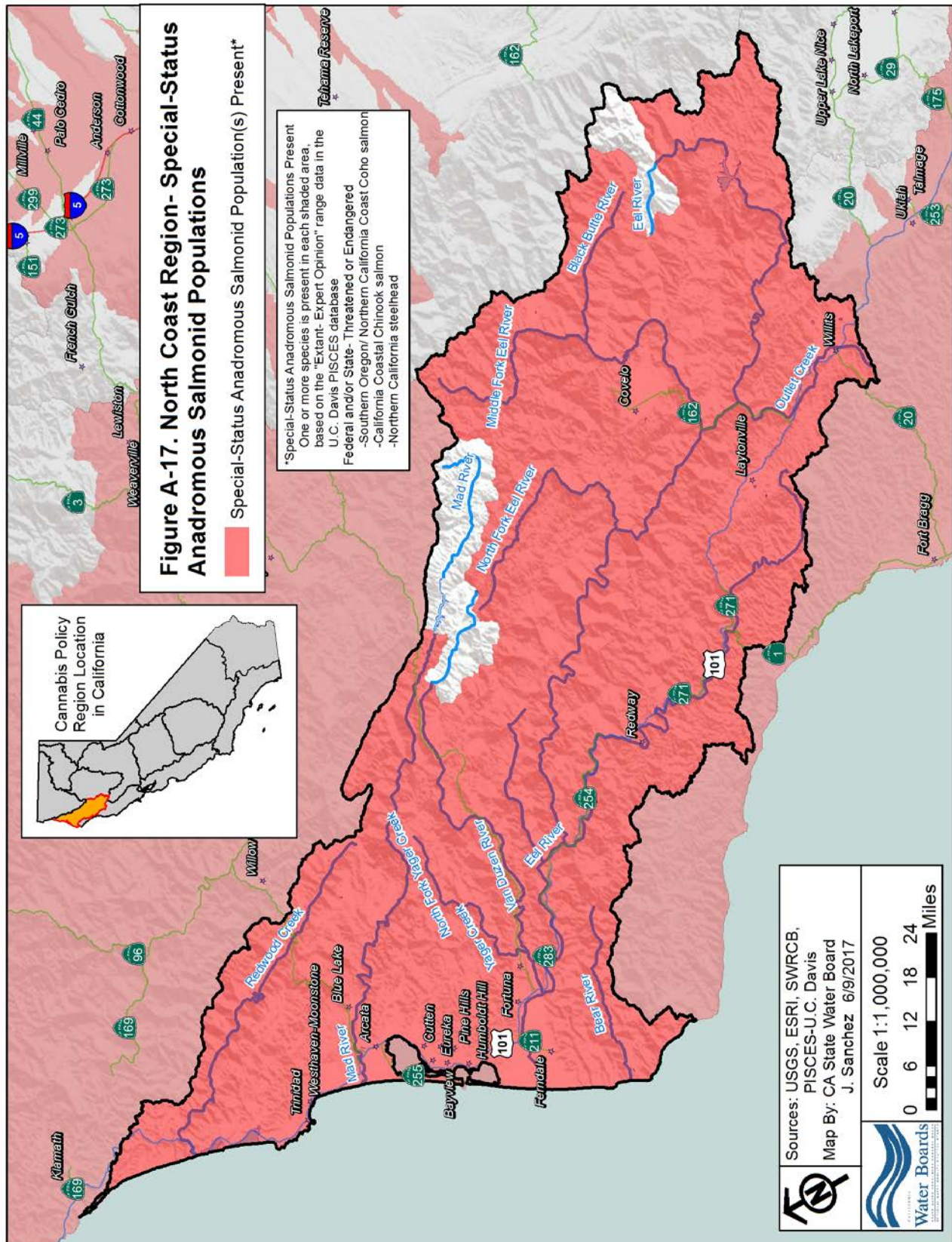
The CC Chinook salmon ESU, NC steelhead DPS, and SONCC coho salmon ESU are all currently listed as threatened under the ESA (CDFW 2017b). In addition, the SONCC coho salmon ESU is currently listed as threatened under the CESA (CDFW 2017b).











1.4 Middle Sacramento Region

The Middle Sacramento Region covers approximately 8,562 square miles in northern and central California, as shown in attached (Figure A-18). Elevations in this region range from 40 feet near Knights Landing and the confluence of the Sacramento and Feather Rivers, to over 10,400 feet at the peak of Mount Lassen; please refer to (Figure A-19) for an elevation map of the Middle Sacramento Region. The Middle Sacramento Region contains the Coast Ranges in the western portion of the region, the Central Valley in the center of the region, and the Cascade Range in the eastern portion of the region. The Middle Sacramento Region also contains the Sutter Buttes. A portion of the Sacramento River watershed is located in this region, including several significant Sacramento River tributaries. Clear Creek, Cottonwood Creek, Thomas Creek, and Stony Creek drain the east side of the Coast Ranges and Klamath Mountains, and enter the Sacramento River from the west. Battle Creek, Antelope Creek, Mill Creek, Deer Creek, Big Chico Creek, and Butte Creek drain the west side of the Sierra Nevada and Cascade Range, and enter the Sacramento River from the east.

1.4.1 Climate and Precipitation

The Middle Sacramento Region is characterized by a Mediterranean climate, with hot summers and moist to wet winters. Please refer to (Figure A-20) for a climatic map of the Middle Sacramento Region. In general, lower elevation areas in the Middle Sacramento Region exhibit higher average annual maximum and higher average annual minimum temperatures compared to higher elevation areas. At lower elevations and in the northern portion of this region, average annual maximum temperatures exceed 75 degrees Fahrenheit, while average annual maximum temperatures exceed 50 degrees Fahrenheit at high elevation areas in this region. Average annual minimum temperatures tend to drop below 50 degrees Fahrenheit in the Central Valley portion of the Middle Sacramento Region, while average annual minimum temperatures at higher elevation areas in the Middle Sacramento Region drop below freezing.

In the Middle Sacramento Region, precipitation tends to fall from October through April. The majority of precipitation in this region falls as rain, and significant snowfall tends to fall only at the high elevation margins of the region. Average annual precipitation amounts vary significantly within the Middle Sacramento Region, and the northern portion of the Middle Sacramento Region tends to receive a larger amount of precipitation compared to the southern portion of the region. Over 120 inches of annual precipitation tends to fall near Mount Lassen in the northern portion of the region, while under 20 inches of annual precipitation tends to fall in the southern portion of the region, south of the Sutter Buttes.

Please refer to (Figure A-21) for a precipitation map of the Middle Sacramento Region. Please refer to Chart A-6 and A-7, below, for illustrations of typical precipitation patterns in the northern and southern portions of the Middle Sacramento Region.

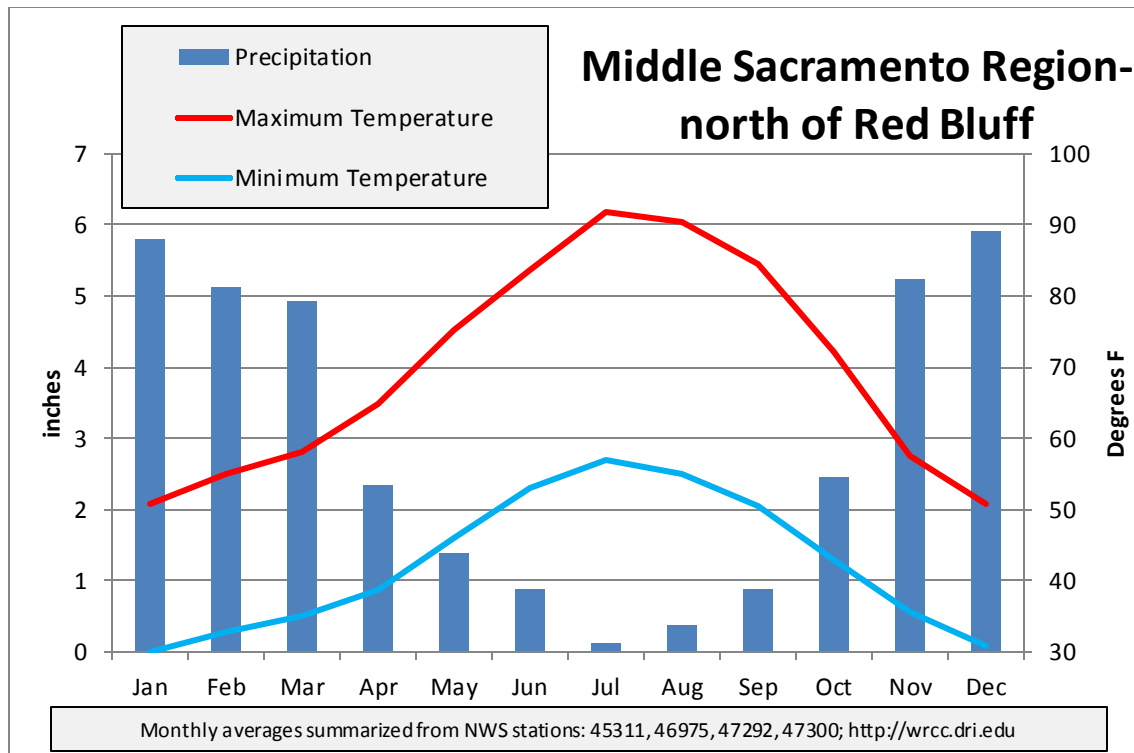


Chart A-6. Average annual patterns of temperature and precipitation in the Middle Sacramento Region, north of Red Bluff.

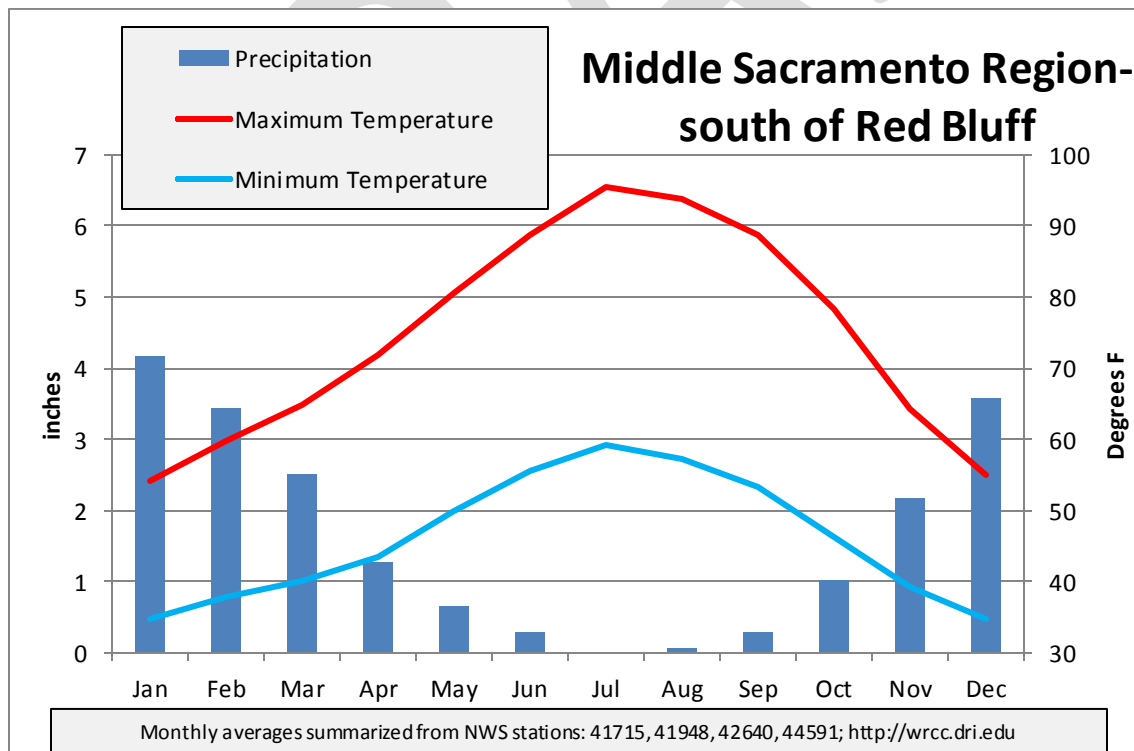


Chart A-7. Average annual patterns of temperature and precipitation in the Middle Sacramento Region, south of Red Bluff.

1.4.2 Hydrology

The hydrology of Middle Sacramento Region streams varies greatly from west to east, and several UC Davis hydrologic classifications exist for stream reaches in this region. The eastern and western margins of the Middle Sacramento Region, which correspond to high elevation mountains, are dominated by Low-Volume Snowmelt and Rain (LSR) stream reaches. The central portion of the region, which corresponds to the Sacramento Valley, contains many Winter Storms (WS) stream reaches. Additionally, Perennial Groundwater and Rain (PGR) stream reaches are located primarily in the northwestern portion of the Middle Sacramento Region, and correspond with mid-elevation areas in the Coast Ranges. Finally, Rain and Seasonal Groundwater (RSG) stream reaches are located at mid-elevation areas in the northern Cascade Range. Other UC Davis hydrologic classifications also exist in the Middle Sacramento Region in smaller numbers. Please refer to (Figure A-22) for a stream classification map of the Middle Sacramento Region. (Lane et al 2016)

1.4.3 Geology

The Middle Sacramento Region is located in the Coast Ranges, Great Valley, and Cascade Range geomorphic provinces. The Cascade Range geomorphic province, located in the northeastern portion of the Middle Sacramento Region, is characterized by extrusive volcanic activity, and the active volcano Mount Lassen is located on the edge of the Middle Sacramento Region. The Cascade Range is generally underlain by igneous rock, including lava flows, pyroclastic flows, and alluvium eroded from volcanic features. The Great Valley geomorphic province, located in the Central Valley and in the middle portion of the Middle Sacramento Region, contains a large alluvial plain and unconsolidated sedimentary deposits. The Coast Ranges, located in the western portion of the Middle Sacramento Region, contain irregular, knobby, landslide topography. The Coast Ranges are primarily comprised of sedimentary and metamorphic rock, and alluvial deposits in valley areas. (CGS 2002)

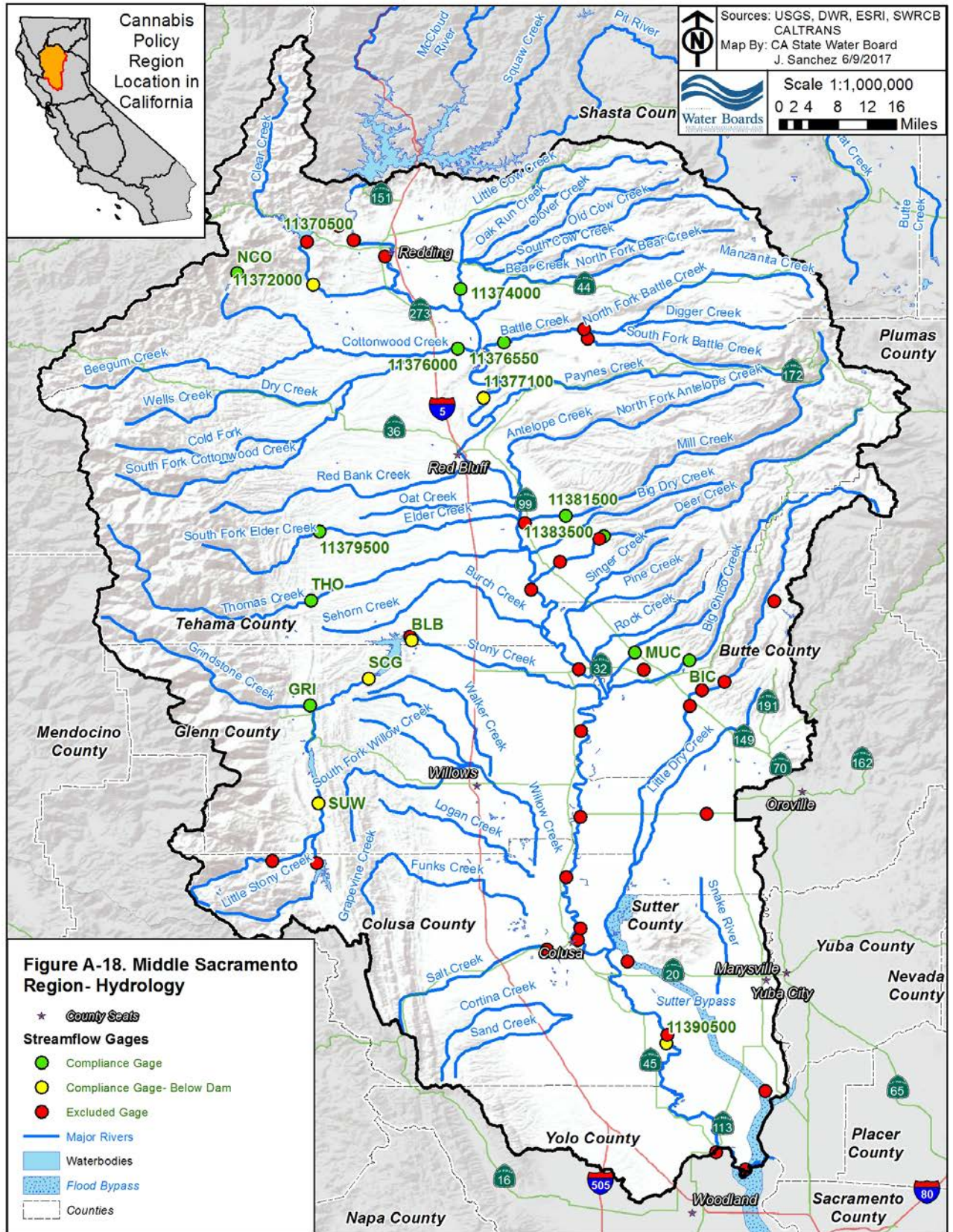
1.4.4 Anadromous Salmonid Population

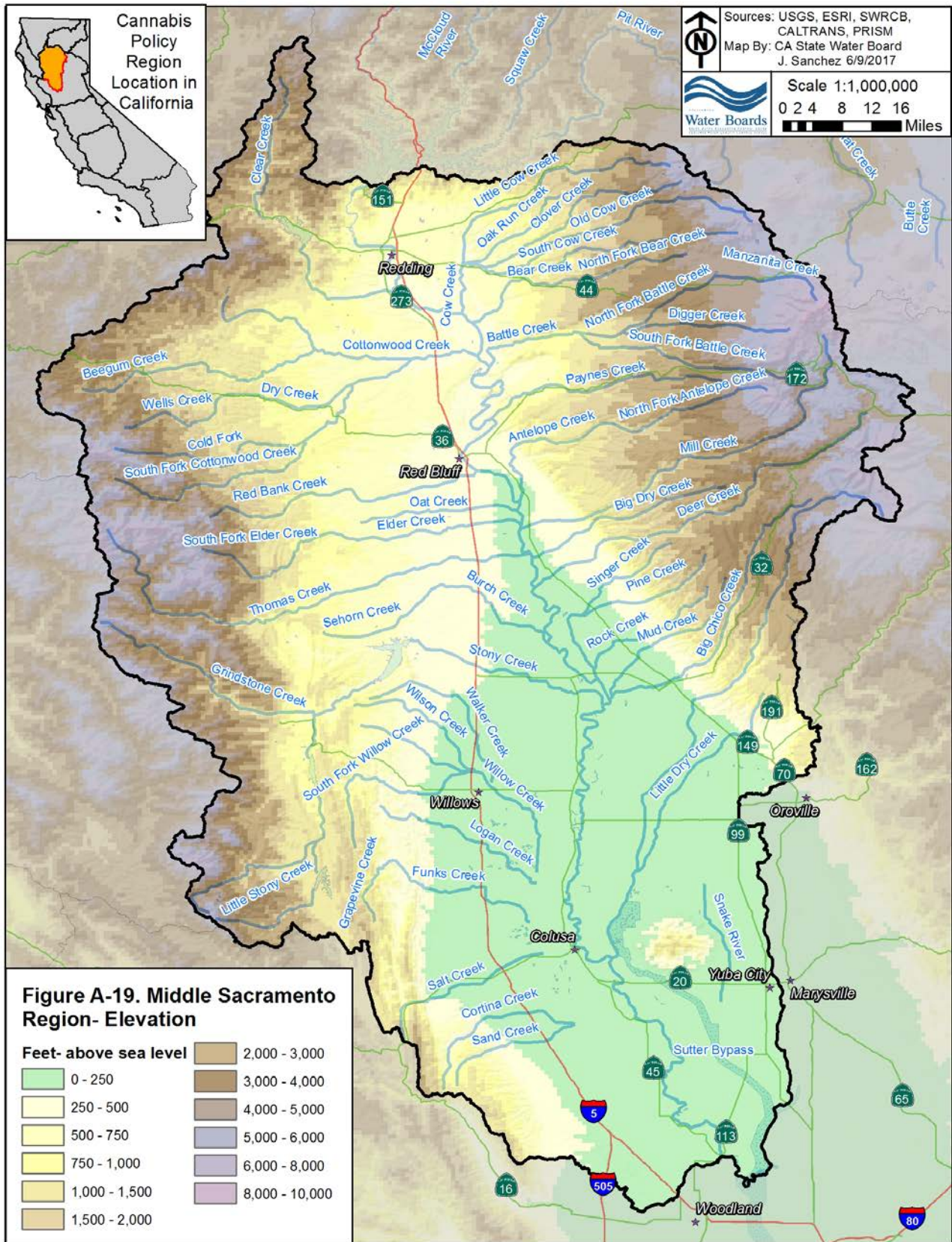
Five special-status ESUs, DPSes, or DTEs are currently extant within the Middle Sacramento Region (Figure A-23):

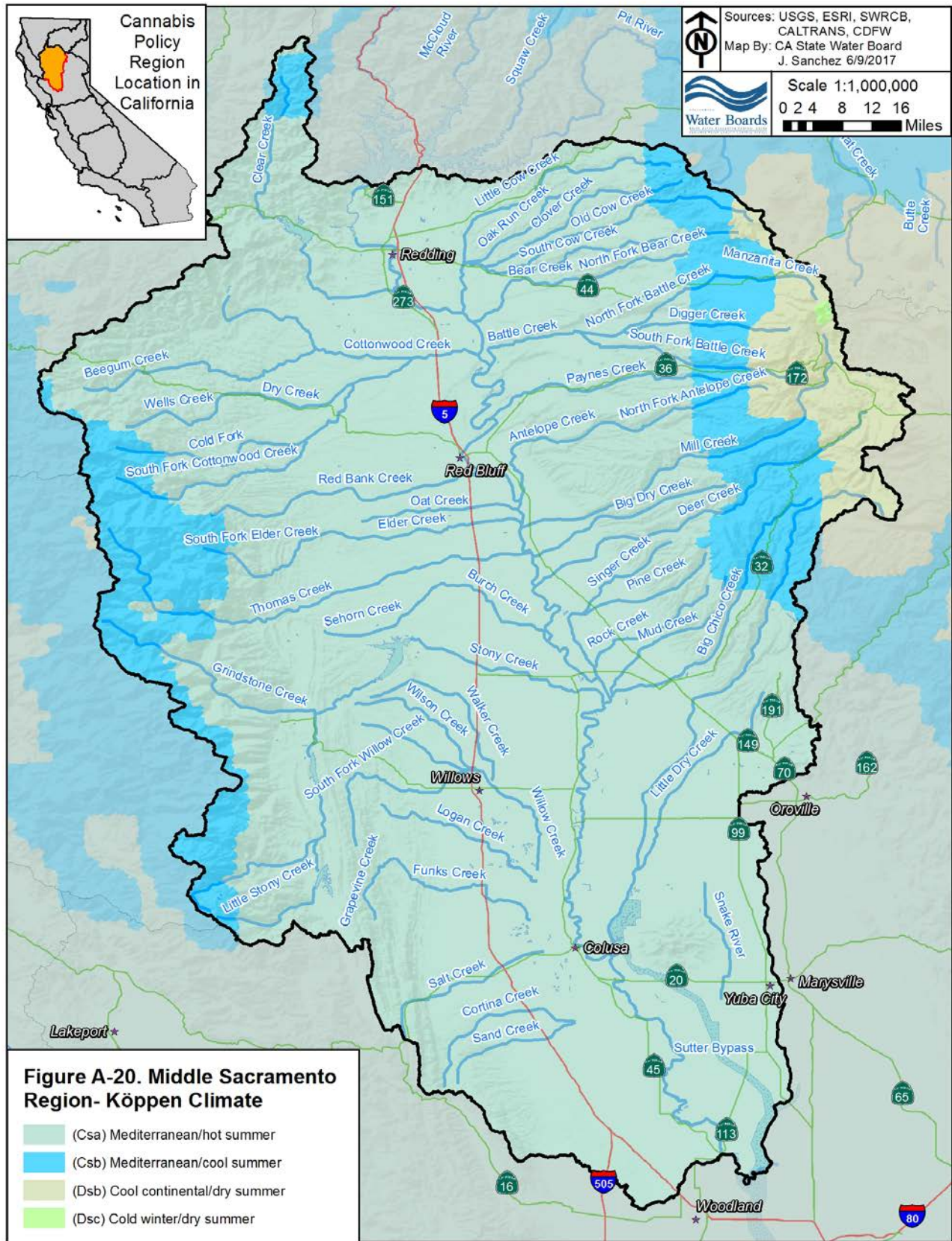
- the Sacramento River winter-run (SRWR) Chinook salmon ESU,
- the Central Valley spring-run (CV SR) Chinook salmon ESU,
- the Central Valley fall-run (CV FR) Chinook salmon DTE⁴,
- the Central Valley late fall-run (CV LFR) Chinook salmon DTE, and
- the California Central Valley (CCV) steelhead DPS.

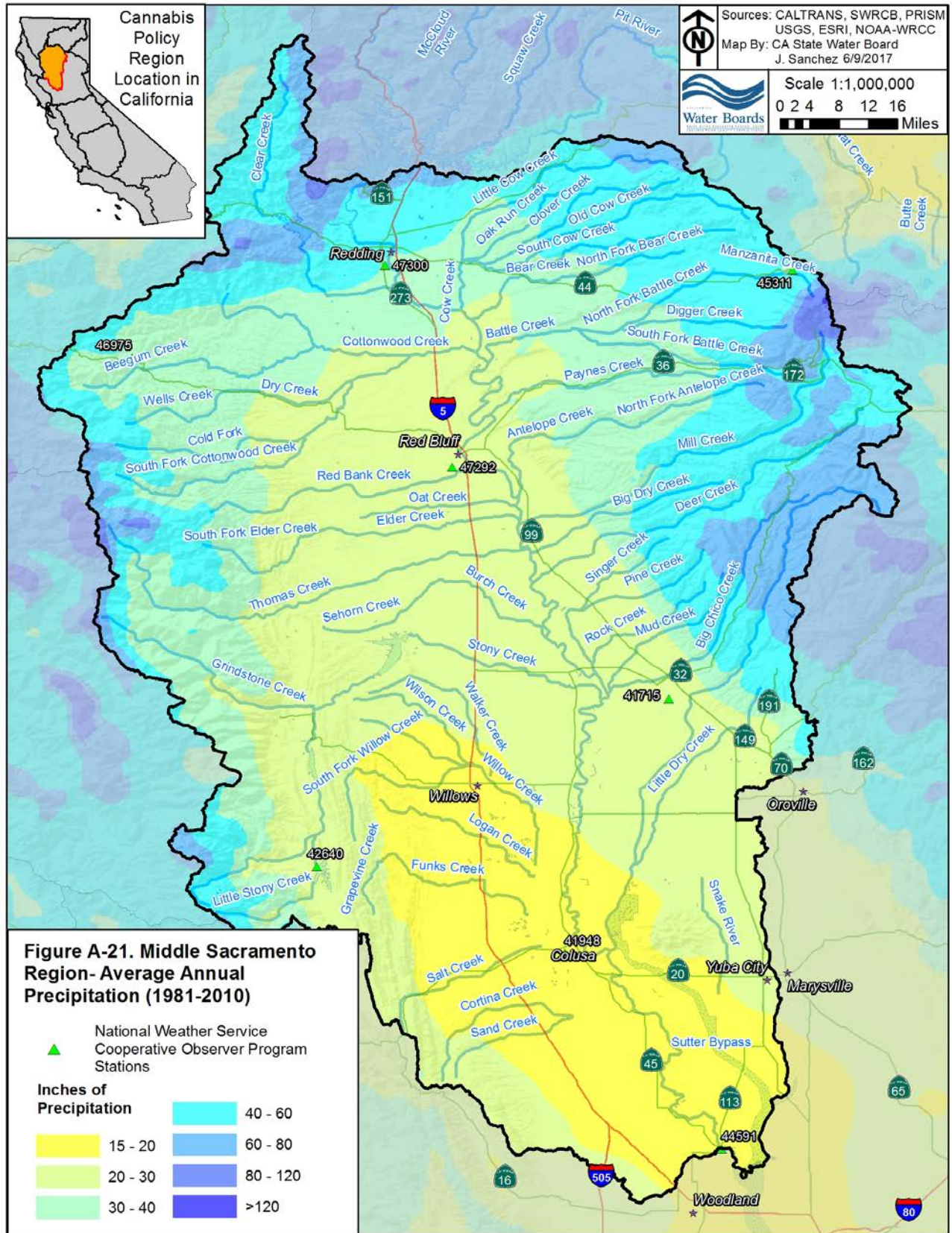
The SRWR Chinook salmon ESU is currently listed as endangered under the ESA and the CESA (CDFW 2017b). The CV SR Chinook salmon ESU and the CCV steelhead DPS are currently listed as threatened under the ESA (CDFW 2017b). The CV SR Chinook salmon ESU is also listed as threatened under the CESA (CDFW 2017b). The CV FR and CV LFR Chinook salmon populations are each listed as species of special concern by CDFW and, jointly, as a species of concern by NMFS (Moyle et al. 2015, NMFS 2017).

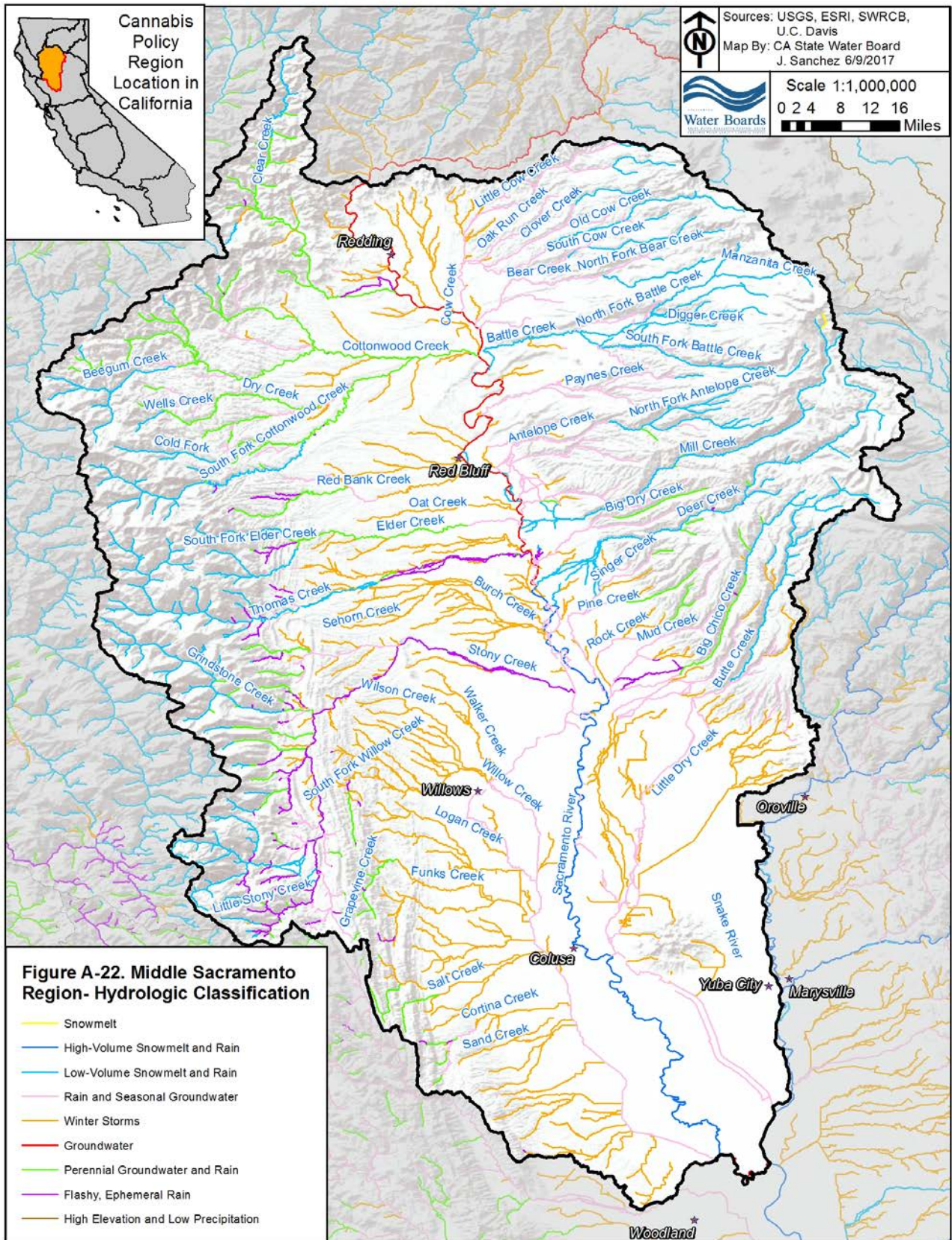
⁴ CV FR and CV LFR Chinook salmon together constitute a single ESU; however, CDFW treats the two runs as distinct taxonomic entities based upon their distinct life-history strategies and in consideration of the unique management concerns of each run (Moyle et al. 2015).

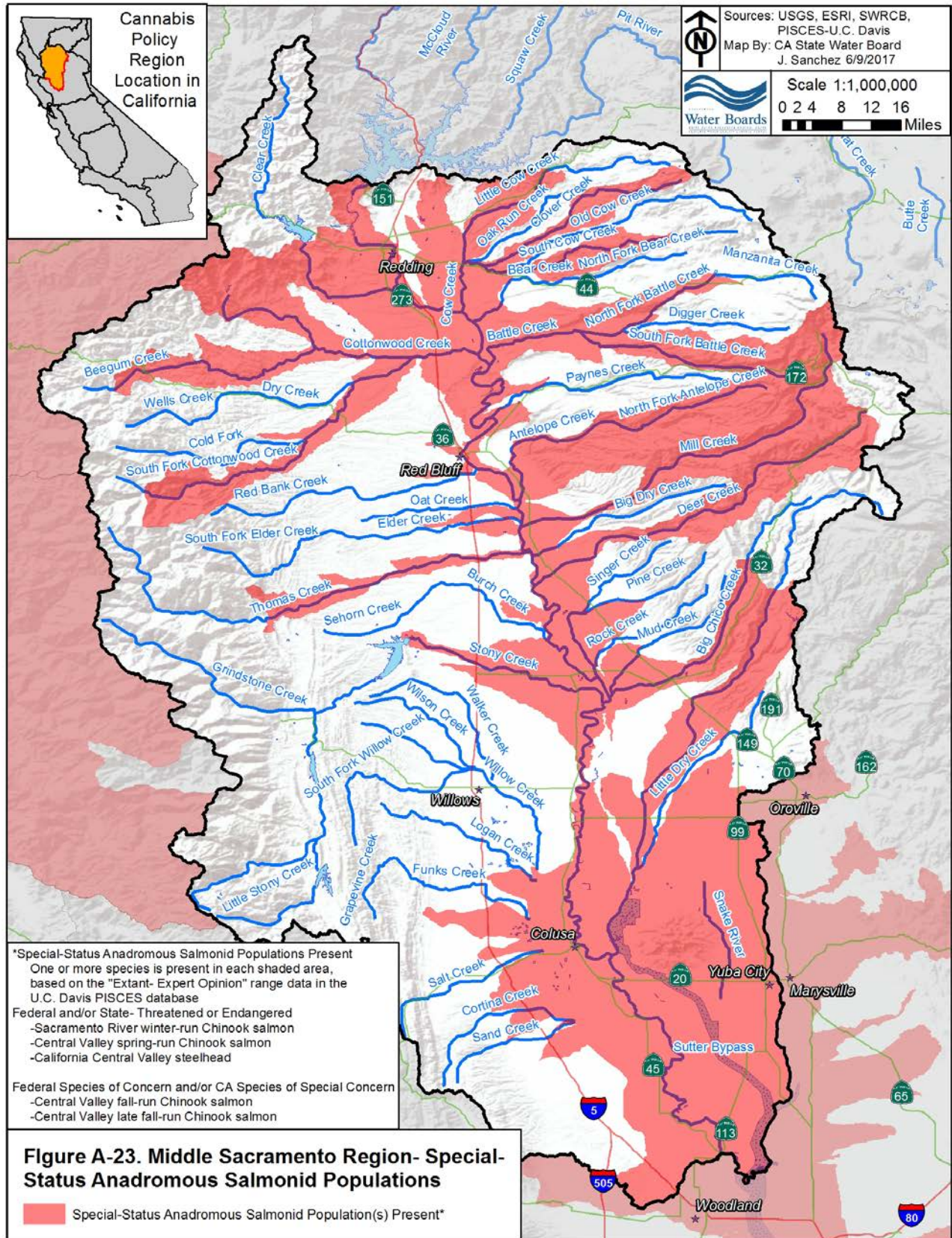












1.5 South Sacramento Region

The South Sacramento Region covers approximately 14,195 square miles in central California, as shown in attached (Figure A-24). Elevations in this region range from below sea level in the Sacramento-San Joaquin River Delta, to over 8,000 feet along the crest of the Sierra Nevada mountains; please refer to over 10,400 feet at the peak of Mt. Lassen (Figure A-25) for an elevation map of the region. The Middle Sacramento region includes the lower Sacramento River watershed, from its confluence with the Feather River to confluence of the Sacramento-San Joaquin River Delta and the San Francisco Bay. Several major tributaries to the Sacramento River are located in this region, including Putah Creek and Cache Creek, which drain the eastern side of the Coast Ranges and enter the Sacramento River from the west, and the Feather, Yuba, and American Rivers, which drain the western side of the Sierra Nevada and enter the Sacramento River from the east.

1.5.1 Climate and Precipitation

The climate of the South Sacramento Region varies with elevation, and generally grades from west to east. There are significant climatic, temperature, and precipitation differences between the Coast Ranges, Central Valley, western side of the Sierra Nevada mountains, and eastern side of the Sierra Nevada mountains. The Coast Ranges and Central Valley, located in the western and central portion of the South Sacramento Region, are characterized by a Mediterranean climate with hot summers. The Sierra Nevada foothills, located to the east of the Central Valley, are characterized by a Mediterranean climate with cool summers. The northern and eastern margins of the Sierra Nevada mountains are characterized as cool continental with dry summers. Please refer to (Figure A-26) for a climatic map of the South Sacramento Region.

In general, the western portion of the South Sacramento Region, which includes the Coast Ranges and Central Valley, exhibit higher average annual maximum and higher average annual minimum temperatures compared to the eastern portion of the region, which includes the Sierra Nevada. The western portion of the Sierra Nevada mountains also exhibits higher average annual maximum and higher average annual minimum temperatures compared to the eastern portion of the Sierra Nevada mountains. Average annual maximum temperatures in the Central Valley and Coast Ranges portions of the South Sacramento Region tend to exceed 75 degrees Fahrenheit, while average annual maximum temperatures at higher elevations in the Sierra Nevada mountains tend to exceed 50 degrees Fahrenheit. Average annual minimum temperatures tend to remain above 45 degrees Fahrenheit throughout the Central Valley and Sierra Nevada foothills, while average annual minimum temperatures tend to remain below freezing at high elevation areas in the Sierra Nevada.

In the South Sacramento Region, precipitation generally falls from November through April. Average annual precipitation amounts in the South Sacramento Region vary greatly between the Coast Ranges, Central Valley, and Sierra Nevada mountains. Up to 60 inches of precipitation tends to fall annually in the Coast Ranges, less than 15 inches of precipitation tends to fall annually in the southern portion of the South Sacramento Region, and over 80 inches of precipitation tends to fall annually along the Sierra Nevada crest. East of the Sierra Nevada crest, less than 15 inches of precipitation tends to fall annually, which is a result of the rain shadow effect. Significant amounts of precipitation tend to fall as snow in the Sierra Nevada mountains, and snowfall depths are typically higher in the northern Sierra Nevada mountains compared to the southern Sierra Nevada mountains. Average snowfall totals in the Sierra Nevada mountain portion of the Southern Sacramento Region vary from nearly 190 inches at Mount Lassen, located at the northern boundary of the region, to nearly 400 inches at Echo Summit south of Lake Tahoe. (WRCC 2016)

Please refer to (Figure A-27) for a precipitation map of the Southern Sacramento Region. Please refer to Charts A-8, A-9 and A-10, below, for illustrations of the typical precipitation and temperature patterns across the region.

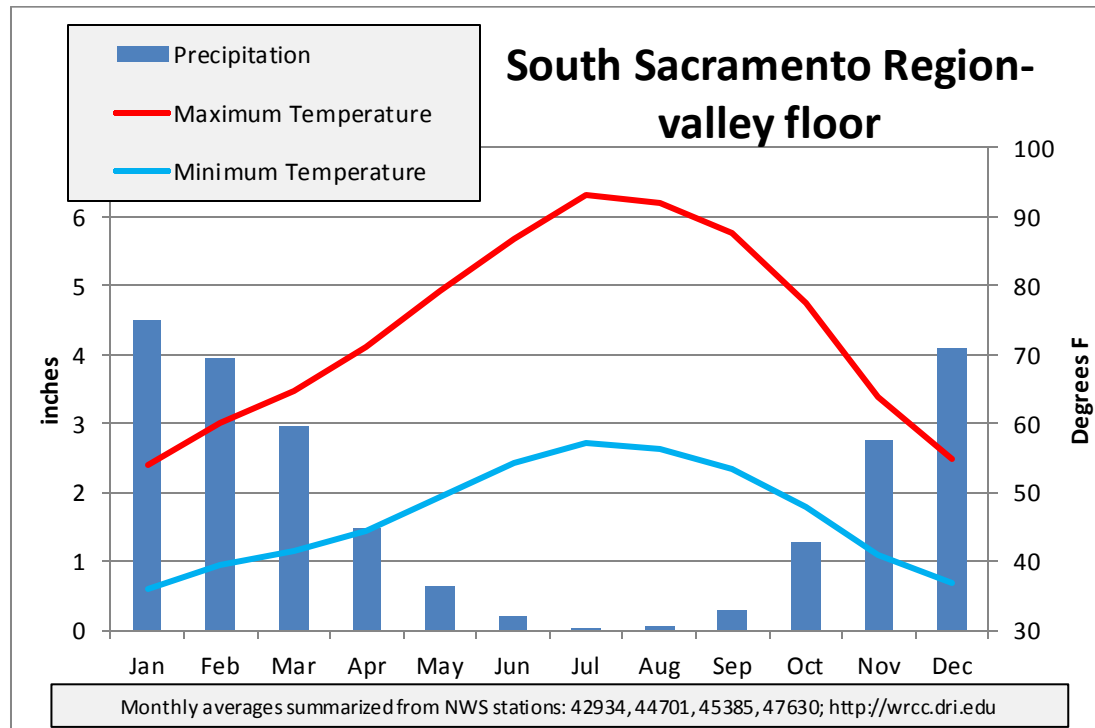


Chart A-8. Average annual patterns of temperature and precipitation in the South Sacramento Region, valley floor.

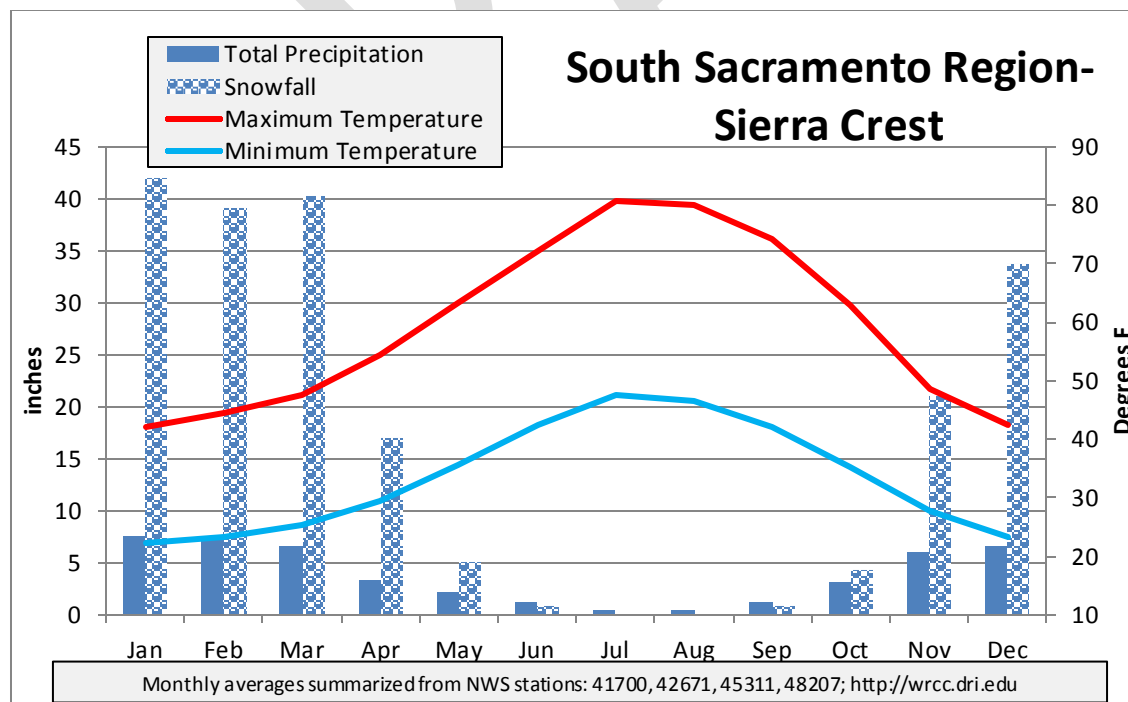


Chart A-9. Average annual patterns of temperature and precipitation in the South Sacramento Region, Sierra Crest.

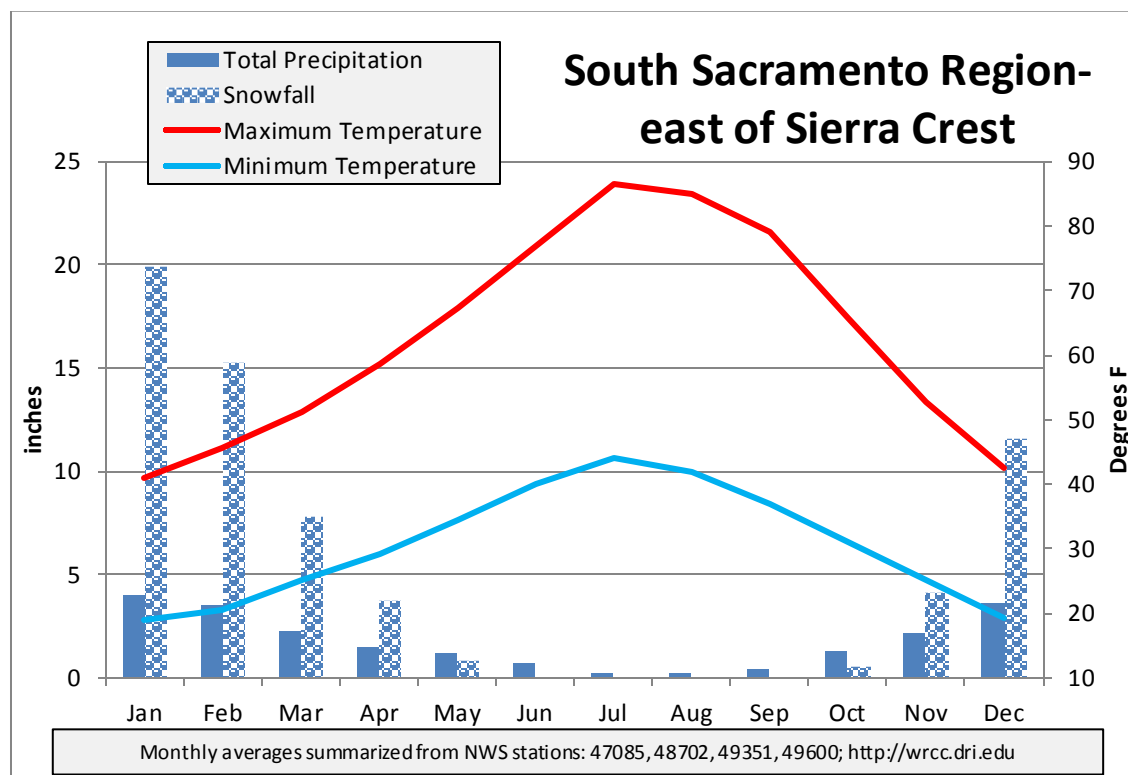


Chart A-10. Average annual patterns of temperature and precipitation in the South Sacramento Region, east of Sierra Crest.

1.5.2 Hydrology

The hydrology of South Sacramento Region stream reaches varies greatly from west to east, and several UC Davis hydrologic classifications exist for stream reaches in this region. Streams in the northwestern portion of the South Sacramento Region, which includes the Coast Ranges, are primarily classified as Rain and Seasonal Groundwater (RSG) or Perennial Groundwater and Rain (PGR) systems. The central portion of the South Sacramento Region, which includes the Central Valley and Sierra Nevada foothills, are dominated by Winter Storms (WS) and Rain and Seasonal Groundwater (RSG) systems. The eastern portion of the South Sacramento Region, which includes the Sierra Nevada, is dominated by Low-Volume Snowmelt and Rain (LSR) systems. Several main rivers, including the Sacramento River on the valley floor, are characterized as High-Volume Snowmelt and Rain (HSR) systems. Please refer to (Figure A-28) for a depiction of the stream classifications within the Southern Sacramento Region. (Lane et al 2016)

1.5.3 Geology

The South Sacramento Region is primarily located in the Coast Ranges, Great Valley, and Sierra Nevada geomorphic provinces. The Coast Ranges, located in the western portion of the South Sacramento Region, contain irregular, knobby, landslide topography. The Coast Ranges contain sedimentary and metamorphic rock, and alluvial deposits in valley areas. The Great Valley geomorphic province, located in the center of this region and corresponding to the Sacramento Valley, consists of a large alluvial plain. The Sierra Nevada geomorphic province, located in the eastern portion of this region, contains steep mountains underlain by a granitic batholith. The foothill region of the Sierra Nevada geomorphic province are comprised of

metamorphic rocks. Small portions of the northeastern portion of the South Sacramento Region are also located in the Cascade Range and the Basin and Range geomorphic provinces. (CGS, 2002)

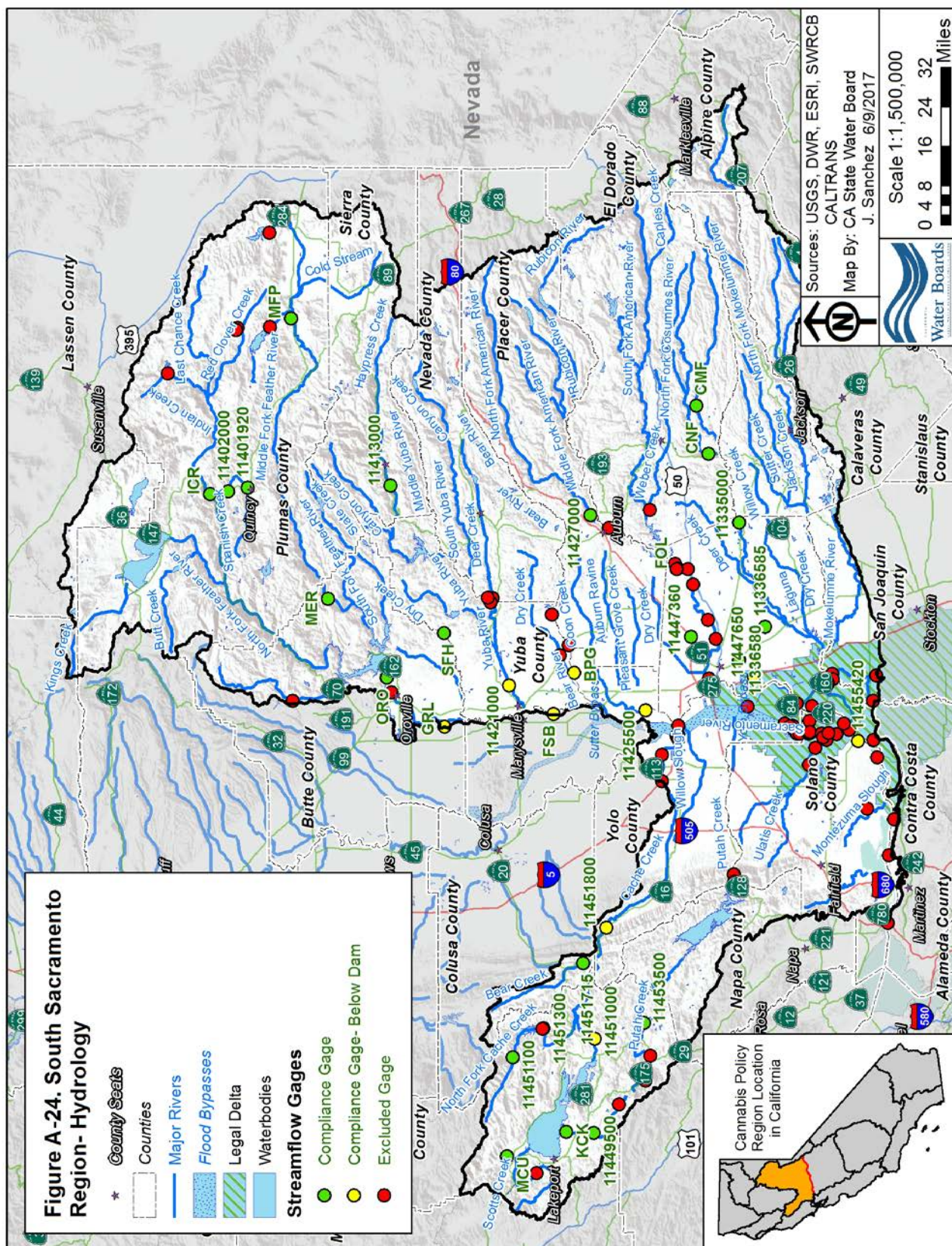
1.5.4 Anadromous Salmonid Population

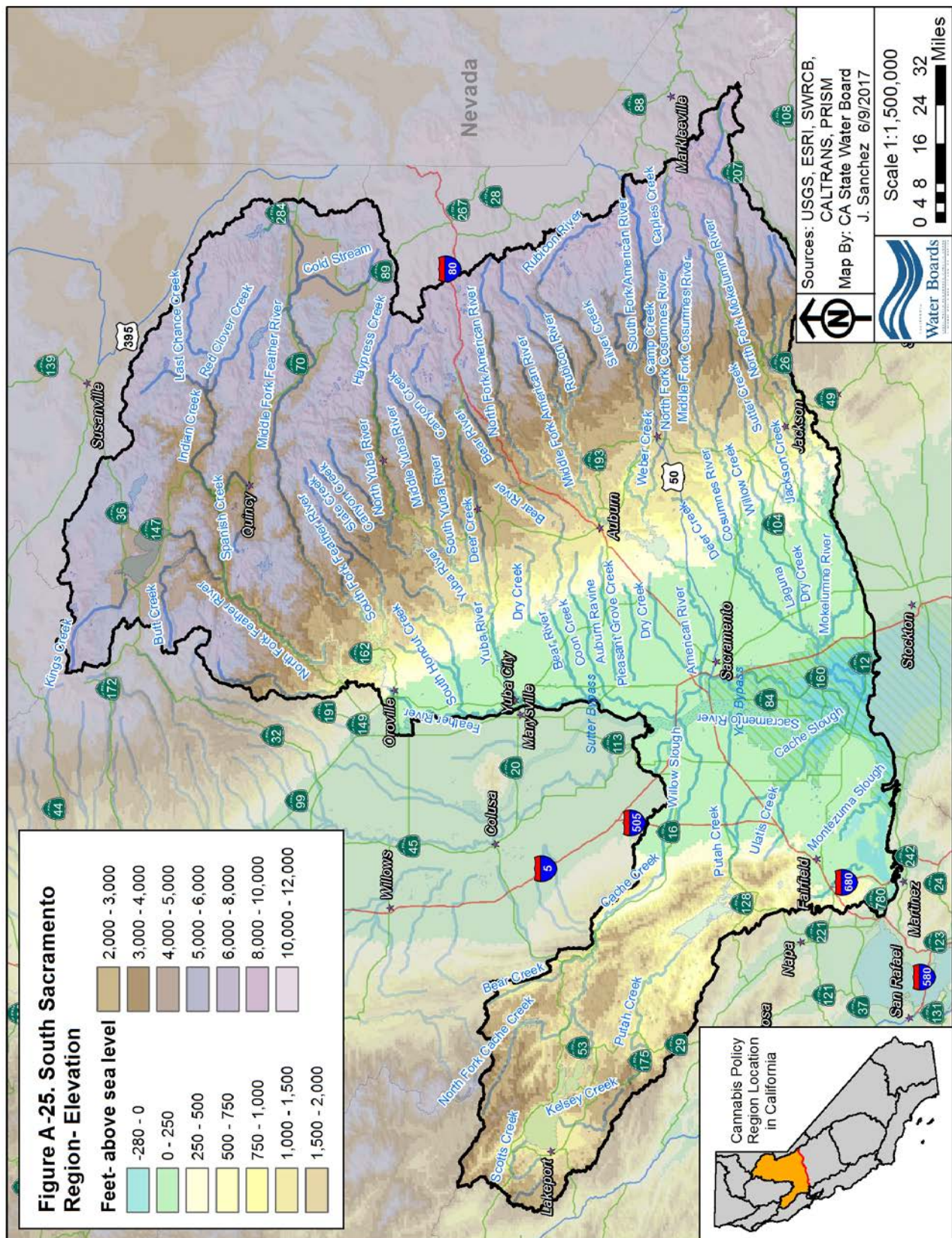
Six special-status ESUs, DPSes, or DTEs are currently extant within the South Sacramento Region (Figure A-29):

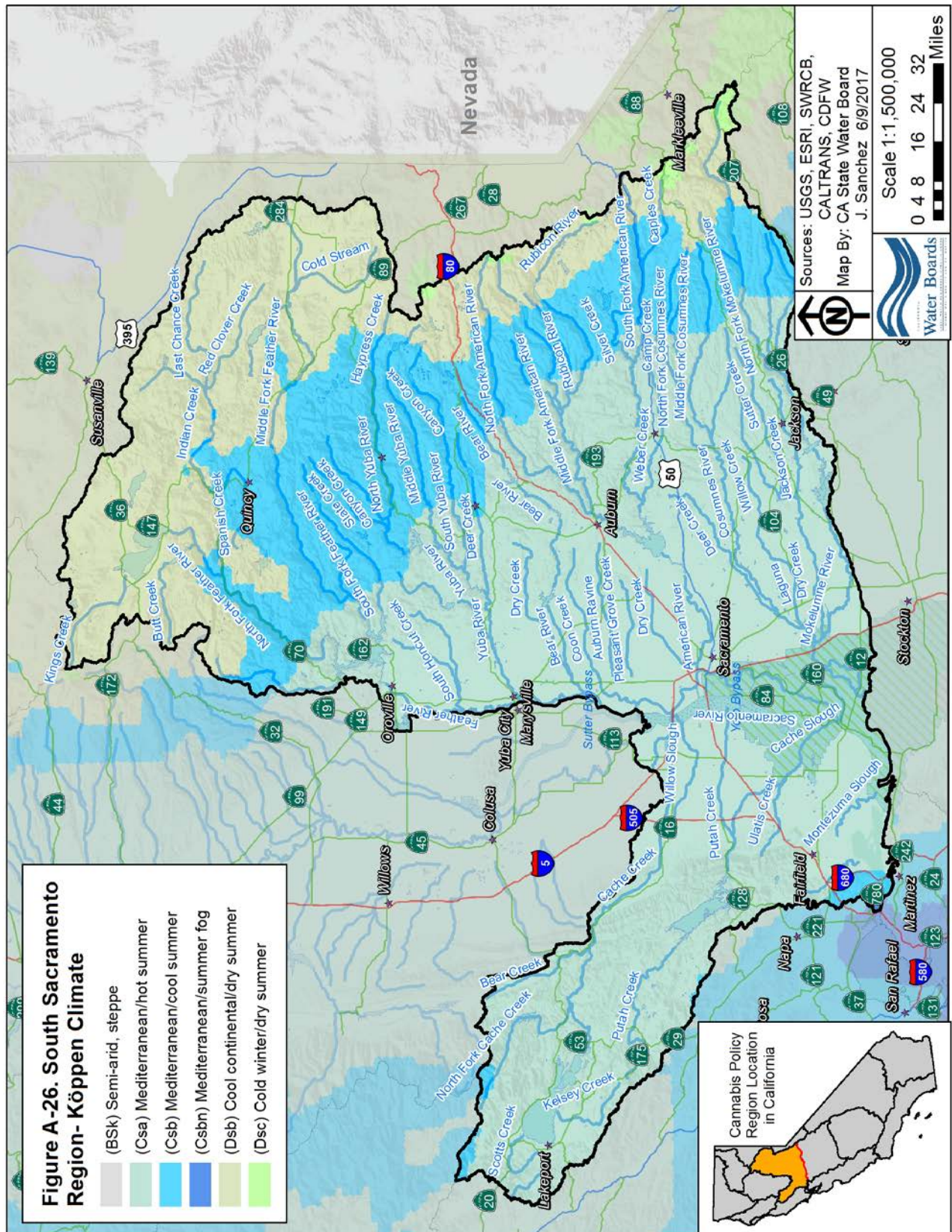
- the SRWR Chinook salmon ESU,
- the CV SR Chinook salmon ESU,
- the CV FR of Chinook salmon DTE⁵,
- the CV LFR of Chinook salmon DTE,
- the CCV steelhead DPS, and
- the Central California Coast (CCC) steelhead DPS.

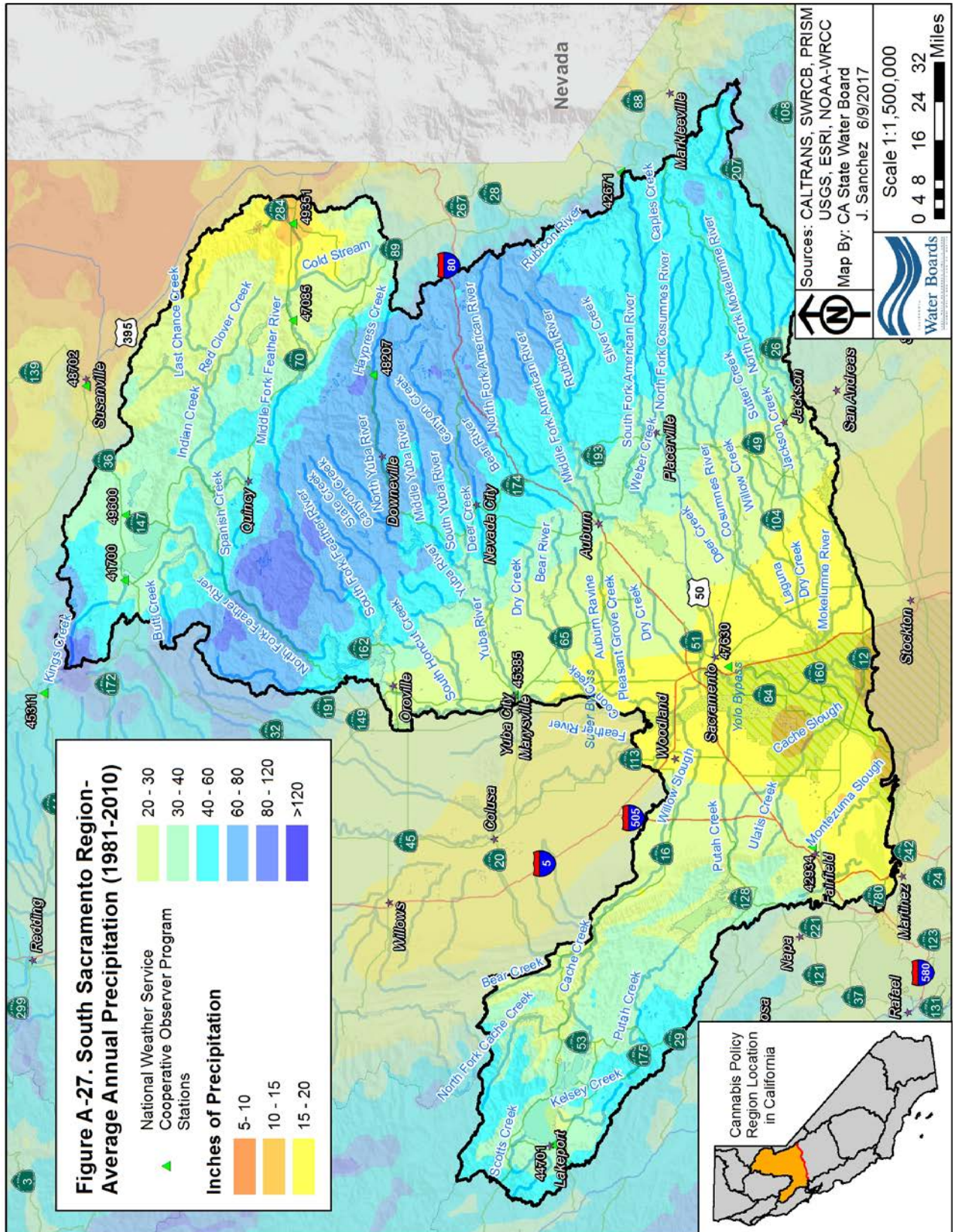
The SRWR Chinook salmon ESU is currently listed as endangered under the ESA and the CESA (CDFW 2017b). The CV SR Chinook salmon ESU, CCV steelhead DPS, and the CCC steelhead DPS are currently listed as threatened under the ESA (CDFW 2017b). In addition, the CV SR Chinook salmon ESU is listed as threatened under the CESA (CDFW 2017b). The CV FR and CV LFR Chinook salmon populations are each listed as species of special concern by CDFW and, jointly, as a species of concern by NMFS (Moyle et al. 2015, NMFS 2017).

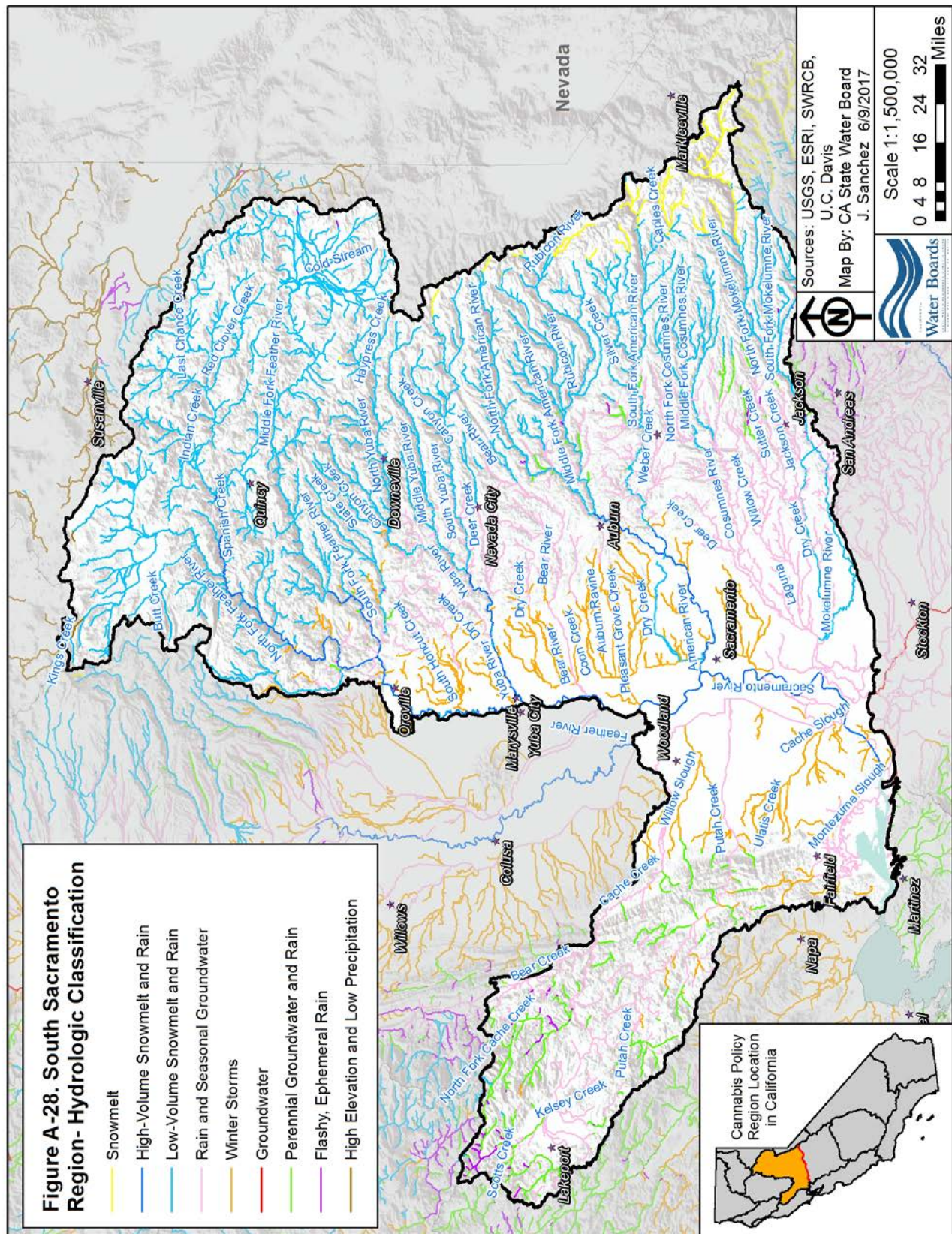
⁵ CV FR and CV LFR Chinook salmon together constitute a single ESU; however, CDFW treats the two runs as distinct taxonomic entities based upon their distinct life-history strategies and in consideration of the unique management concerns of each run (Moyle et al. 2015).

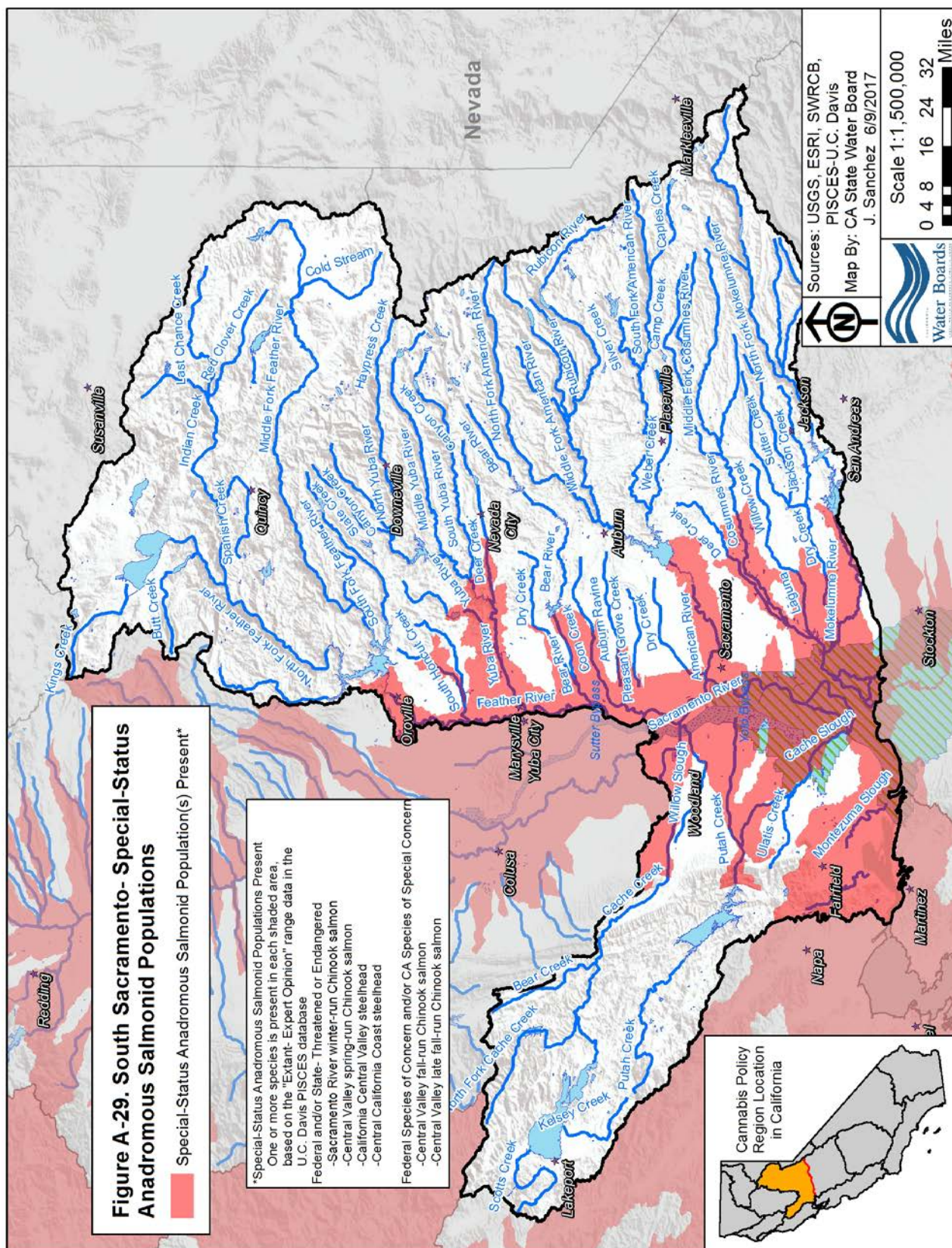












1.6 North Central Coast Region

The North Central Coast Region covers approximately 4,785 square miles along the north-central coast of California, as shown in attached (Figure A-30). This region is bordered by the San Francisco Bay to the south and by the Eel River to the north. Elevations in the North Central Coast Region range from sea level along the coast and near the San Francisco Bay, to over 2,000 feet in the Coast Ranges along the northeastern boundary of the region; please refer to (Figure A-31) for an elevation map of the North Central Coast Region. Several watersheds are located in the North Central Coast Region, including the Russian, Mattole, Noyo, Big, Navarro, Garcia, and Gualala River watersheds which drain directly to the Pacific Ocean, and the Napa, and Petaluma River watersheds which drain into San Francisco Bay. The Russian River watershed is the largest watershed in the North Central Coast Region.

1.6.1 Climate and Precipitation

The climate of the North Central Coast Region is described as Mediterranean with hot summers in inland areas, and Mediterranean with cooler summers in the coastal portions of the region. Summer fog is common along the coast in this region. Please refer to (Figure A-32) for a climate map of this region.

Temperature conditions tend to be more variable in the inland portion of the North Central Coast Region compared to areas near the coast. Average annual maximum temperatures in the North Central Coast Region exceed 70 degrees Fahrenheit in inland areas, and remain slightly cooler near the coast. Average annual minimum temperatures in the North Central Coast Region remain above 40-45 degrees Fahrenheit in both coastal and inland areas.

Precipitation in the North Central Coast Region tends to fall during October through April, and the greatest amounts of precipitation tend to fall in December and January. Average annual precipitation amounts in the North Central Coast Region vary from over 60 inches near the northern coast, to under 30 inches in the southeast portion of the region. Snow does not comprise a significant portion of precipitation to the region. (WRCC 2016)

Please refer to (Figure A-33) for a precipitation map of the region. Please refer to Chart A-11, below, for an illustration of temperature and precipitation patterns for the North Central Coast Region.

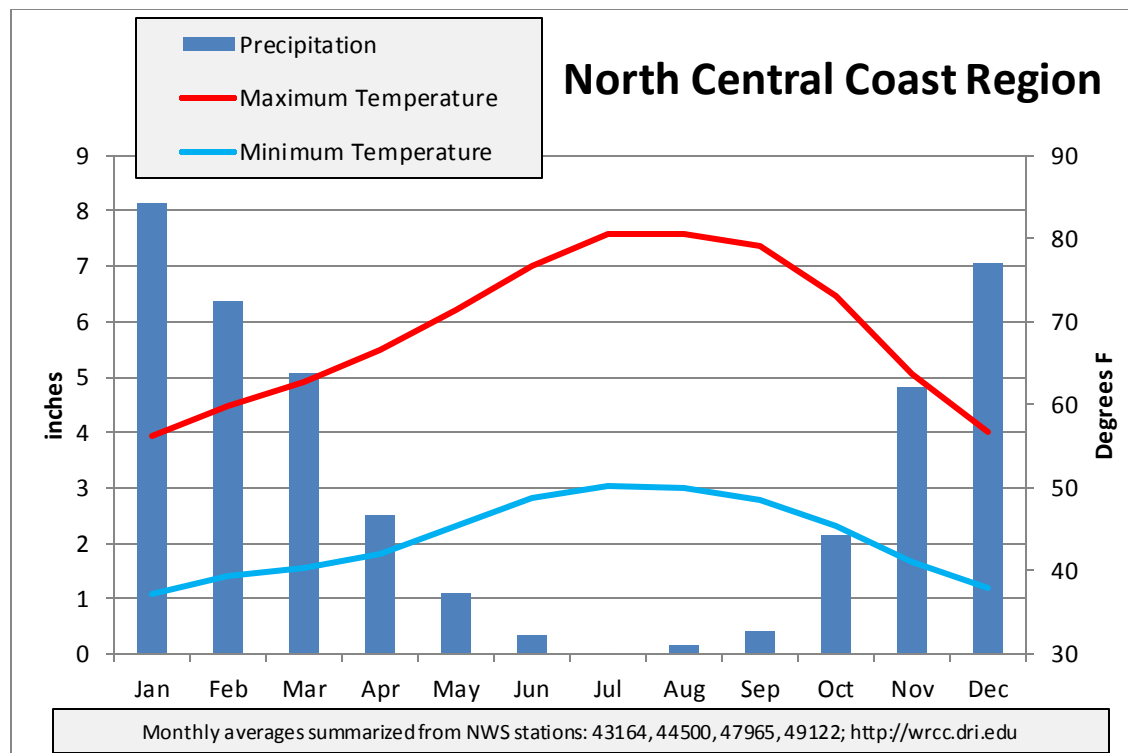


Chart A-11. Average annual patterns of temperature and precipitation in the North Central Coast Region.

1.6.2 Hydrology

Stream reaches in the North Central Coast Region are generally classified under UC Davis' hydrologic classification system as Winter Storms (WS), Perennial Groundwater and Rain (PGR), or Rain and Seasonal Groundwater (RSG) systems. Many North Central Coast Region stream reaches located near the coast, including tributaries to San Francisco Bay, are classified under the Winter Storm (WS) hydrologic regime. Many stream reaches located in the eastern, inland portion of the North Central Coast Region are classified under the PGR hydrologic regime, and a smaller amount of streams in this inland region are classified as RSG stream systems. (Lane et al 2016)

Please refer to (Figure A-34) for a stream classification map of the North Central Coast Region.

1.6.3 Geology

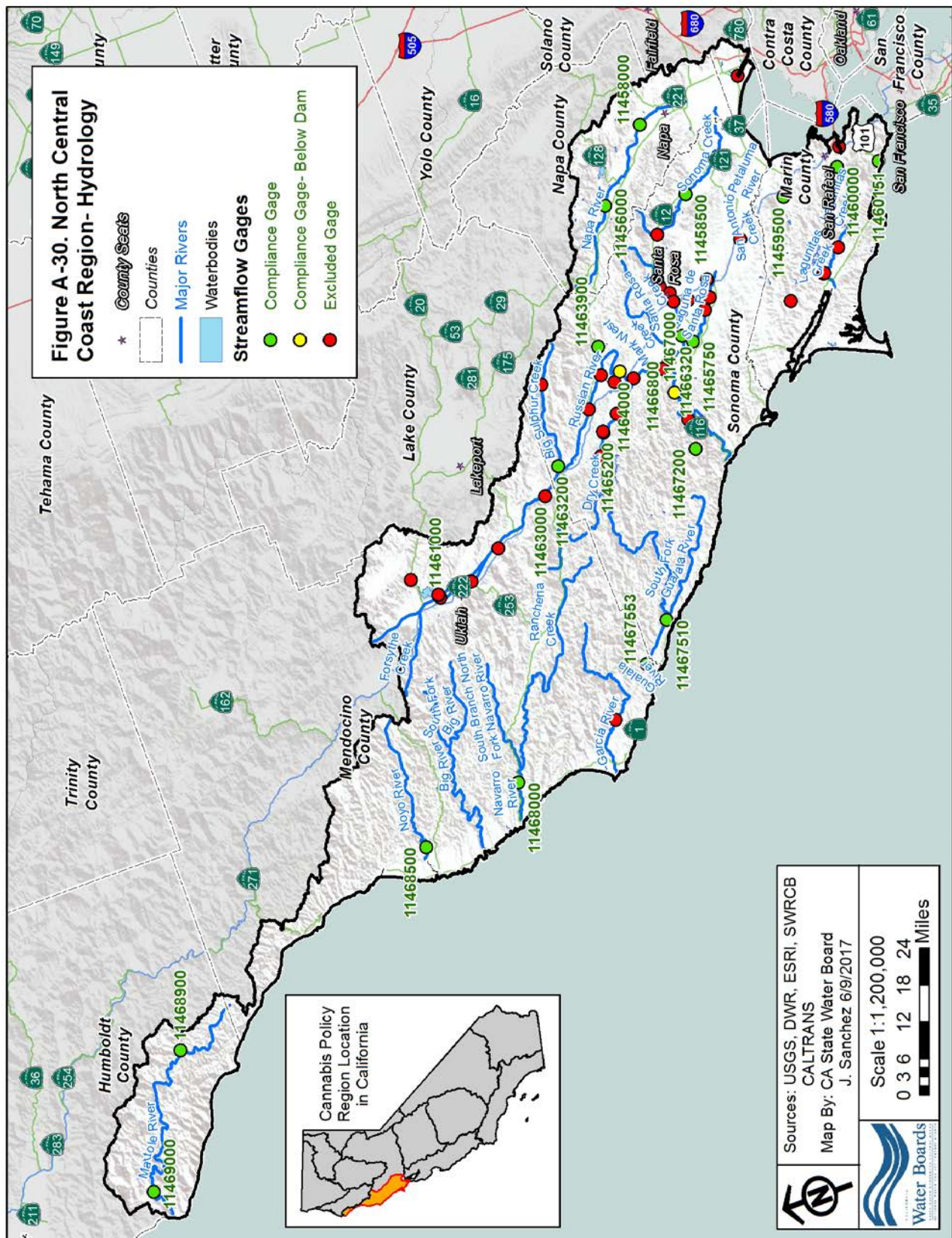
The North Central Coast Region is located in the Coast Ranges geomorphic province. The Coast Ranges in the North Coast Region are dominated by irregular, knobby, landslide topography. The Coast Ranges are underlain by sedimentary and metamorphic rock, with alluvial deposits in valley floors and along the coastline. The San Andreas Fault system is located near the western margin of the North Central Coast Region, and extends off of the California coast in the northern section of the region. (CGS 2002)

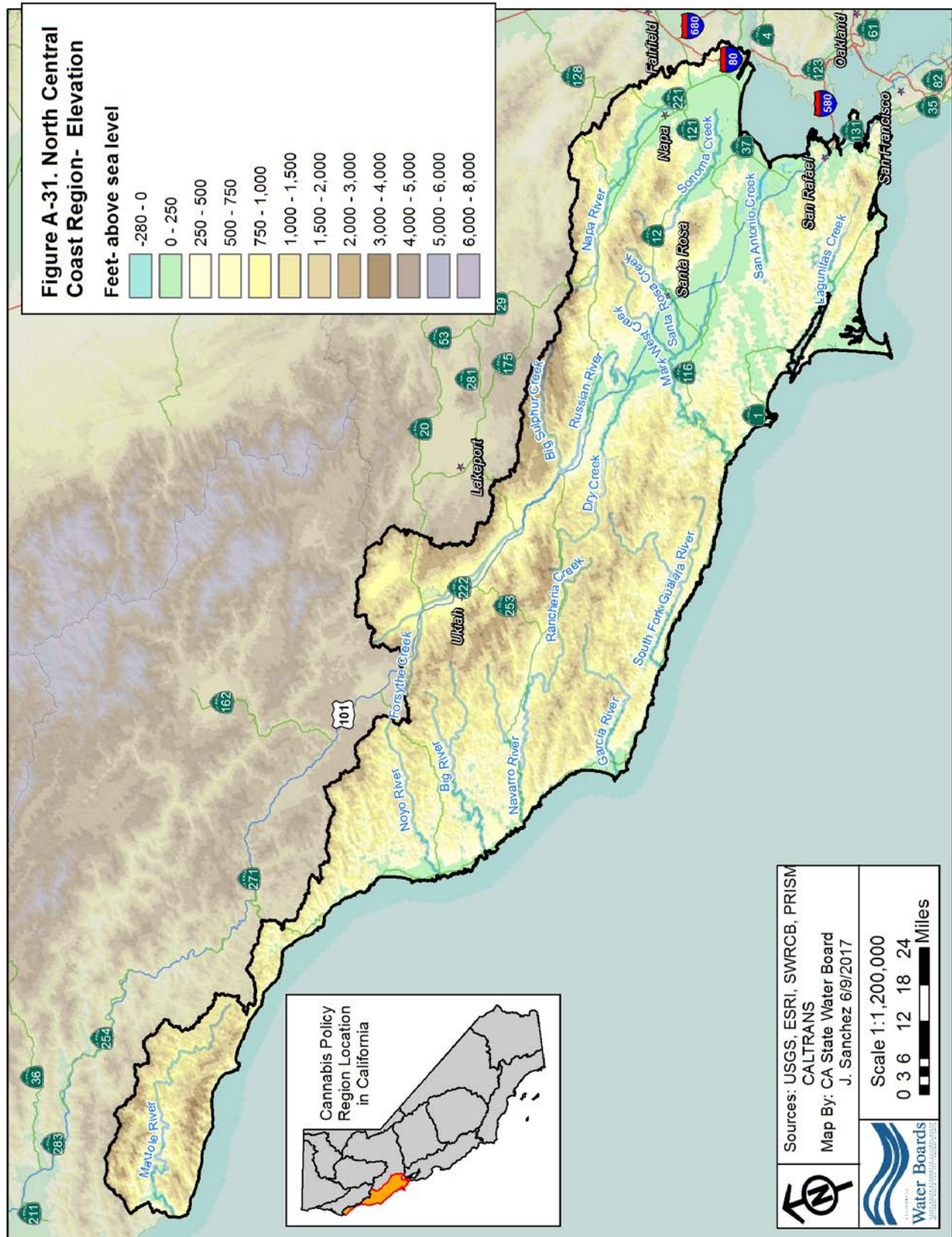
1.6.4 Anadromous Salmonid Population

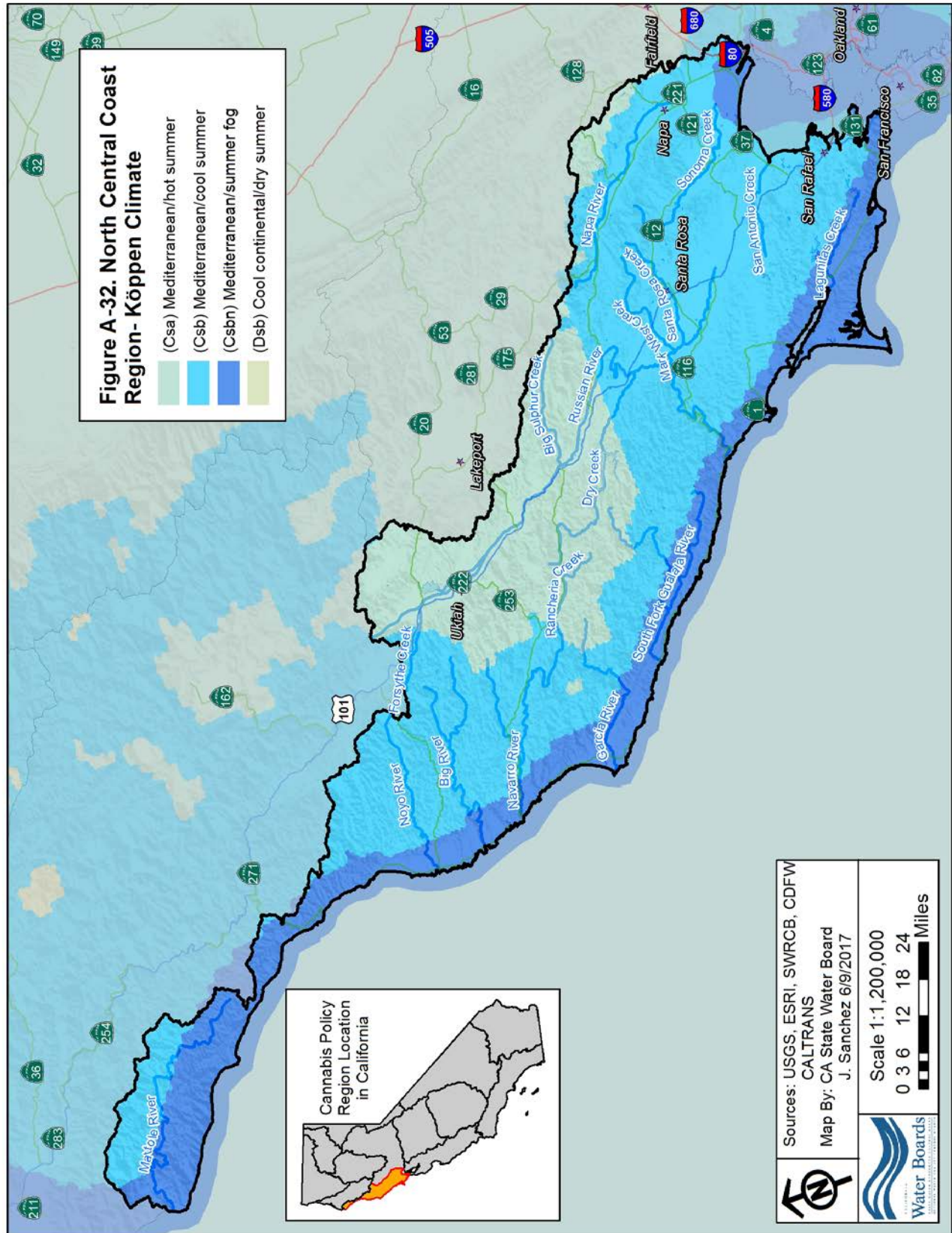
Six special-status ESUs, DPSes, or DTEs are currently extant within the North Central Coast Region (Figure A-35):

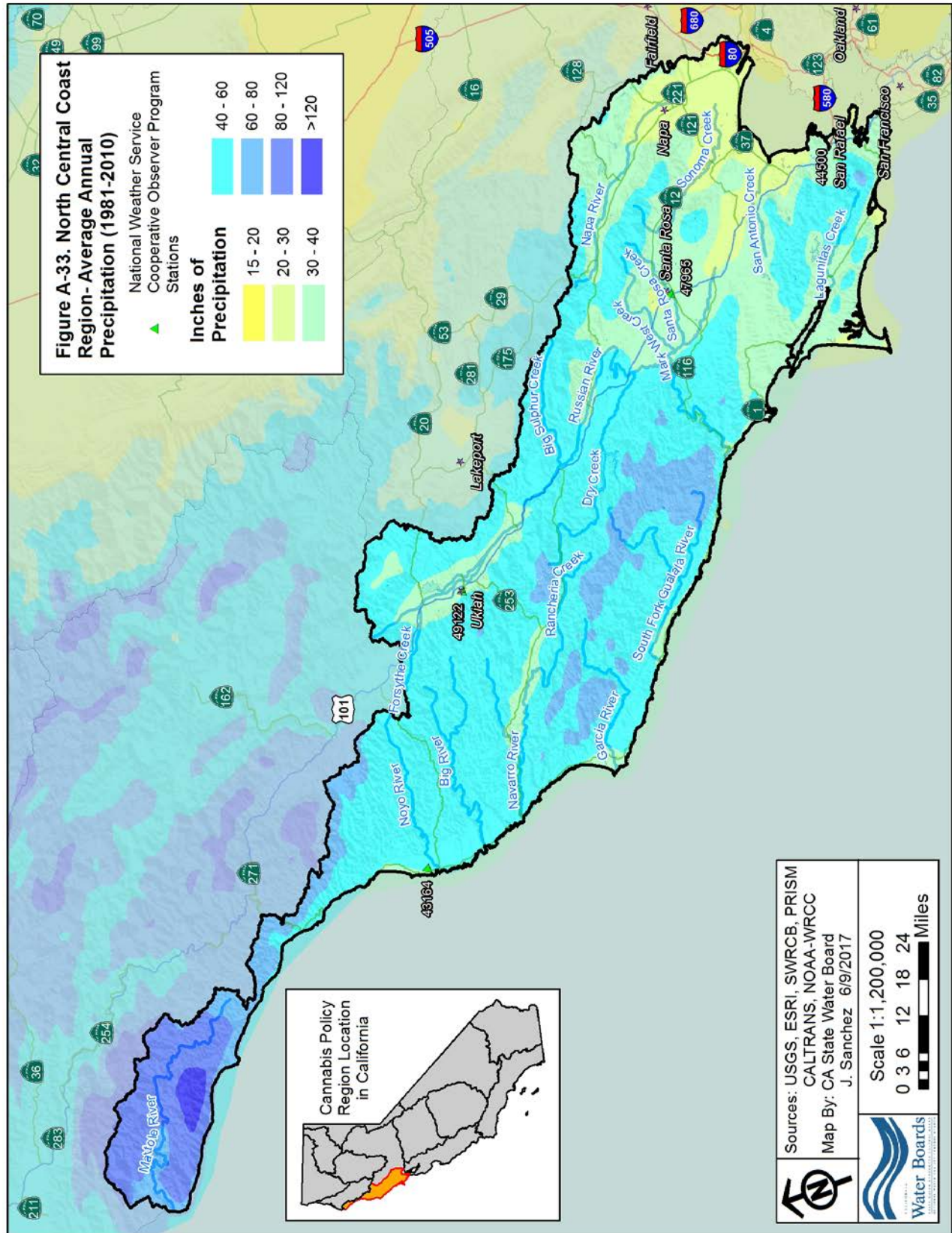
- the CC Chinook salmon ESU,
- the CV SR Chinook salmon ESU,
- the NC steelhead DPS,
- the CCC steelhead DPS,
- the SONCC coho salmon ESU, and
- the Central California Coast (CCC) coho salmon ESU.

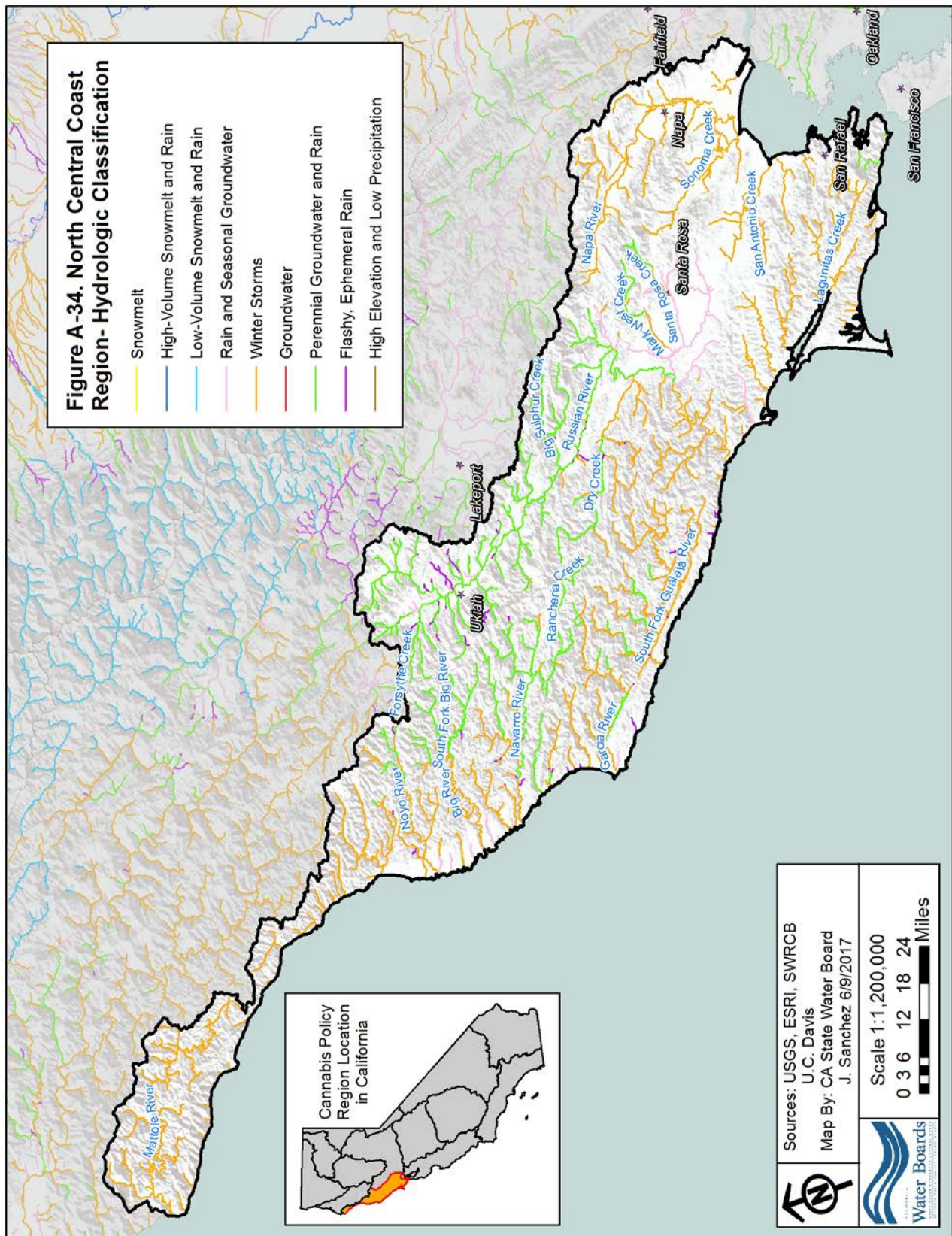
The CCC coho salmon ESU is currently listed as endangered under the ESA and the CESA (CDFW 2017b). The CC Chinook salmon ESU, CV SR Chinook salmon ESU, NC steelhead DPS, CCC steelhead DPS, and SONCC coho salmon ESU are all currently listed as threatened under the ESA (CDFW 2017b). In addition, the CV SR Chinook and SONCC coho salmon ESUs are currently listed as threatened under the CESA (CDFW 2017b).

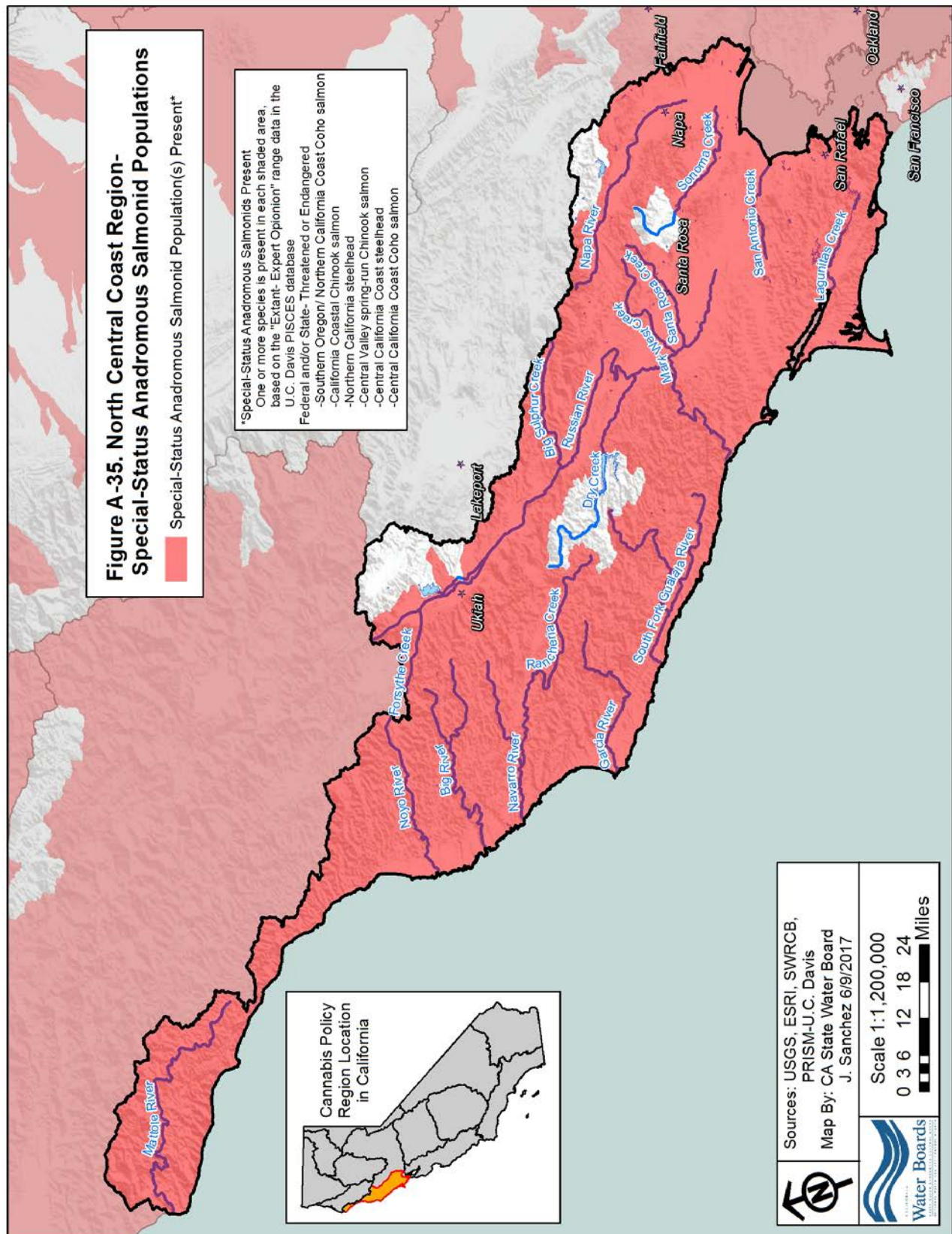












1.7 South Central Coast Region

The South Central Coast Region covers approximately 10,050 square miles along the south-central coast of California, as shown in attached (Figure A-36). The South Central Coast Region is bordered by the Santa Maria River to the south and by San Francisco Bay to the north. Elevations in the South Central Coast Region range from sea level along the coast and near the San Francisco Bay, to 2,000-3,000 feet along the eastern regional boundary in the Coast Ranges; please refer to (Figure A-37) for an elevation map of the South Central Coast Region. The Salinas River is the largest watershed in the South Central Coast Region, and the region also contains numerous San Francisco Bay and Pacific Ocean tributaries.

1.7.1 Climate and Precipitation

The South Central Coast Region is characterized by a Mediterranean climate. The eastern portion of the South Central Coast Region, which is furthest from the Pacific Ocean, is characterized by a Mediterranean climate with hot summers. The central portion of the region is generally characterized by a Mediterranean climate with cooler summers. Coastal areas in the South Central Coast Region are characterized by a Mediterranean climate with summer fog. Please refer to (Figure A-38) for a climatic map of the South Central Coast Region.

Precipitation and temperature patterns tend to vary between coastal and inland areas in the South Central Region. Average annual maximum temperatures in the South Central Coast Region tend to exceed 75 degrees Fahrenheit in inland areas, while coastal areas tend to exhibit slightly cooler average annual maximum temperatures. Average annual minimum temperatures in the South Central Coast Region tend to remain above 40-45 degrees Fahrenheit in both coastal and inland areas. The South Central Coast Region tends to receive an average of over 40 inches of precipitation along the coast, and under 15 inches of precipitation in the inland and southeast portions of the region. Precipitation generally falls from November to April, and peaks in December and January. Snow does not contribute a significant proportion of precipitation to the region. (WRCC 2016)

Please refer to (Figure A-39) for a precipitation map of the South Central Coast Region. Please refer to Chart A-12 below, for a graphic illustration of general South Central Coast Region precipitation and temperature.

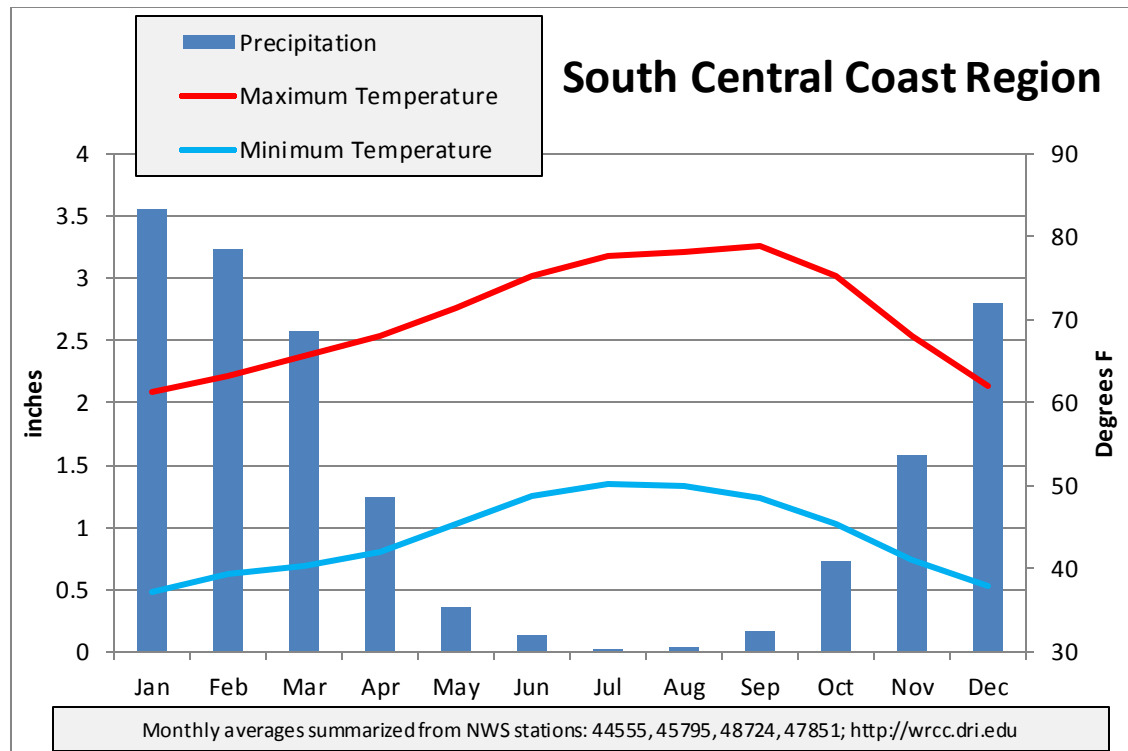


Chart A-12. Average annual patterns of temperature and precipitation in the South Central Coast Region.

1.7.2 Hydrology

The South Central Coast Region contains many streams that are classified as Perennial Groundwater and Rain (PGR) or as Rain and Seasonal Groundwater (RSG) streams under UC Davis' hydrologic classification system. Many coastal streams and tributaries to San Francisco Bay in this region are classified as PGR streams. Many streams in the southeastern portion of the South Central Coast Region and some tributaries to Monterey Bay are classified as RSG stream system. A small number of Winter Storm (WS) stream and Flashy, Ephemeral Rain streams are found in the South Central Coast Region. (Lane et al 2016)

Please refer to (Figure A-40) for a stream classification map of the South Central Coast Region.

1.7.3 Geology

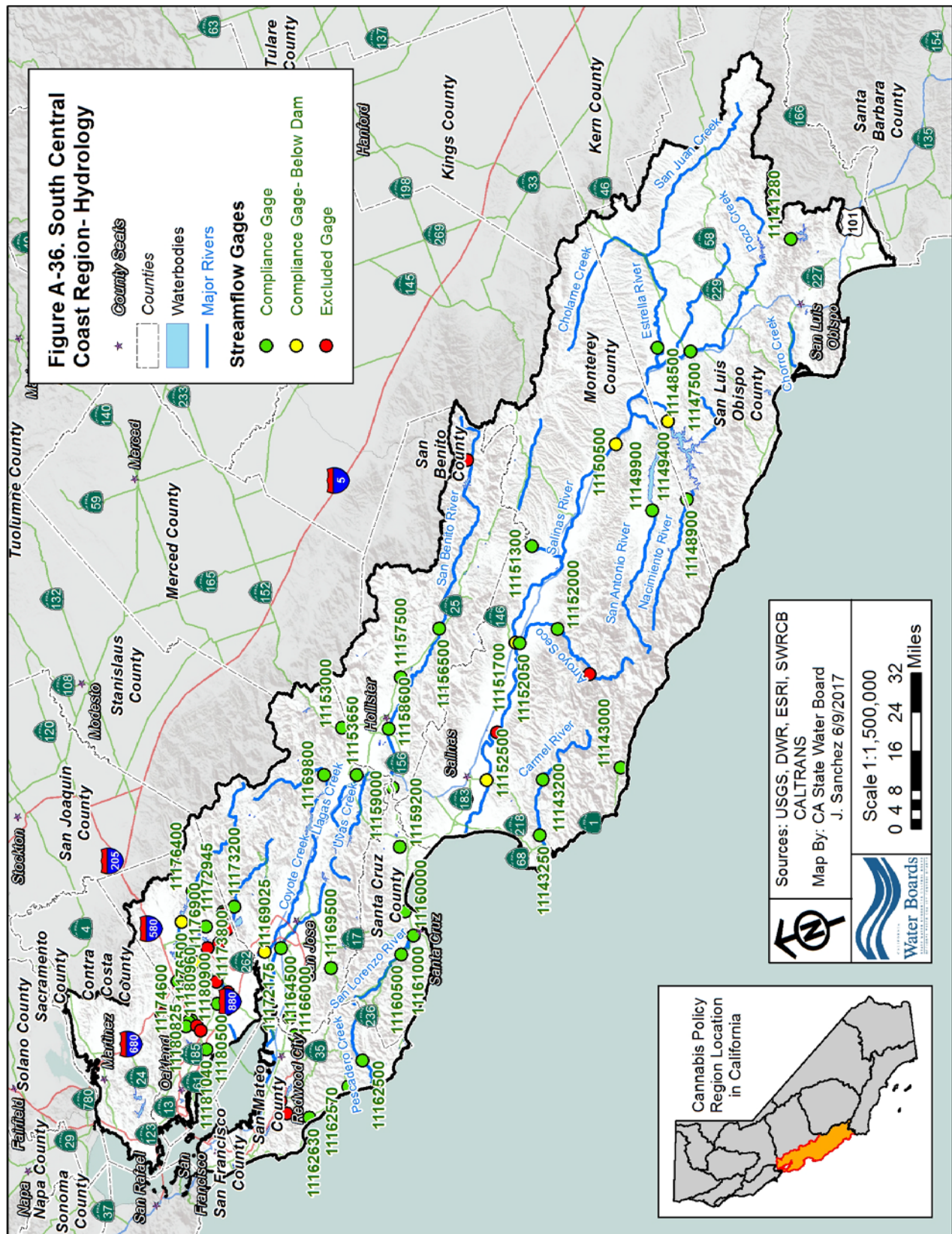
The South Central Coast Region is located in the Coast Ranges geomorphic province, and is dissected by the San Andreas Fault system. The San Andreas Fault system runs through the South Central Coast Region, from the northwestern edge to the southeastern portion of the region. The San Andreas Fault is generally located in the mountain range between the Salinas and San Benito River valleys. The San Andreas Fault system separates oceanic crust from continental crust, and regional geology differs on the two sides of the San Andreas Fault. Granitic outcrops, marine sedimentary, and metamorphosed sedimentary rock underlay the South Central Coast Region west of the San Andreas Fault, whereas marine sedimentary rock underlays the South Central Coast Region east of the San Andreas Fault. Alluvial deposits are characteristic of the valleys throughout the South Central Coast Region. (CGS, 2002)

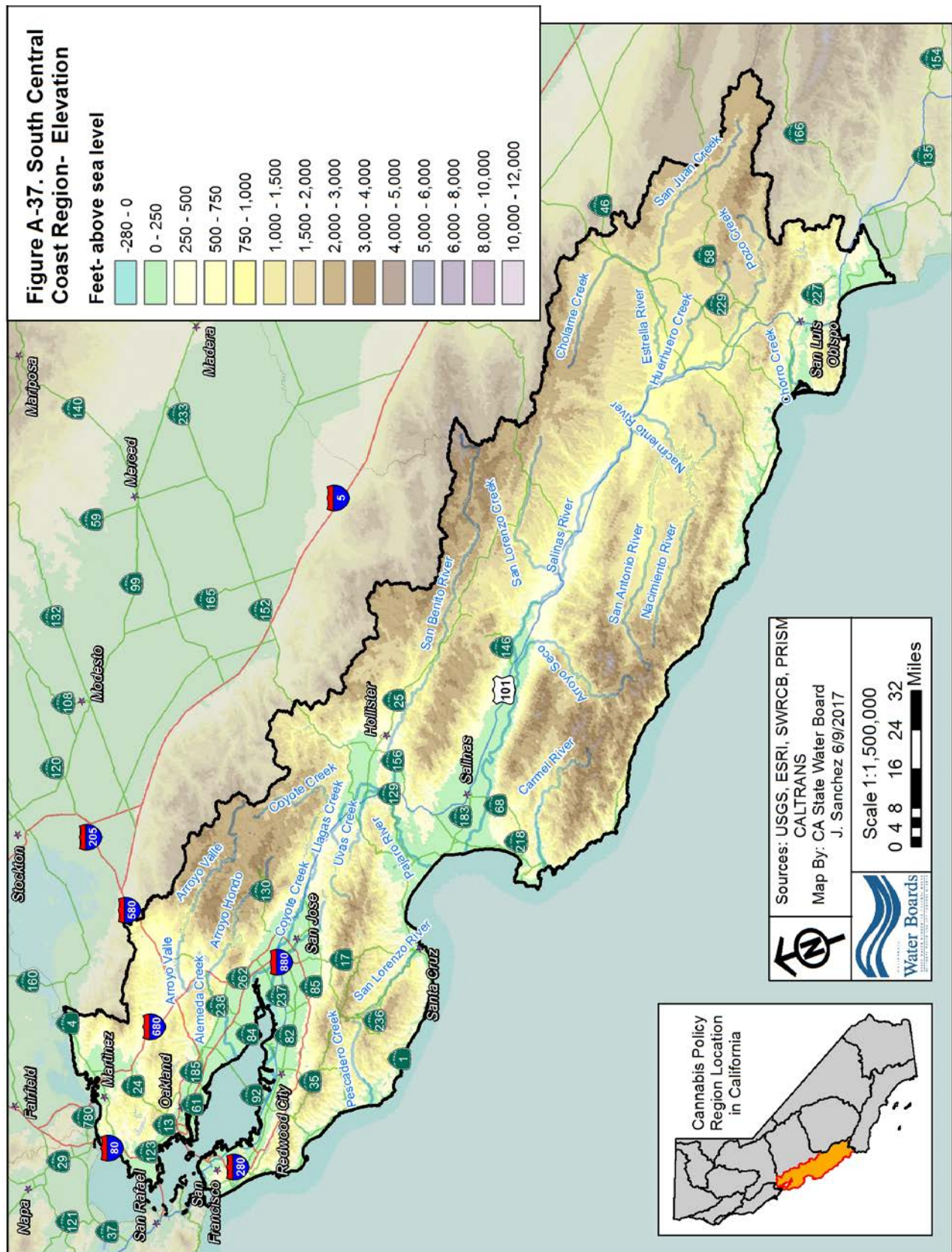
1.7.4 Anadromous Salmonid Population

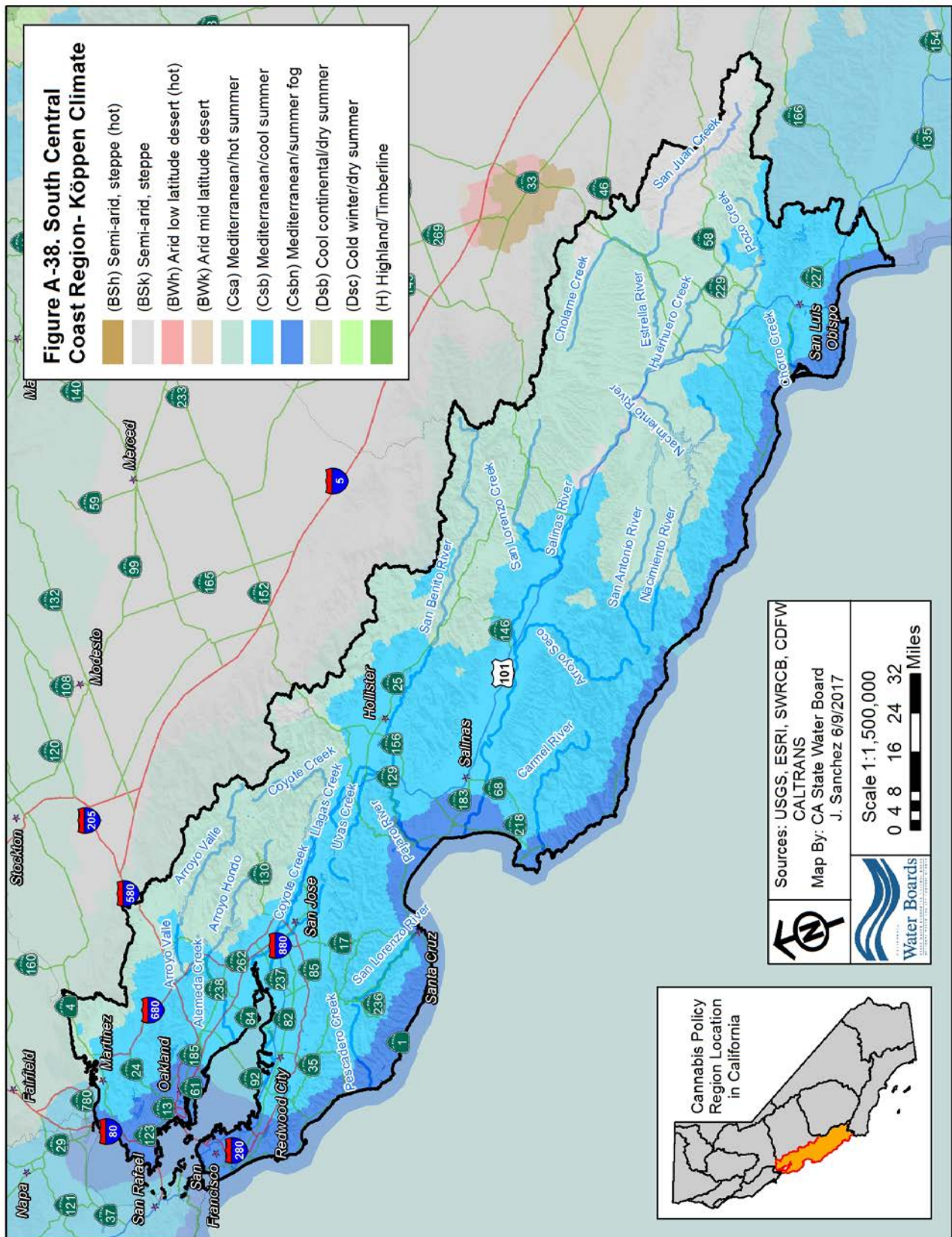
Three special-status ESUs, DPSes, or DTEs are currently extant within the South Central Coast Region (Figure A-41):

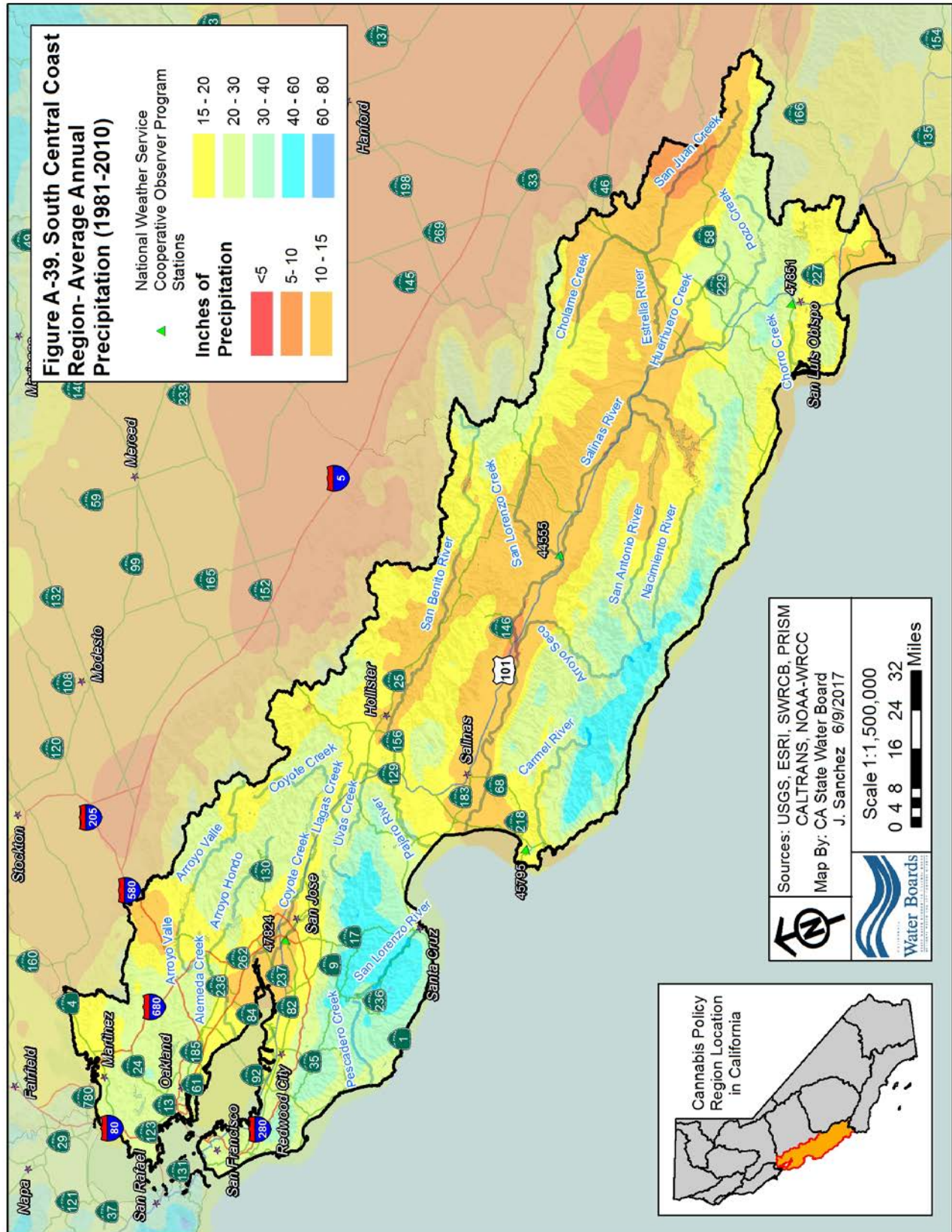
- the CCC steelhead DPS,
- the South-Central California Coast (SCCC) steelhead DPS, and
- the CCC coho salmon ESU.

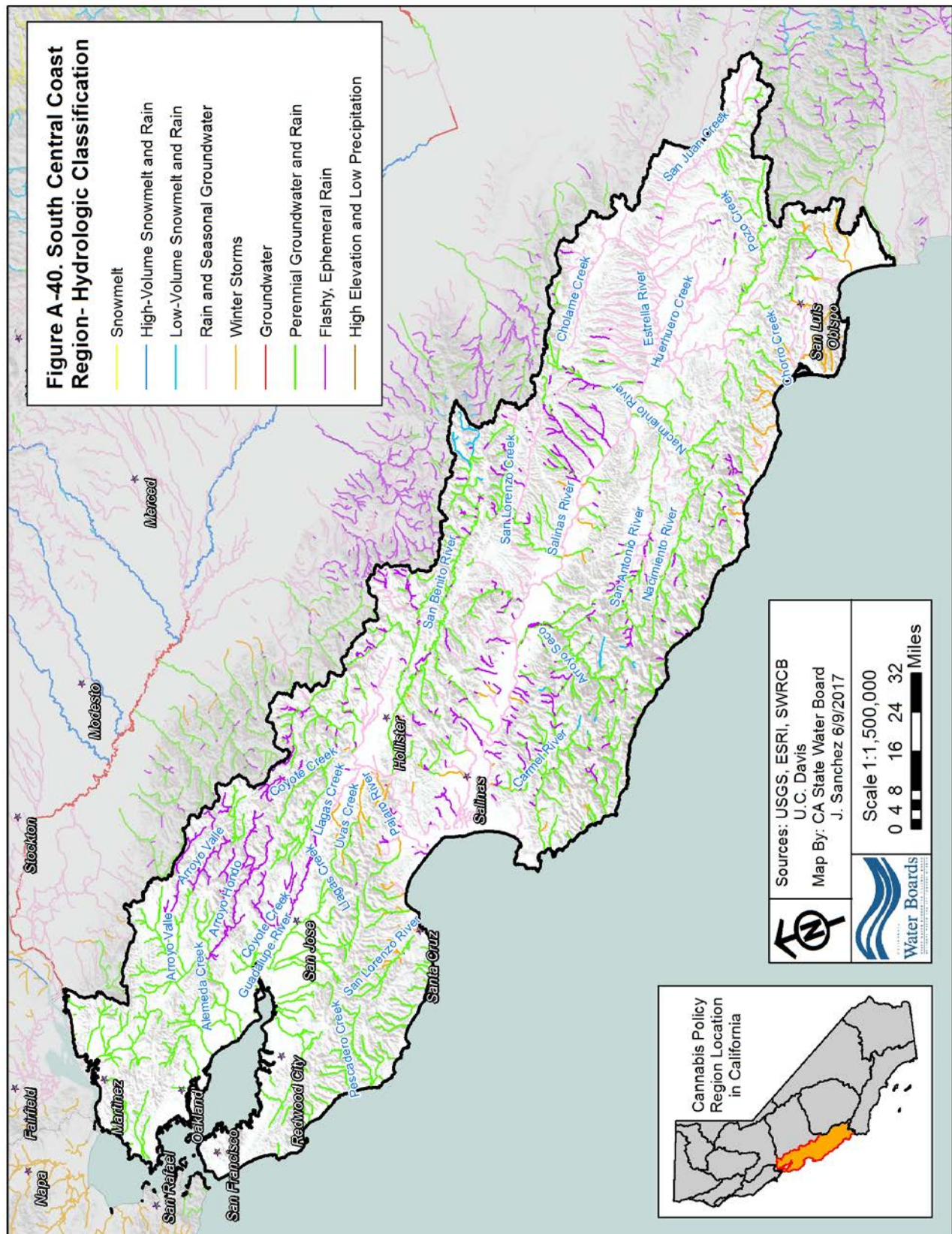
The CCC coho salmon ESU is currently listed as endangered under the ESA and the CESA (CDFW 2017b). The CCC and SCCC steelhead DPSes are currently listed as threatened under the ESA (CDFW 2017b).

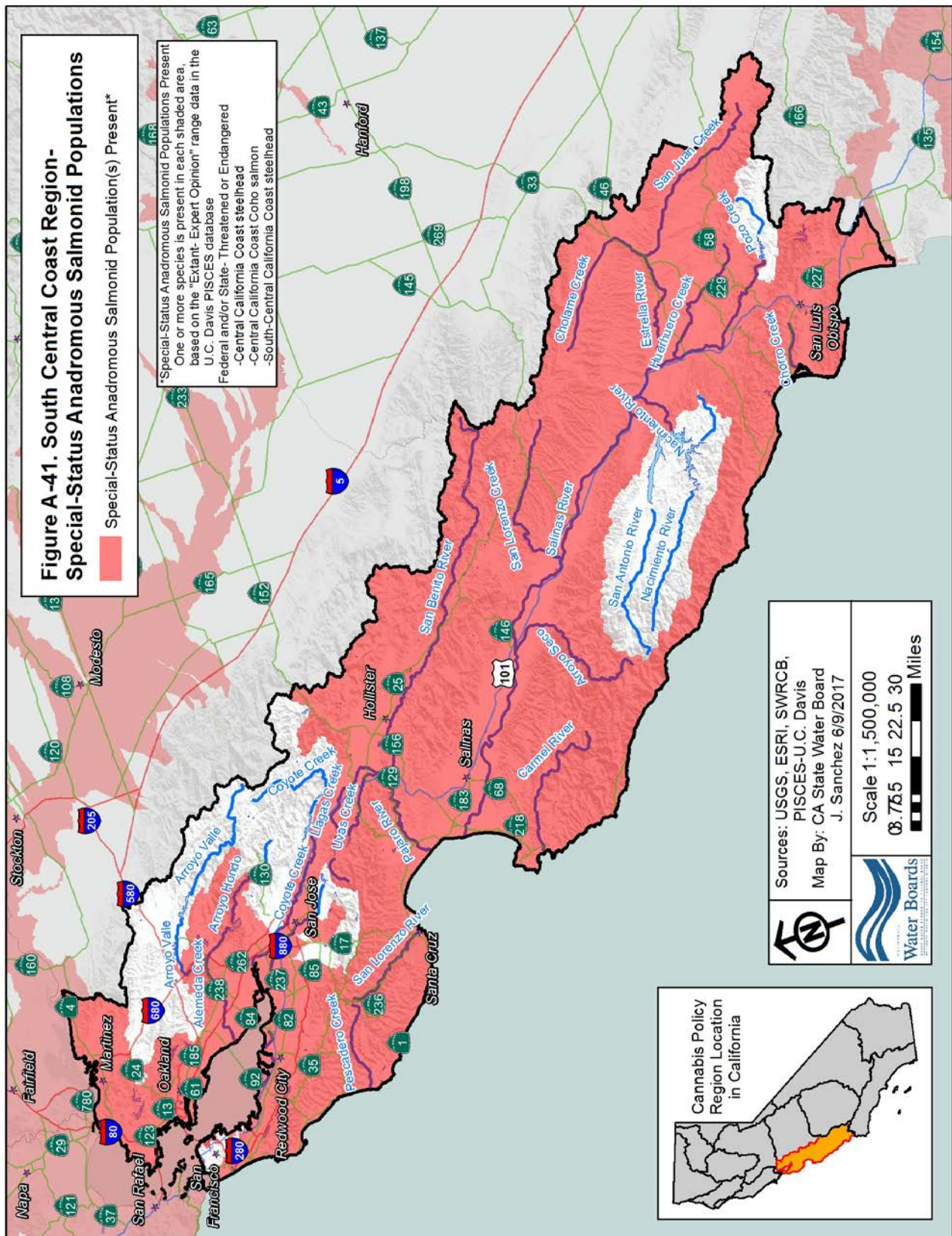












1.8 San Joaquin Region

The San Joaquin Region covers approximately 13,609 square miles in central California, as shown in attached (Figure A-42). Elevations in this region range from below sea level in the Sacramento-San Joaquin River Delta, to over 9,000 feet at the crest of the Sierra Nevada mountains at the northern end of the region, and to over 12,000 feet at the crest of the Sierra Nevada mountains at the southern end of the region (Figure A-43). The region includes the San Joaquin River watershed, including the San Joaquin River and its major tributaries: the Calaveras River, Stanislaus River, Tuolumne River, and Merced River.

1.8.1 Climate and Precipitation

The climate of the San Joaquin Region varies by elevation. The southwestern valley floor portion of the San Joaquin Region exhibits a Steppe (semi-arid, steppe) climate. Much of the center of the San Joaquin Region is characterized by a Mediterranean climate with hot summers. The northeastern margin of the San Joaquin Region is characterized by a Mediterranean climate with cool summers at lower elevations, by a cool continental climate with dry summers at mid- elevations, by cold winters and dry summers at the norther Sierra Nevada crest, and by a Highland/Timberline climate along the southern Sierra Nevada crest. Please refer to (Figure A-44) for a climatic map of the San Joaquin Region.

In general, the Central Valley portion of the San Joaquin Region tends to exhibit higher average annual maximum and average annual minimum temperatures compared to the Sierra Nevada mountain portion of the region. Average annual maximum temperatures in the San Joaquin Region exceed 70-75 degrees Fahrenheit on the valley floor, 60 degrees Fahrenheit at mid-elevations in the Sierra Nevada, and 35-40 degrees Fahrenheit at high elevations in the Sierra Nevada. Average annual minimum temperatures in the San Joaquin Region remain above 45 degrees Fahrenheit throughout the Central Valley and Sierra Nevada foothills, and are well below freezing at many high-elevation locations in the Sierra Nevada mountains.

Precipitation patterns vary spatially within the San Joaquin Region, and higher amounts of precipitation tend to fall at the northern end of the region and at higher elevations. In the San Joaquin Region, 15-20 inches of rain typically falls in the northern portion of the Central Valley, and 10 inches or less typically falls in the southern portion of the Central Valley. Precipitation typically exceeds 80 inches along the Sierra Nevada crest, in the eastern portion of the San Joaquin Region. Significant amounts of precipitation tend to fall as snow in the Sierra Nevada mountains, and snowfall depths exceed 200 inches annually in many high-elevation areas. In the San Joaquin Region, precipitation generally lasts from November to April. (WRCC 2016)

Please refer to (Figure A-45) for a precipitation map of the San Joaquin Region. Please refer to Charts A-13 and A-14, below, for a comparison of precipitation and temperature conditions for the valley floor and Sierra Nevada crest portions of the San Joaquin Region.

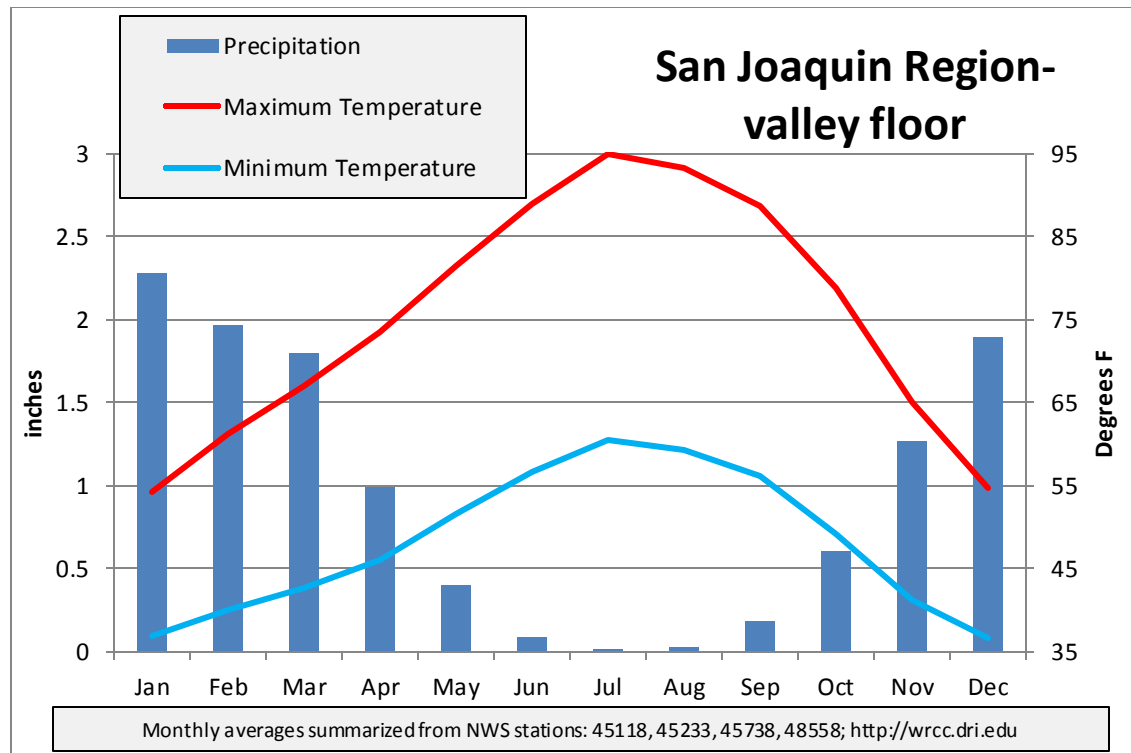


Chart A-13. Average annual patterns of temperature and precipitation, San Joaquin Region, valley floor.

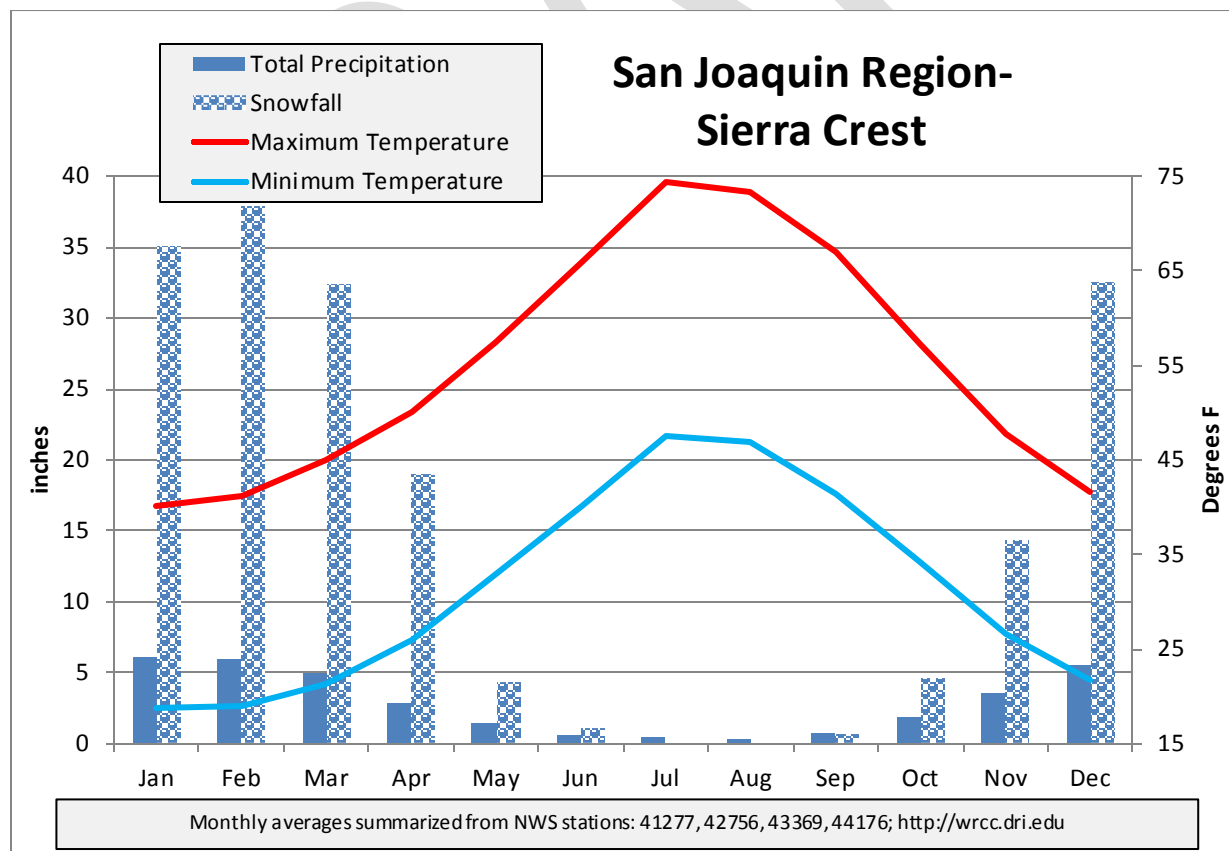


Chart A-14. Average annual patterns of temperature and precipitation, San Joaquin Region, Sierra Crest.

1.8.2 Hydrology

Stream reaches in the San Joaquin Region are generally classified under UC Davis' hydrologic classification system as Rain and Seasonal Groundwater (RSG), Low-Volume Snowmelt and Rain (LSR), and Snowmelt (SM) systems. The western and central portion of the region contains primarily RSG stream reaches. Mid-elevation areas in the Sierra Nevada mountains contain primarily LSR stream reaches. At high elevations in the Sierra Nevada mountains, many stream reaches are classified as SM systems.

Other streams in the San Joaquin Region are classified by Perennial Groundwater and Rain (PGR), Groundwater (GW), High-Volume Snowmelt and Rain (HSR), or the Flashy, Ephemeral Rain (FER) hydrologic classifications. For example, portions of the mainstem San Joaquin River and its major tributaries are classified as High-Volume Snowmelt and Rain (HSR) systems. The lower San Joaquin River is classified by a GW hydrologic regime. (Lane et al 2016)

Please refer to (Figure A-46) for a depiction of the stream classifications within the San Joaquin Region.

1.8.3 Geology

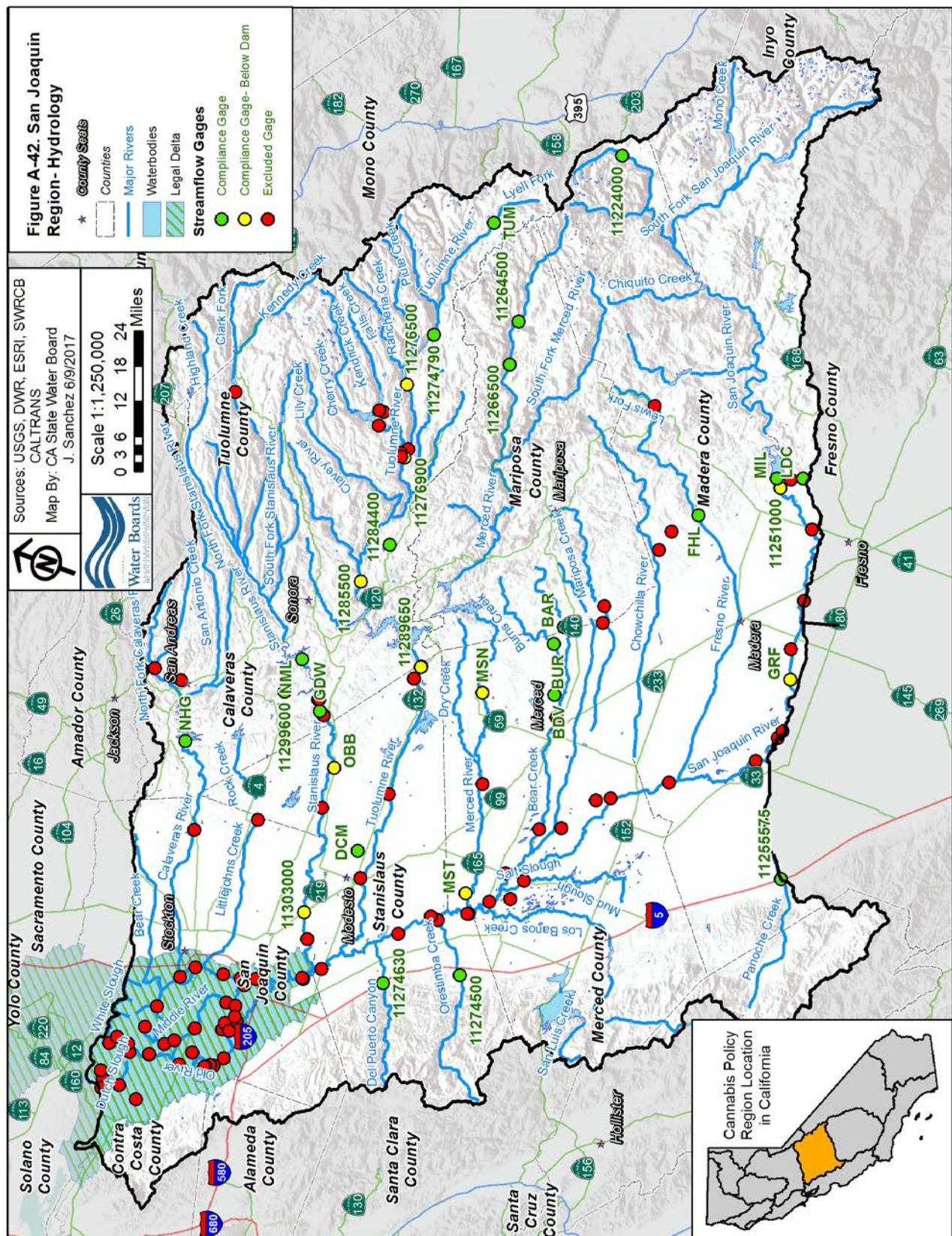
The San Joaquin Region is underlain by the Coast Ranges on the western margin of the region, the Great Valley geomorphic provinces in the center of the region, and the Sierra Nevada geomorphic province in the eastern half of the region. The Coast Ranges geomorphic province is comprised of sedimentary and metamorphic rock and alluvial deposits in valleys and along the coastline. The Great Valley geomorphic province, which consists of a large alluvial plain, underlays the Central Valley. The Sierra Nevada geomorphic province, located in the eastern portion of this region, contains steep mountains underlain by a granitic batholith. Metamorphic rocks comprise the foothill region of the Sierra Nevada geomorphic province. (CGS, 2002)

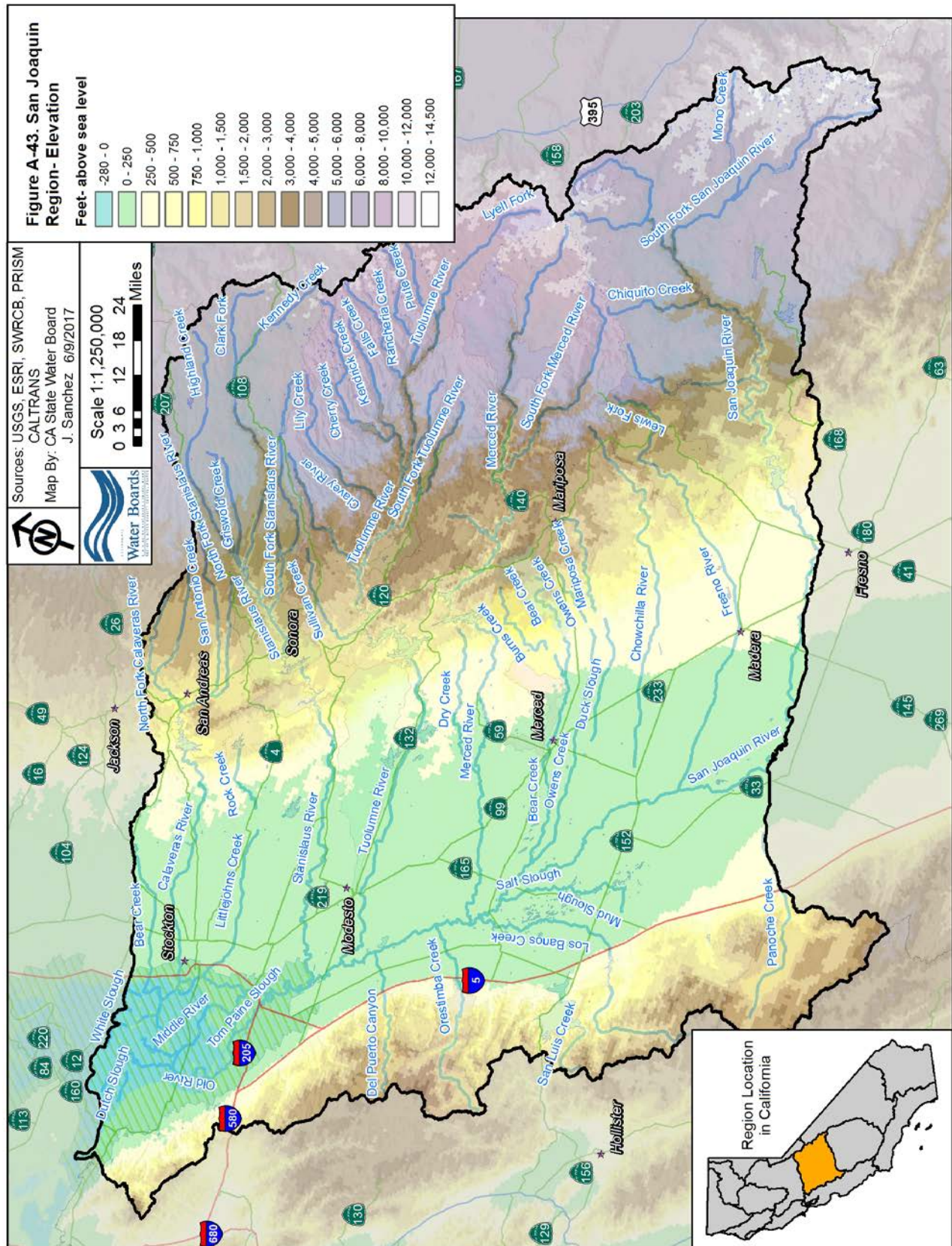
1.8.4 Anadromous Salmonid Population

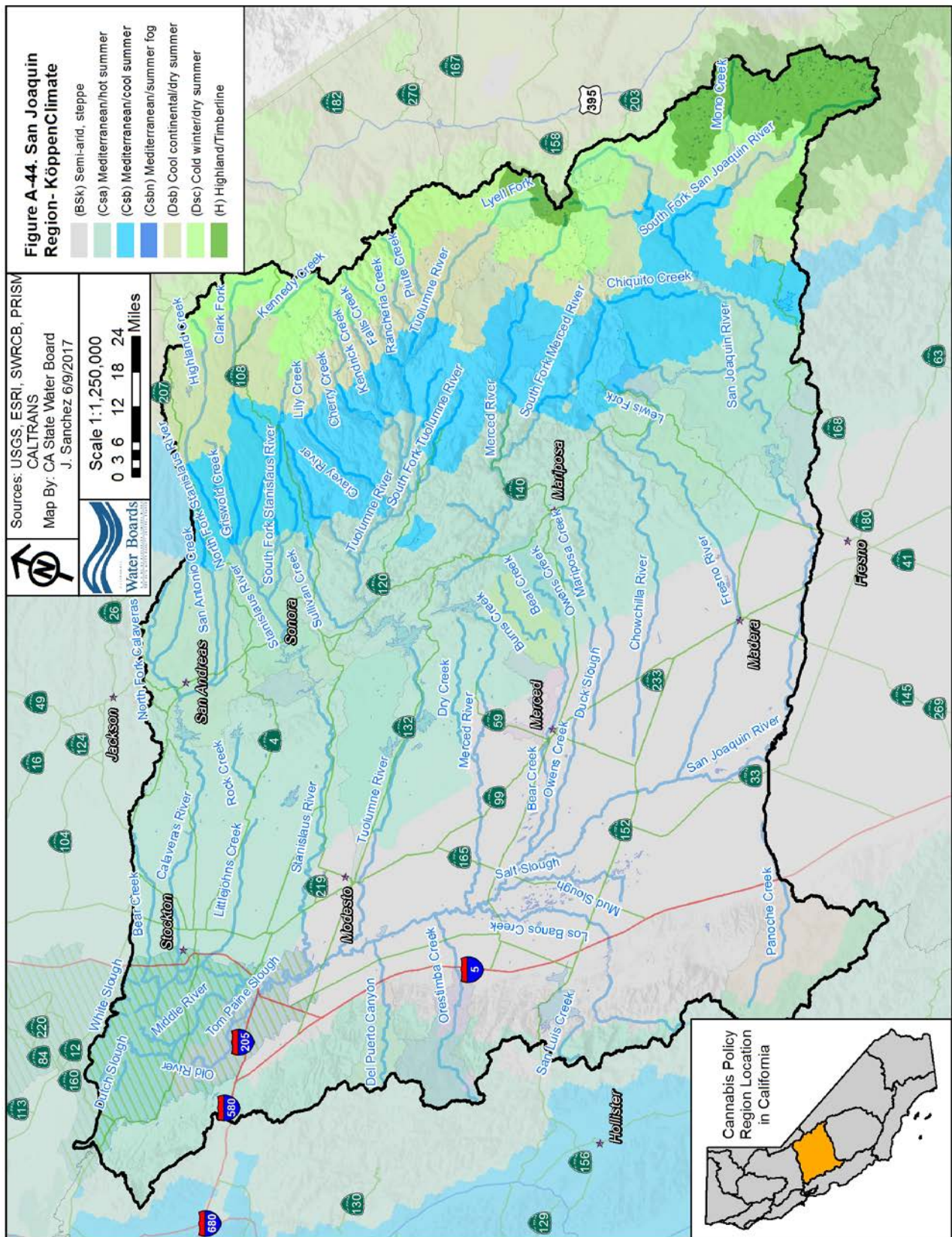
Three special-status ESUs, DPSes, or DTEs are currently extant within the San Joaquin Region (Figure A-47):

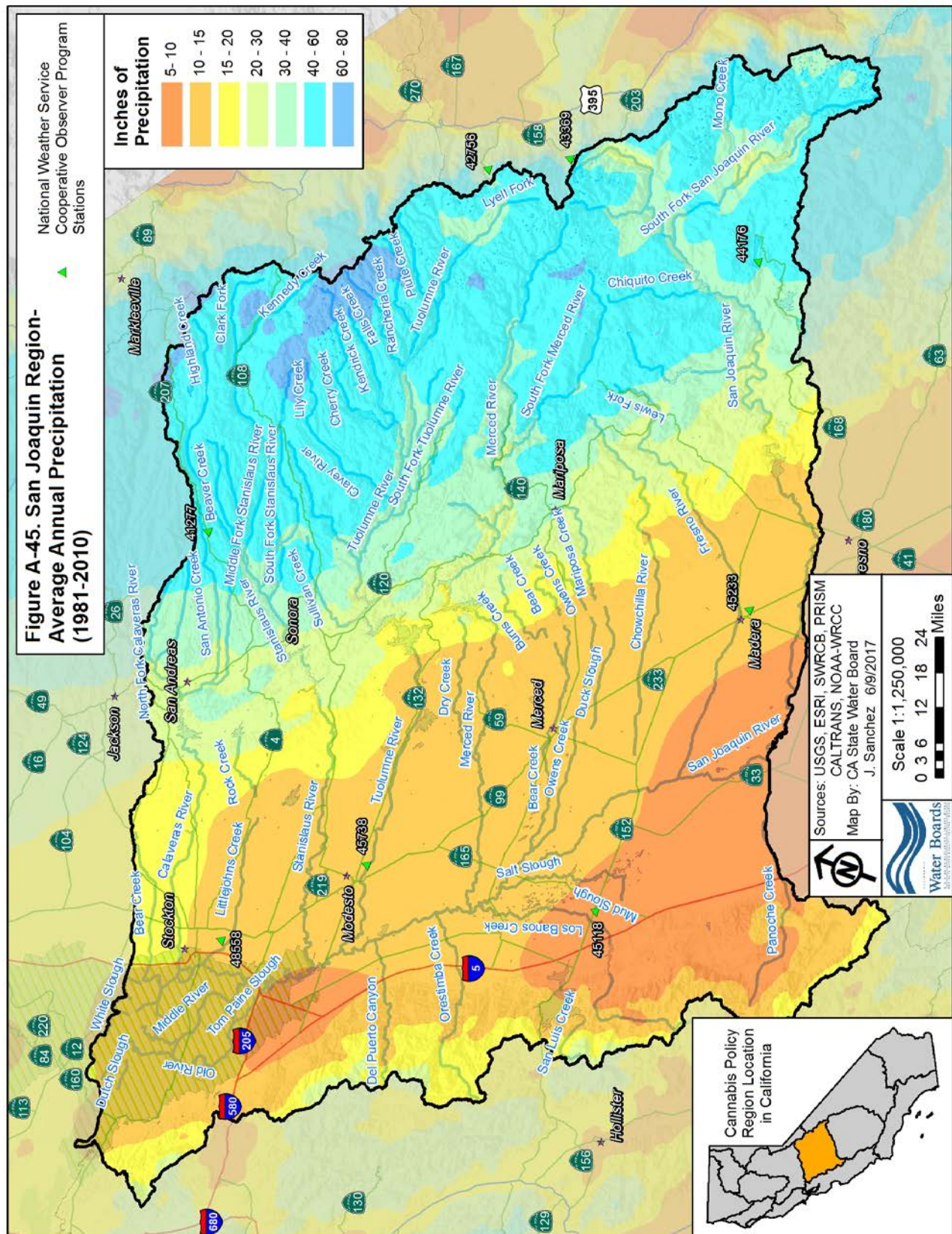
- the CV FR Chinook salmon DTE,
- the CV LFR Chinook salmon DTE, and
- the CCV steelhead DPS.

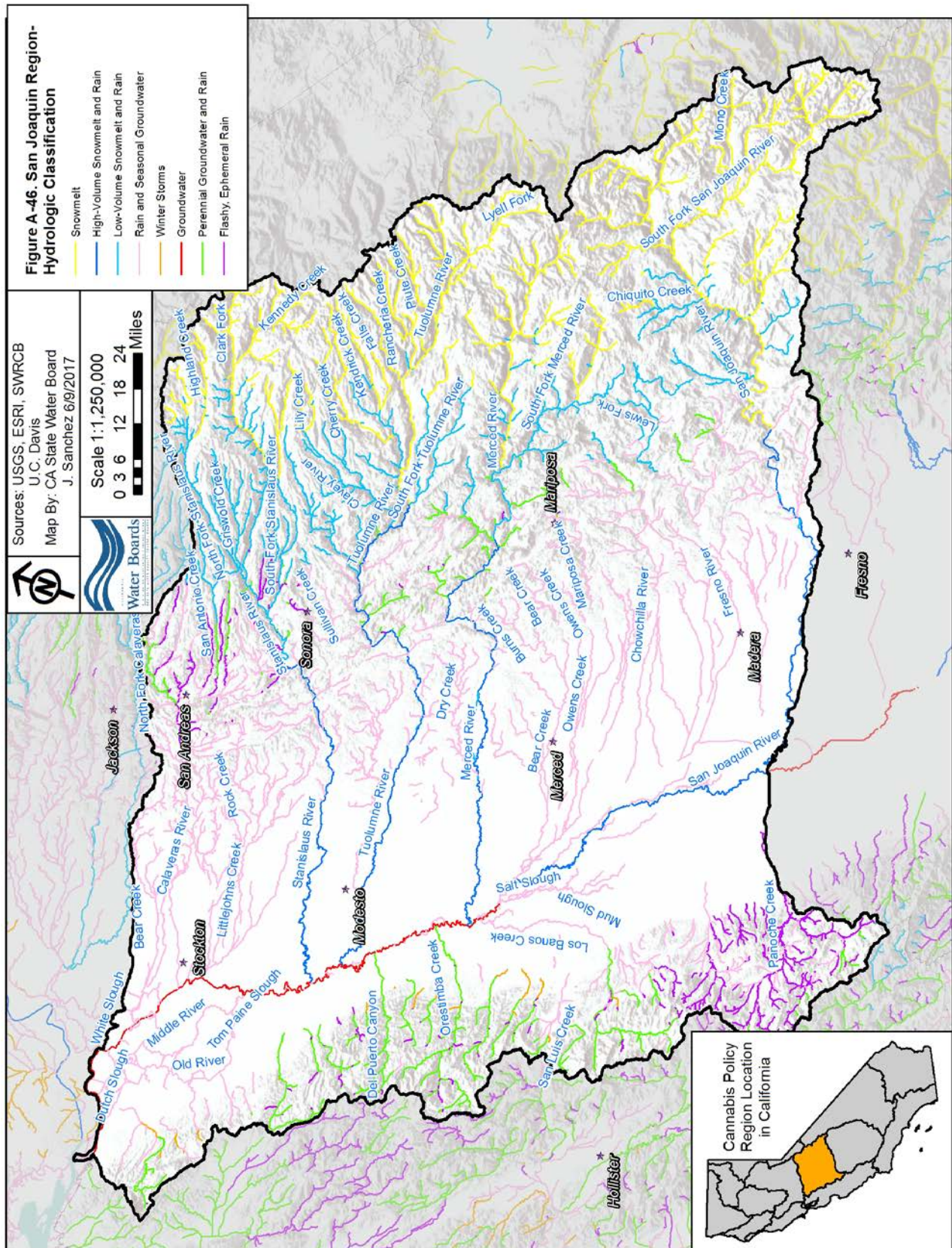
The CCV steelhead DPS is currently listed as threatened under the ESA (CDFW 2017b). The CV FR and CV LFR Chinook salmon populations are each listed as species of special concern by CDFW and, jointly, as a species of concern by NMFS (Moyle et al. 2015, NMFS 2017).

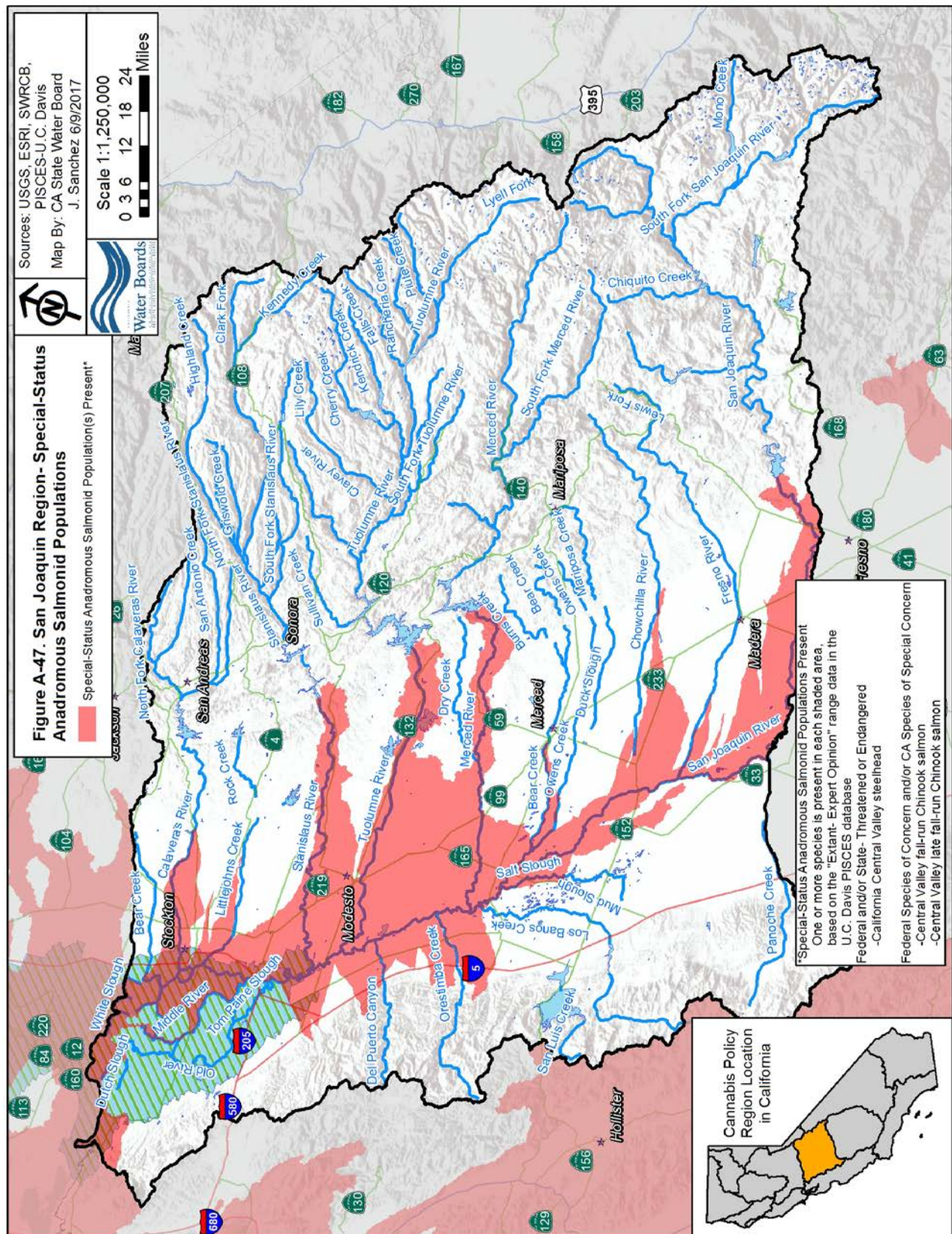












1.9 South Coast Region

The South Coast Region covers approximately 14,431 square miles along the southern coast of California, as shown in attached (Figure A-48). Elevations in the South Coast Region range from sea level along the coast, to over 6,000 feet in the Los Padres and San Bernardino National Forests; please refer to (Figure A-49) for an elevation map of the region. Numerous watersheds of small and moderate size are located in the South Coast Region, including the Santa Maria River, Santa Ynez River, Ventura River, Santa Clara River, Los Angeles River, Santa Ana River, San Luis Rey River, and San Diego River. These coastal watersheds drain to the Pacific Ocean.

1.9.1 Climate and Precipitation

Much of the South Coast Region is described by Mediterranean and Steppe climates. The northern portion of the South Coast Region is generally characterized by a Mediterranean climate, with cool summers. Temperatures in the South Coast Region tend to be cooler near the coast, which is a result of the marine influence. Much of the central and southern portion of the South Coast Region is characterized by a Mediterranean climate with hot summers, or by a Semi-arid, steppe climate. Please refer to (Figure A-50) for a climatic map of this region.

Temperature conditions and precipitation patterns in the South Coast Region tend to be mild. Average annual maximum temperatures in the South Coast Region tend to exceed 75 degrees Fahrenheit in inland areas, and coastal and high elevation areas tend to exhibit slightly cooler maximum temperatures. Average annual minimum temperatures in the South Central Coast Region tend to remain above 45 degrees Fahrenheit, although average annual minimum temperatures are cooler at the highest elevations. Average annual precipitation in the South Coast Region tends to range from 5 and 20 inches in most coastal and inland areas, but can exceed 40 inches at mountain peaks). Precipitation events tend to occur from November to April, with precipitation peaks in December and January. Nearly all precipitation in the South Coast Region falls as rain, and snow only contributes significant precipitation to the region in the vicinity of Big Bear Lake (WRCC 2016)

Please refer to (Figure A-51) for a precipitation map of the region. Please refer to Chart A-15, below, for an illustration of precipitation and temperature conditions in the South Coast Region.

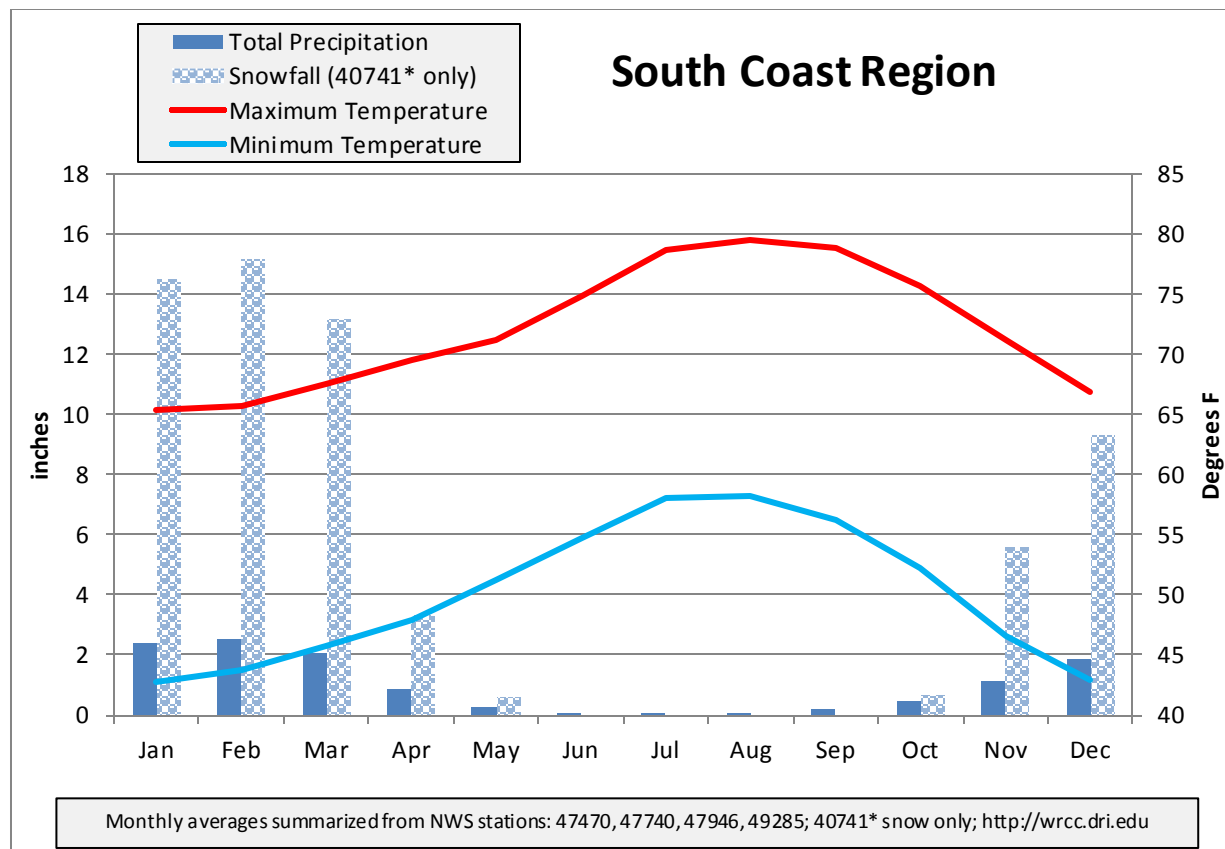


Chart A-15. Average annual patterns of temperature and precipitation in the South Coast Region.

1.9.2 Hydrology

Stream reaches in the South Coast Region are characterized by several classes described under UC Davis' hydrologic classification system. The majority of stream reaches located in the southern half of the South Coast Region are classified as Rain and Seasonal Groundwater (RSG) systems. Many streams located in the northern half of the South Coast Region and located along the eastern margin of the region are classified as Low-Volume Snowmelt and Rain (LSR) systems. The South Coast Region also contains several Perennial Groundwater and Rain (PGR), and Flashy, Ephemeral Rain (FER) stream systems. A small number of Winter Storm (WS) and Snowmelt (SM) stream reaches are also located in this region. (Lane et al 2016)

Please refer to (Figure A-52) for a depiction of the stream classifications within the South Coast Region.

1.9.3 Geology

The South Coast Region is located in the Coast Ranges, Transverse Ranges, and Peninsular Ranges geomorphic provinces. The Coast Ranges, located in the northern portion of the region, are characterized by irregular, knobby, landslide topography, and contain sedimentary and metamorphic rock. The Transverse Ranges geomorphic province, located in the central portion of the region, contains steep mountain ranges and valleys oriented perpendicular to the other coastal mountain ranges. The Peninsular Ranges geomorphic province, located in the southern portion of the region, is characterized by topography similar to the Coast Ranges, but

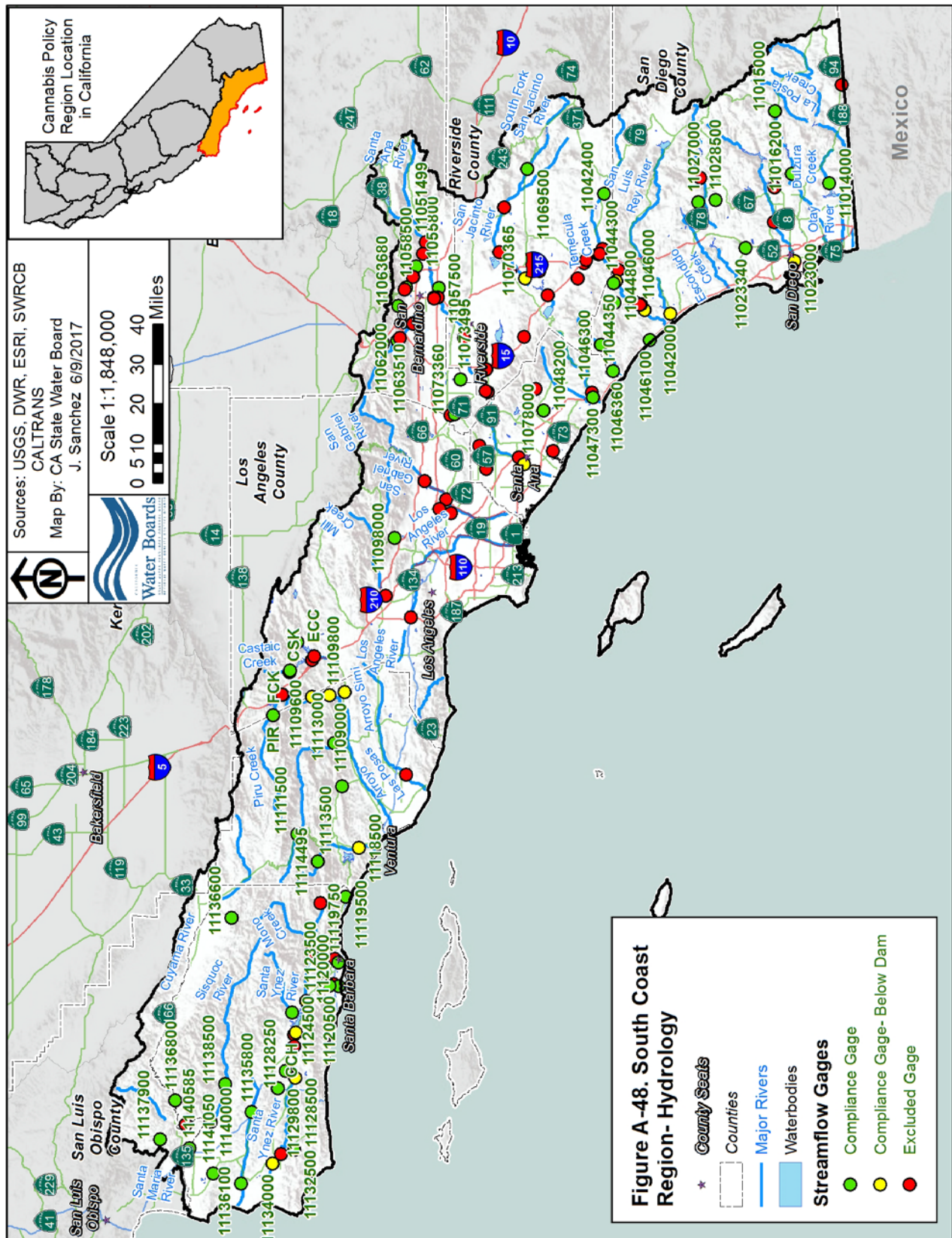
with rock types more similar to the Sierra Nevada mountains. Alluvial deposits are found in valleys throughout the South Coast Region. (CGS, 2002)

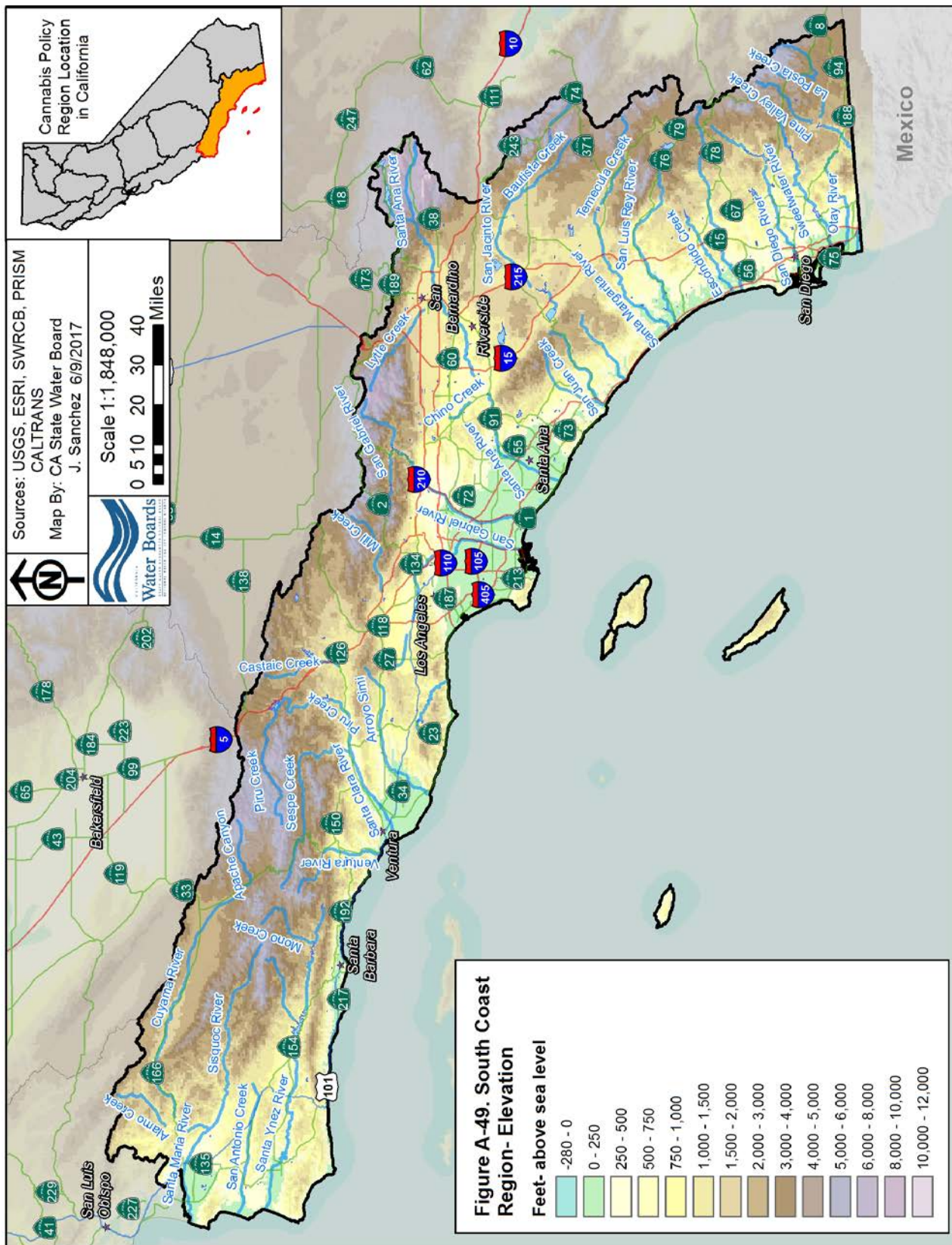
1.9.4 Anadromous Salmonid Population

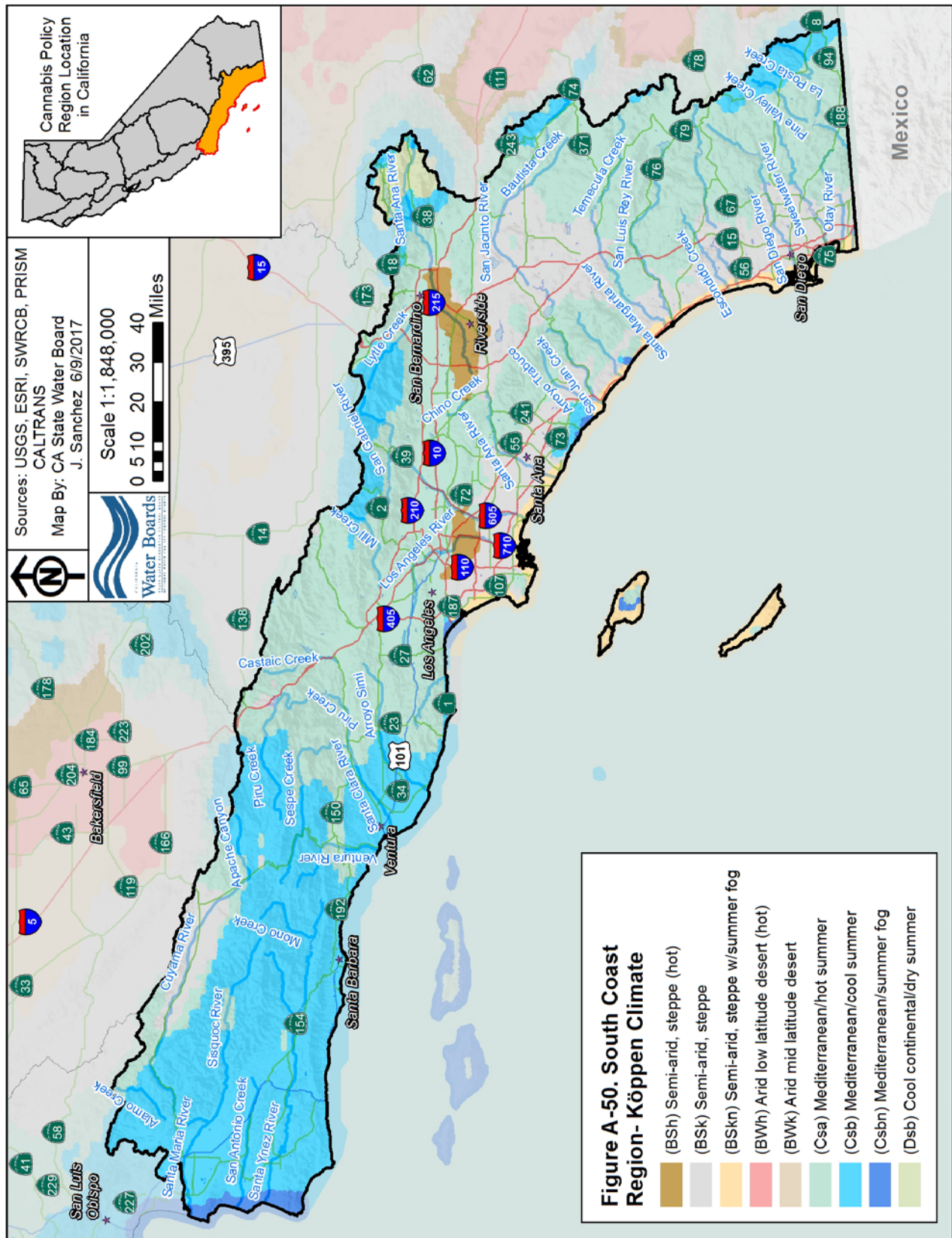
One special-status ESU, DPS, or DTE is currently extant within the South Coast Region (Figure A-53):

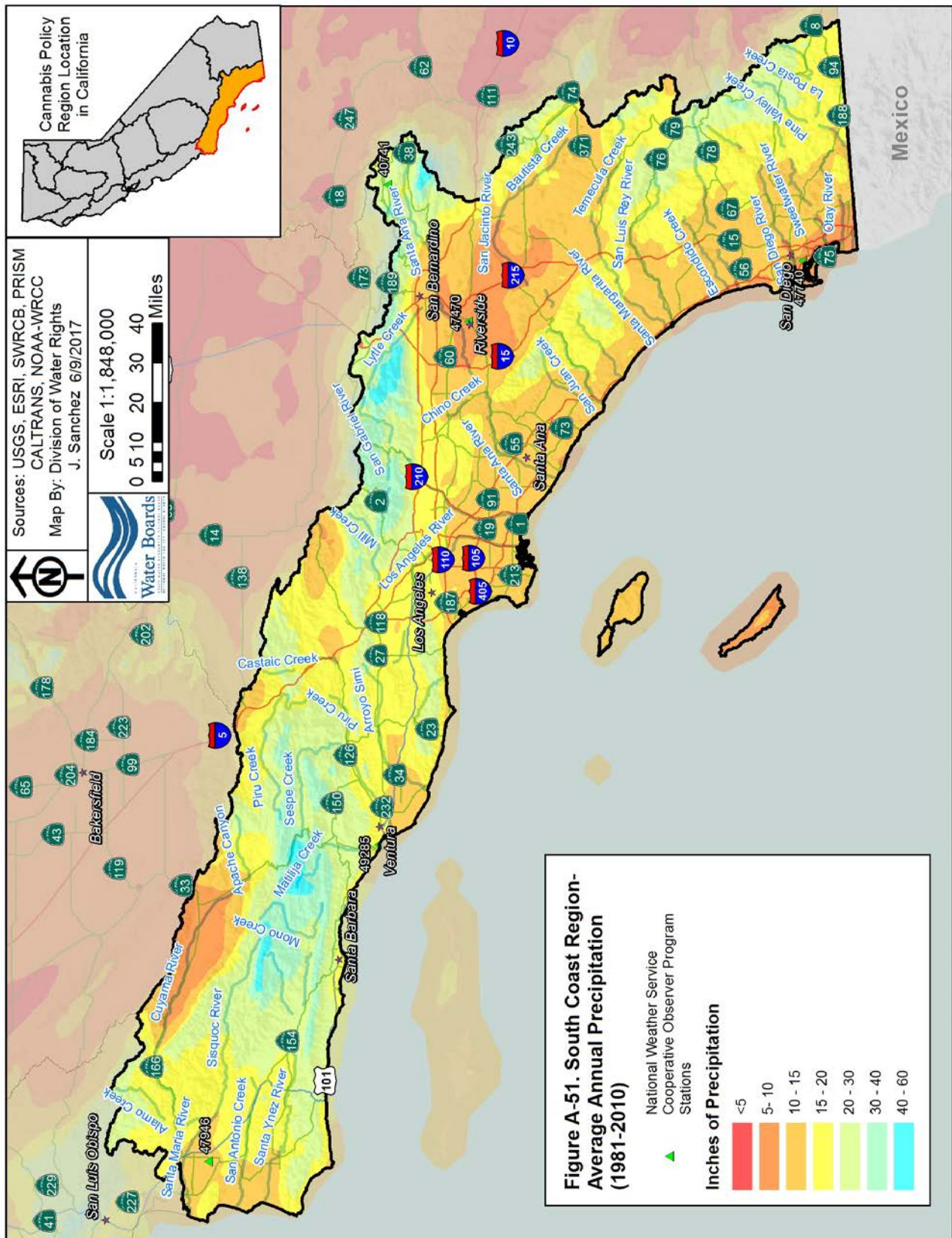
- the Southern California Coast (SCC) steelhead DPS.

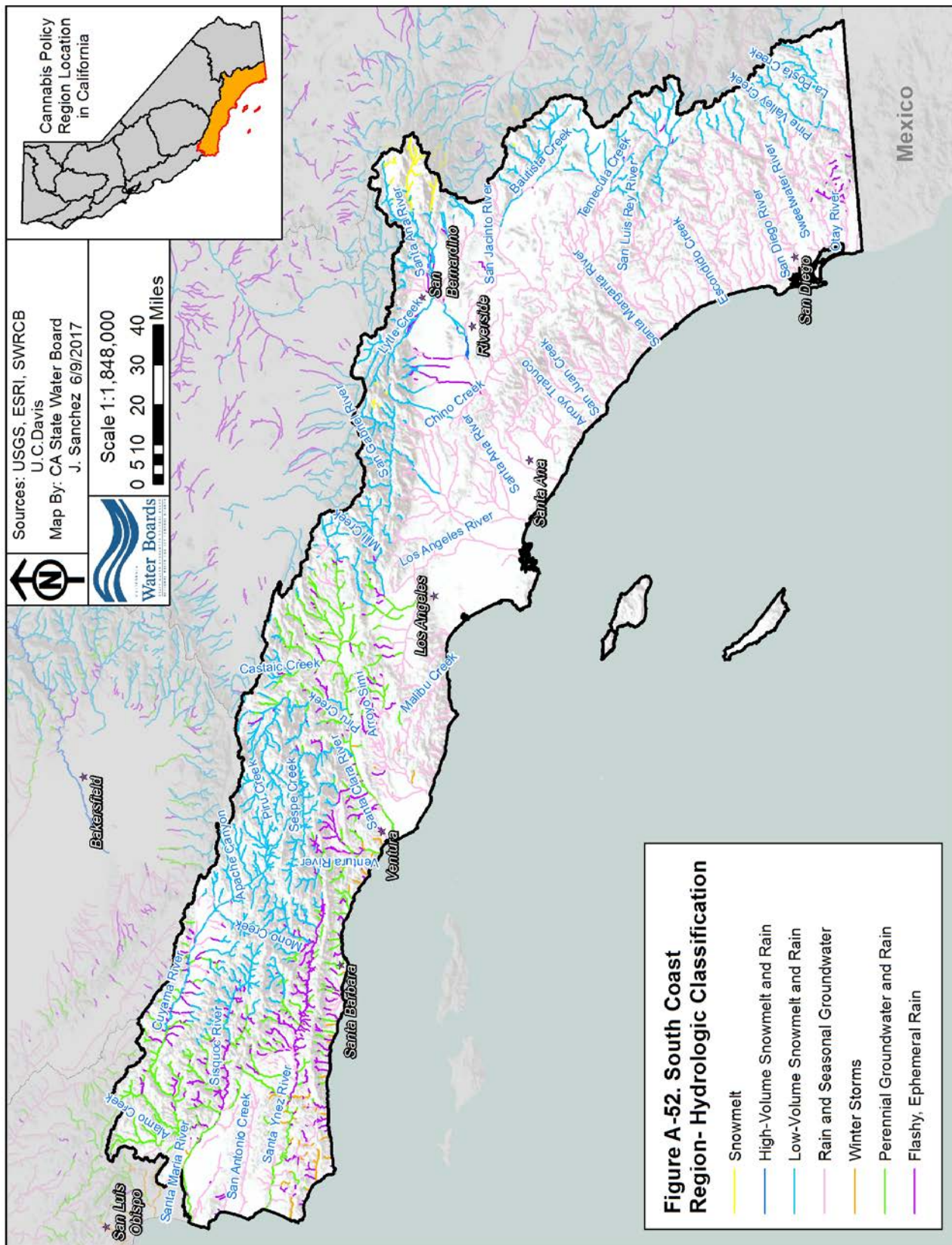
The SCC steelhead DPS is currently listed as endangered under the ESA (CDFW 2017b).

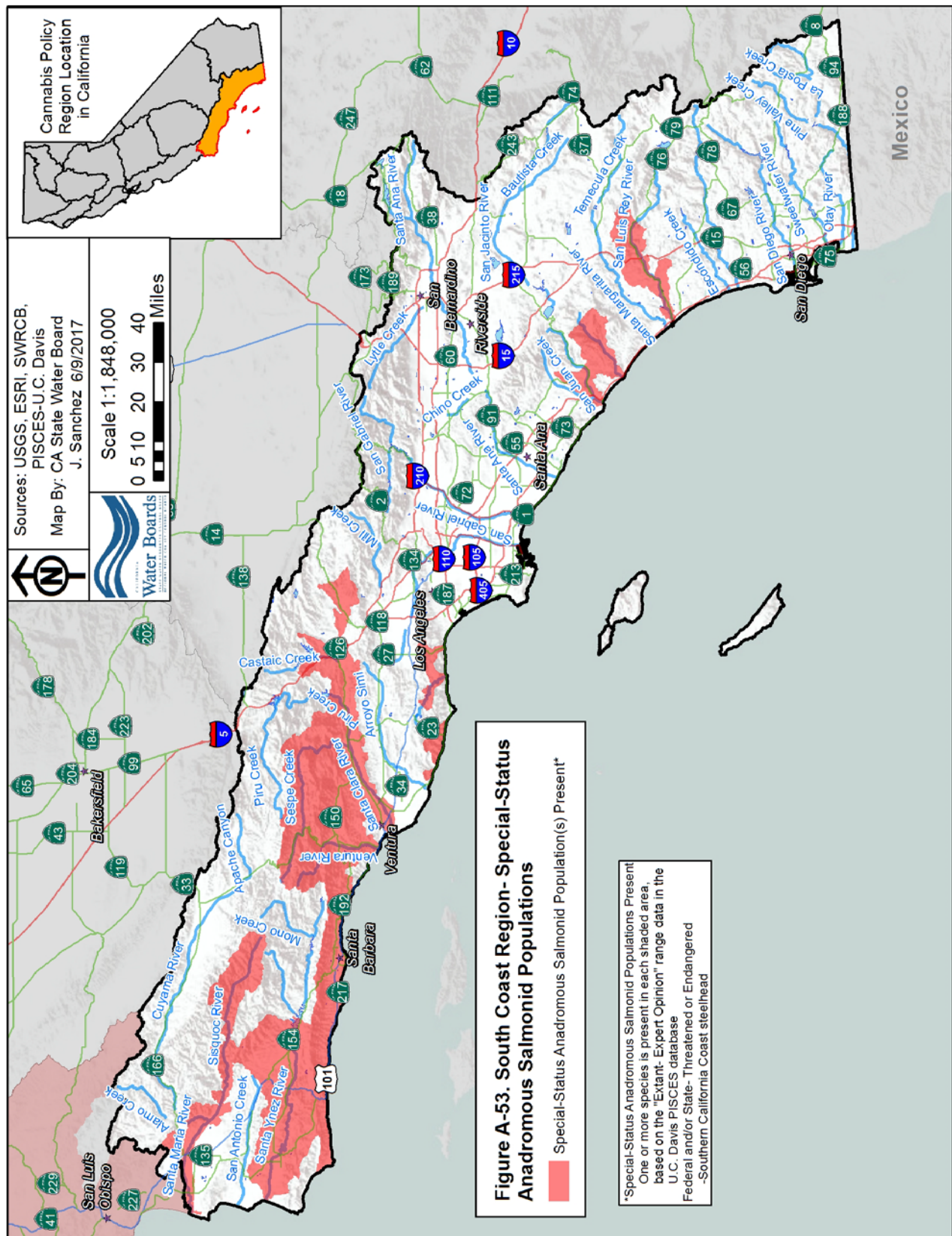












State Water Resources Control Board

DRAFT

Cannabis Cultivation Policy

Staff Report

**Appendix 2
Salmonid Life Histories**

July 7, 2017

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1.0 Special-Status¹ Anadromous Salmonids

The streams and rivers of California serve as habitat to 16 special-status anadromous salmonid populations, including Chinook salmon, coho salmon, and steelhead evolutionarily significant units (ESUs), distinct population segments (DPSs), or distinct taxonomic entities² (DTEs). This technical appendix discusses the general life history characteristics and the major threats to the viability of each special-status anadromous salmonid ESU, DPS, and DTE in California.

Figure 1 is included to aid visualization of life stage timing for each referenced ESU/DPS/DTE. Please note that California's streams and rivers also support other important aquatic and aquatic-dependent species, such as non-anadromous fish populations; however, anadromous salmonids are the focus of this appendix.

1.1 Southern Oregon/Northern California Coastal Chinook Salmon

1.1.1 Status and Distribution

The Southern Oregon/Northern California Coastal (SONCC) Chinook salmon ESU is a special-status species listed as a species of special concern³ by the California Department of Fish and Wildlife (CDFW). The SONCC Chinook salmon ESU includes Chinook salmon populations in streams from Cape Blanco, Oregon, south to the Klamath River, including Klamath River tributaries from the mouth to the confluence with the Trinity River (Figure 2). SONCC Chinook salmon populations in California include populations in the Smith River and a few lower Klamath River tributaries, including Blue Creek. SONCC Chinook salmon are considered fall-run Chinook salmon based on the population's life-history timing. (Moyle et al. 2015).

1.1.2 Life History

In general, SONCC Chinook salmon rear in freshwater for up to one year, migrate to the ocean, spend one to four years maturing in the marine environment and return to freshwater to spawn. Most SONCC Chinook salmon adults re-enter freshwater in the late fall, when stream flows typically increase, however SONCC Chinook salmon may enter Blue Creek as early as September or as late as December. SONCC Chinook salmon spawning typically begins in October or November and continues into January or February. Most SONCC Chinook salmon

¹ For the purposes of the Cannabis Cultivation Policy, the term "special-status" refers to species or distinct populations that are federally listed as threatened or endangered, listed as threatened or endangered by the state of California, listed as a species of concern by the National Marine Fisheries Service (NMFS), or listed as species of special concern by the California Department of Fish and Wildlife (CDFW). No California salmonids were federally proposed for listing as threatened or endangered or designated as a State Candidate for threatened or endangered listing by the state of California at the time of the preparation of this report (CDFW 2017b). Pink and chum salmon, which are noted as likely species of special concern by Moyle et al., are discussed in section 2.0 of this appendix (2015).

² The term "distinct taxonomic entity" (DTE) is applied in this document in reference to salmonid populations given consideration by CDFW as distinct, or separate, taxa, but that are not currently designated as individual ESUs or DPSs by NMFS.

³ CDFW defines California fish species of special concern to be "those species, subspecies, Evolutionary Significant Unit, or Distinct Population Segment of native fish that currently satisfy one or more of the following (not necessarily mutually exclusive) criteria: are known to spawn in California's inland waters; are not already listed under either federal or state endangered species acts (or both); are experiencing, or formerly experienced, population declines or range retractions that, if continued, could qualify them for listing as threatened or endangered status; [and/or] have naturally small populations exhibiting high susceptibility to risk from stressors that, if realized, could lead to declines that would qualify them for listing as threatened or endangered" (CDFW 2017a).

spawn in the middle reaches of coastal tributaries. As with all salmon, SONCC Chinook salmon spawn only once and die shortly after spawning. (Moyle et al. 2015)

SONCC Chinook salmon eggs incubate in redds for 40 to 60 days before hatching. The newly hatched fish, called alevins, remain in the redds for an additional four to six weeks before emerging into the water column as fry. SONCC Chinook salmon fry emergence occurs in the lower Klamath tributaries between February and mid-April. Some SONCC Chinook fry out-migrate to the ocean within weeks of emergence, while others may rear in freshwater for two months up to more than one year. If stream temperatures remain below 20 degrees Celsius, juvenile SONCC Chinook salmon will continue to rear instream throughout their first summer. A 1995-96 study of Blue Creek found fry outmigration began before mid-March, peaked in late April and late May, and continued into August. An earlier study of returning adults, using scale aging, found that most had reared in freshwater for two to six months as juveniles. Following outmigration, SONCC Chinook salmon generally spend one to four years maturing in the marine environment before returning to freshwater streams to spawn, primarily as three- and four-year-olds (Gale et al. 1998, Moyle et al. 2015).

1.1.3 Threats to Viability

SONCC Chinook salmon are subject to a number of population viability threats. Overall, the threat to the viability of SONCC Chinook salmon population is considered to be of moderate concern. Major anthropogenic factors limiting or potentially limiting SONCC Chinook salmon population viability include: hatcheries, estuary alteration, fisheries harvest, transportation, logging, rural residential development, and grazing. In addition, SONCC Chinook salmon populations may be impacted by climate change, especially as a result of temperature increases, changes to ocean conditions, and sea level rise. Factors of lesser concern that may impact SONCC Chinook salmon populations include major dams, agriculture, fire, recreation, and alien species (Moyle et al. 2015). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, existing roads and road development, logging, and rural development.

1.2 California Coastal Chinook Salmon

1.2.1 Status and Distribution

The California Coastal (CC) Chinook salmon ESU is a special-status species, listed as threatened under the federal Endangered Species Act (ESA). The CC Chinook salmon ESU includes Chinook salmon populations located in all coastal watersheds from Redwood Creek in Humboldt County south to the Russian River and its tributaries (Figure 2). The CC Chinook salmon ESU also includes seven artificial propagation programs. (CDFW 2017b)

1.2.2 Life History

The California coastal region historically supported both ocean-type Chinook salmon, which were predominantly fall-run Chinook salmon, and stream-type Chinook salmon, which were predominantly spring-run Chinook salmon. CC spring-run Chinook salmon, which relied on spring and summer snowmelt during adult spawning migration, are presumed to be extirpated likely due to low flows, high water temperatures, and sandbars, which develop in smaller coastal watersheds during the summer months and serve as a barrier to migration. Today, the CC Chinook salmon ESU includes only CC fall-run Chinook salmon. (NMFS 2015)

CC fall-run Chinook salmon have a differently-timed life history than CC spring-run Chinook salmon. In general, CC fall-run Chinook salmon rear in freshwater for a few weeks up to

several months, migrate to the ocean, spend two to five years maturing in the marine environment, and then return to freshwater to spawn in the fall season. (Fall-run adults can produce stream-type progeny, although ocean-type is far more common [NMFS 2015, p. 42, para. 1].) CC fall-run Chinook salmon adults return to freshwater between August and January at an advanced stage of maturity. CC fall-run Chinook salmon move rapidly to their low-elevation spawning grounds on the mainstem or lower tributaries of coastal rivers, and spawn within a few weeks of freshwater entry. As with all salmon, CC Chinook salmon spawn only once, and die shortly after spawning. Female Chinook salmon will guard or defend redds from predators for two to four weeks prior to their deaths. (NMFS 2015)

CC Chinook salmon eggs incubate in redds for 40 to 60 days before hatching, depending on water temperature. The newly hatched alevins remain in the redds for an additional four to six weeks, typically emerging into the water column as fry between December and mid-April. Ocean-type fry of juvenile CC Chinook salmon generally out-migrate to the marine environment within a few weeks to several months after emergence, usually between April and July. A strong environmental cue for the initiation of smoltification, a physiological transformation to prepare the fish for survival in a saline environment, appears to be an increase in water temperature. After out-migrating, CC Chinook salmon generally spend two to five years maturing in the marine environment before migrating back to freshwater to spawn. Some Chinook salmon, termed jacks (males) or jills (females), may return to freshwater to spawn one or more years early. (Moyle 2002, NMFS 2015)

The uncommon stream-type CC Chinook salmon life history differs from the ocean-type in several significant ways. First, stream-type CC Chinook salmon adult spawning migration takes place during spring and summer, typically between April and August, instead of during the fall and early winter months. Second, stream-type CC Chinook salmon adults enter freshwater when sexually immature and hold in cold, headwater tributaries for up to several months to complete maturation prior to spawning during fall. Lastly, stream-type juvenile CC Chinook salmon frequently reside in freshwater for a much longer period of one year or more prior to outmigration. (NMFS 2015)

1.2.3 Threats to Viability

CC Chinook salmon are subject to a number of population viability threats. All CC Chinook salmon life stages are affected by population viability threats, with the greatest impacts falling on adults, followed by pre-smolts, smolts, and eggs. NMFS identified that the highest severity and most extensive threat sources to the CC Chinook salmon, inclusive of all life stages, are: channel modification, roads and railroads, logging and wood harvesting, water diversions and impoundments, and severe weather patterns. Threats of lesser severity or extent include: disease, predation, and competition; livestock farming and ranching; mining; fire, fuel management, and fire suppression; residential and commercial development; agriculture; fishing and collecting; recreational areas and activities; and hatcheries and aquaculture (NMFS 2015). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, water diversions and impoundments, channel modification, logging and wood harvesting, and existing roads and road development.

1.3 Klamath Mountains Province Steelhead

1.3.1 Status and Distribution

The Klamath Mountains Province (KMP) steelhead distinct population segment (DPS) is a special-status species, which is listed as a species of special concern by CDFW. The KMP steelhead DPS includes coastal watersheds in northern California and southern Oregon,

spanning the Klamath River watershed in California north to the Elk River watershed in Oregon (Figure 3). (Moyle et al. 2015)

1.3.2 Life History

In general, the KMP steelhead rear in freshwater for two years, migrate to the ocean to spend two to three years maturing in the marine environment, and then return to freshwater to spawn. KMP steelhead exhibit two reproductive ecotypes, termed ocean maturing and stream maturing. Ocean-maturing KMP steelhead enter freshwater when sexually mature. These steelhead are also generally called winter steelhead based on the timing of their spawning migration. Winter steelhead spawning migration typically begins in November, but may begin as early as September, and continues into April. Winter steelhead spawning typically peaks before March. (Moyle et al 2015)

Stream-maturing KMP steelhead enter freshwater while sexually immature and complete their maturation in-river over the course of several months. This reproductive strategy is used by both runs of stream-maturing KMP steelhead: summer steelhead and fall steelhead. Summer steelhead enter freshwater as early as March and continue as late as July, though April to June is typical. KMP summer steelhead spawning begins in late December and peaks in January. Fall steelhead enter the Klamath Basin between July and November and migrate into spawning reaches in the Klamath and Trinity Rivers between August and November. Fall steelhead spawn between January and May. Steelhead are capable of spawning more than once and adult steelhead may survive spawning to migrate back to the ocean and return to freshwater to spawn again in subsequent years. One study found that between 40 to 64 percent of spawning KMP summer steelhead were repeat spawners. (Moyle et al. 2015)

KMP steelhead eggs incubate in redds for 18 to 80 days, depending on water temperature. Upon hatching, the alevins remain in the redds for an additional two to six weeks. In the Trinity River, KMP steelhead fry emerge from their redds beginning in April and migrate downstream from May through July; presumably, KMP steelhead in other rivers and streams within their native range exhibit similar fry emergence timing. If spawned in intermittent streams, as may be the case with summer steelhead, fry move into perennial streams soon after emergence. In late fall and winter, further downstream movement of KMP steelhead fry occurs, coinciding with periods of higher flows and lower water temperatures. The juveniles then spend their second year rearing in the river mainstem. Generally, after spending two years in freshwater, juvenile KMP steelhead out-migrate to the ocean where they continue maturing for one to three years before returning to freshwater to spawn. (Moyle et al. 2015)

A portion of all KMP steelhead variants (i.e., winter, fall, and summer steelhead) exhibit the half-pounder life-history strategy. Under this strategy, subadults, called half-pounders, return to the lower and middle Klamath River in late summer and early fall to overwinter, after having typically spent only two to four months in the Klamath estuary or near-shore environments, before out-migrating back to the ocean the following spring. Only a small portion of half-pounders will attain sexual maturity during this freshwater residency. (Moyle et al. 2015)

1.3.3 Threats to Viability

KMP steelhead are subject to a number of population viability threats. Overall, the threat to the viability of KMP steelhead populations is considered to be of high concern. Stream-maturing steelhead, especially summer steelhead, are particularly vulnerable to near-term extinction (Moyle et al. 2015, KMPS, p. 1, para. 1). Major anthropogenic factors likely contributing to the decline of KMP steelhead include dams, diversions, logging, and agriculture (2015, KMPS, p.

18, para. 3). Climate change is also projected to negatively affect KMP steelhead populations, especially since seasonal water temperatures and flows are already marginal in many areas (2015, p. 24, Table 6). KMP steelhead population viability threats of lesser concern include grazing, transportation, fire, estuary alteration, hatcheries, rural residential development, urbanization, instream mining, hard rock mining, recreation, harvest, and alien species (Moyle et al. 2015, KMPS, p. 22, Table 5). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: diversions, agriculture, existing roads and road development, logging, and rural development.

1.4 Northern California Steelhead

1.4.1 Status and Distribution

The Northern California (NC) steelhead DPS is a special-status species, and is listed as threatened under the federal ESA (CDFW 2017b). The NC steelhead DPS includes steelhead populations in California coastal watersheds, spanning Redwood Creek in Humboldt County south to the Gualala River watershed (Figure 3).

1.4.2 Life History

In general, NC steelhead rear in freshwater for one to four years, migrate to the ocean to spend one to four years maturing in the marine environment, and return to freshwater to spawn. NC steelhead exhibit two reproductive ecotypes, termed ocean-maturing, or winter-run, and stream-maturing, or summer-run (NMFS 2007b). Ocean-maturing (winter-run) NC steelhead adult migration occurs between November and April. Adult winter-run NC steelhead migrate when sexually mature and spawn shortly after freshwater entry (NMFS 2015). The timing of NC steelhead freshwater entry is correlated with higher flow events and, for some populations, sandbar breaches, which can be a barrier to upstream migration (NMFS 2015). In contrast, stream-maturing (summer-run) NC steelhead return to freshwater between May and October while sexually immature. NC summer-run steelhead complete their maturation in freshwater prior to spawning, which typically occurs in January and February (NMFS 2015).

After spawning, NC steelhead may become trapped in freshwater by low spring flows while out-migrating and held until higher flows return in fall. One study found that of adult steelhead trapped in freshwater during the spring season, 40 percent were still alive by late October. Another study found repeat spawners made up about 17 percent of a given year's spawning run. (NMFS 2015)

NC steelhead eggs incubate in redds for approximately 25 to 35 days depending on water temperature. Upon hatching, the alevins remain in the redds for an additional two to three weeks before emerging into the water column as fry. Fry and juvenile NC steelhead freshwater residency varies according to habitat productivity (i.e., the rate of generation of biomass). In productive habitats, such as lagoons or relatively warm streams, juveniles may reach sufficient size to out-migrate after one year. In less productive habitats, such as small coastal streams with dense riparian canopies and low, cool summer baseflows, juvenile NC steelhead typically rear for two or more years before out-migrating. Juvenile NC steelhead outmigration usually occurs in late winter and spring, but NC steelhead populations in the northern portion of the DPS may continue outmigration into the summer months. The process of smoltification, which prepares juvenile steelhead for the saline ocean environment, is triggered by environmental cues, such as an increased water temperature and photoperiod (i.e., day length). (NMFS 2015)

NC steelhead ocean residency varies according to several life history strategies. Following outmigration, steelhead may spend up to four years maturing in the marine environment, though

one or two years is typical. Additionally, NC steelhead populations in the Mad and Eel River watersheds include a half-pounder life history strategy. These half-pounders return from the ocean after only two to four months to overwinter in freshwater and then return to the ocean the following spring. (NMFS 2015)

1.4.3 Threats to Viability

NC steelhead are subject to a number of population viability threats. All NC steelhead life stages are affected by population viability threats, with the greatest impacts occurring to winter-rearing juveniles, followed by summer adults and summer-rearing juveniles (NMFS 2015, Vol. III, p. 52, para. 1). The highest severity and most extensive population viability threat sources to NC steelhead, inclusive of all life stages, are roads and railroads, water diversions and impoundments, logging and wood harvesting, and channel modification (NMFS 2015, Vol. III, p. 62 para. 1). Threats of lesser severity or extent include: severe weather patterns; livestock farming and ranching; disease, predation, and competition; fire, fuel management, and fire suppression; mining; agriculture; fishing and collecting; hatcheries and aquaculture; residential and commercial development; and recreational areas and activities (NMFS 2015, Vol. III, p. 64, Figure 23). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, water diversions and impoundments, channel modification, logging and wood harvesting, and existing roads and road development.

1.5 Southern Oregon/Northern California Coast Coho Salmon

1.5.1 Status and Distribution

The Southern Oregon/Northern California Coast (SONCC) coho salmon ESU is a special-status species listed as threatened under the federal ESA and the California ESA (CDFW 2017b). The SONCC coho salmon ESU includes all naturally spawned coho salmon populations in coastal streams north of Punta Gorda, California, and south of Cape Blanco, Oregon (Figure 4). The SONCC coho salmon ESU also includes coho salmon produced by three artificial propagation programs (NMFS 2014a).

1.5.2 Life History

SONCC coho salmon generally adhere to a three-year life cycle. SONCC coho salmon typically rear in freshwater for one year, migrate to the ocean to spend two years maturing in the marine environment, and then return to freshwater to spawn. Adult SONCC coho salmon migration may begin as early as late August, but typically occurs from October to March; peak adult SONCC coho salmon migration occurs between November and January. Adult SONCC coho salmon migration generally coincides with fall high streamflow events that are sufficient to breach sandbars at the mouth of SONCC coho salmon watersheds. SONCC coho salmon spawning grounds are typically located within 240 km of the coast, either along the coast, in small tributaries of larger rivers, or in headwater streams. Females tend to spawn soon after arriving at spawning grounds, usually between November and January; however, SONCC coho salmon may hold for days to months after arriving prior to spawning. As with all salmon, SONCC coho salmon spawn only once, and die shortly after spawning. Female SONCC coho salmon will guard their redds until their deaths, approximately four to 15 days after spawning. (NMFS 2014a)

SONCC coho salmon eggs typically incubate in redds between November and April for approximately 38 to 48 days, depending on water temperature. Upon hatching, alevins remain in the redds for an additional four to 10 weeks, depending on both water temperature and dissolved oxygen conditions, before emerging into the water column as fry. SONCC coho

salmon emergence typically occurs between March and July and peaks in March and May. SONCC coho salmon fry may move upstream or downstream after emergence and may utilize a wide variety of habitat for rearing, including lakes, sloughs, side channels, estuaries, beaver ponds, low gradient tributaries, and large areas of slack water. By about mid-June, SONCC coho salmon fry transition to the juvenile life stage. (NMFS 2014a)

In some basins, juvenile SONCC coho salmon exhibit at least four life-history strategies, which vary according to the timing of outmigration and the duration of riverine or estuarine residency. SONCC coho salmon life history strategies range from immediate outmigration to the estuarine environment following emergence, to rearing primarily in freshwater for up to two years. The dominant SONCC coho salmon life-history strategy involves rearing within natal watersheds for one year prior to out-migrating to the ocean. Some juvenile SONCC coho salmon may exhibit finer-scale habitat switching, such as juvenile SONCC coho salmon that rear in estuaries during spring, summer, and fall, and then return to freshwater upstream over winter.

SONCC coho salmon juvenile outmigration timing varies from March or earlier in Roach Creek, tributary to the Klamath River, and Ten Mile Creek, tributary to the Eel River, and continues until as late as August on the South Fork Eel River. Typical outmigration appears to occur in spring, between April and June. Depending on the opportunity and the capacity of the estuary, juvenile SONCC coho salmon may spend a few days to a few weeks in estuaries completing smoltification prior to out-migrating to the ocean. Following outmigration, most SONCC coho salmon spend approximately 18 months in the ocean before returning to their natal streams to spawn as three-year olds; however, some males, called jacks, may return to freshwater to spawn after only five to seven months. (NMFS 2014a)

1.5.3 Threats to Viability

SONCC coho salmon are subject to a number of population viability threats. These population viability threats collectively affect all stages of the SONCC coho salmon life cycle; however, NMFS identifies juvenile SONCC coho salmon to be the most limited life stage⁴. The highest severity and most extensive threat sources to the SONCC coho salmon in California identified by NMFS, inclusive of all life stages, are⁵: roads, channelization and diking, dams and diversions, climate change, timber harvest, and agricultural practices. Threats of lesser severity or extent include: high severity fire; invasive, non-native, and alien species; road stream crossing barriers; urban, industrial, and residential development; hatcheries; mining and gravel extraction; and fishing and collecting (NMFS 2014a). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agricultural practices, dams and diversions, channelization and diking, timber harvest, roads, and roads stream crossing barriers.

1.6 Upper Klamath-Trinity Rivers Spring-Run Chinook Salmon

1.6.1 Status and Distribution

The Upper Klamath-Trinity Rivers spring-run (UKTR SR) Chinook salmon DTE is listed as a species of special concern by CDFW. UKTR SR Chinook salmon are found in the Klamath River watershed, in major tributaries above the confluence of the Klamath and Trinity Rivers (Figure 2). Although all naturally spawned populations of Chinook salmon in the Klamath River

⁴ The SONCC coho salmon ESU includes the following watersheds that have no territory within the state of California: Elk River, Lower Rogue River, Chetco River, Brush Creek, Mussel Creek, Hunter Creek, Pistol River, and Upper Rogue River (NMFS 2014a).

⁵ Population viability threats listed here consider only those stream systems that have at least some of their territory within the state of California.

basin are included in the Upper Klamath-Trinity Rivers (UKTR) Chinook salmon ESU, CDFW treats UKTR SR Chinook salmon as a distinct taxon, because this population represents an essential UKTR Chinook salmon life-history strategy, and separate management strategies compared to UKTR fall-run Chinook salmon. (Moyle et al. 2015)

1.6.2 Life History

In general, UKTR SR Chinook salmon rear in freshwater for up to one year, migrate to the ocean, spend two to five years maturing in the marine environment, and return to freshwater to spawn. UKTR SR Chinook salmon enter the Klamath River estuary between March and July, while they are sexually immature. Peak UKTR SR Chinook salmon adult migration occurs between May and early June. UKTR SR Chinook salmon generally hold in cold water streams for two to four months and spawn in September and October. As with all salmon, UKTR SR Chinook salmon spawn only once, and die shortly after spawning. (Moyle et al. 2015)

UKTR SR Chinook salmon eggs incubate in redds for 40 to 60 days under optimal egg incubation conditions. Upon hatching, the alevins remain in the redds for an additional four to six weeks. UKTR SR Chinook salmon fry emerge from their redds during the fall, winter, and spring months. UKTR SR Chinook salmon fry emergence begins as early as November in the Trinity River and December in the Klamath River, and can last until late May. UKTR SR Chinook salmon fry generally spend less than one year rearing in freshwater before migrating to the ocean, which typically occurs from February through mid-June. Following outmigration, UKTR SR Chinook salmon generally spend one to four years maturing in the marine environment before returning to freshwater to spawn, primarily as three- and four-year-olds. (Moyle et al 2015)

1.6.3 Threats to Viability

UKTR SR Chinook salmon are subject to a number of population viability threats. Overall, the threat to the viability of UKTR SR Chinook salmon populations is considered to be of critical concern. Major anthropogenic factors limiting or potentially limiting UKTR SR Chinook salmon population viability include major dams, logging, and hatcheries. Wild UKTR SR Chinook salmon populations are also highly vulnerable to climate change and poaching. UKTR SR Chinook salmon population viability threats of lesser concern include agriculture, grazing, instream mining, transportation, harvest, rural residential development, fire, mining, recreation, urbanization, estuary alteration, and alien species (Moyle et al. 2015). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, logging, existing roads and road development, and rural development.

1.7 Upper Klamath-Trinity Rivers Fall-Run Chinook Salmon

1.7.1 Status and Distribution

The Upper Klamath-Trinity Rivers fall-run (UKTR FR) Chinook salmon DTE is listed as a species of special concern under the California ESA. UKTR FR Chinook salmon are found in the Klamath River watershed, in major tributaries above the confluence of the Klamath and Trinity Rivers (Figure 2). UKTR FR Chinook salmon along with UKTR SR Chinook salmon constitute a single ESU; however, CDFW treats the two runs as separate taxa because the two runs exhibit distinct life history strategies. (Moyle et al. 2015)

1.7.2 Life History

In general, UKTR FR Chinook salmon rear in freshwater for up to one year, migrate to the ocean, spend two to five years maturing in the marine environment, and return to freshwater to

spawn. UKTR FR Chinook salmon typically enter the Klamath River estuary beginning in early July through September and hold in the estuary for a few weeks before initiating further upstream migration between mid-July and October. UKTR FR Chinook salmon spawning peaks during November in most Klamath and Trinity River tributaries and tapers off in December; in the Trinity River watershed, UKTR FR Chinook salmon spawning typically peaks four to six weeks after UKTR SR Chinook spawning. As with all salmon, UKTR FR Chinook salmon spawn only once, and die shortly after spawning. (Moyle et al. 2015)

UKTR FR Chinook salmon eggs incubate in redds for 40 to 60 days under optimal egg incubation conditions. Upon hatching, the alevins remain in redds for an additional four to six weeks. UKTR FR Chinook salmon fry typically emerge from redds in late winter or spring, depending on water temperatures. (Moyle et al. 2015)

There are at least four distinct juvenile UKTR FR life history strategies. The most predominant juvenile life history strategy is characterized by a short period of freshwater residence, during which fry forage in freshwater streams, followed by outmigration to the ocean during summer. The next most common juvenile life history strategy is characterized by a longer period of freshwater residence, during which fry rear in tributaries or cool-water areas through summer, followed by outmigration during fall to mid-winter. A small portion of UKTR FR Chinook salmon fry rear for an entire year in freshwater before out-migrating to the ocean in the spring. A fourth life history variation in which males rear to maturity in freshwater has also recently been described. Following outmigration, UKTR FR Chinook salmon generally spend one to four years maturing in the marine environment before returning to freshwater to spawn, primarily as three- and four-year-olds. (Moyle et al 2015)

1.7.3 Threats to Viability

UKTR FR Chinook salmon are subject to a number of population viability threats. Overall, the threat to the viability of UKTR FR Chinook salmon populations is considered to be of moderate concern. Major anthropogenic factors limiting or potentially limiting UKTR FR Chinook salmon population viability include: major dams; and agriculture, including water diversions, warm water temperature, and pollutant inputs. UKTR FR Chinook salmon population viability threats of lesser concern include logging, hatcheries, grazing, instream mining, transportation, harvest, rural residential development, fire, mining, recreation, urbanization, estuary alteration, and alien species (Moyle et al. 2015). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, logging, existing roads and road development, warm water temperature, pollutant inputs, and rural development.

1.8 Sacramento River Winter-Run Chinook Salmon

1.8.1 Status and Distribution

The Sacramento River winter-run (SRWR) Chinook salmon ESU is a special-status species listed as endangered under the federal ESA and the California ESA (CDFW 2017b). Historically, SRWR Chinook salmon spawned in the cold, spring-fed tributaries of the upper Sacramento River Basin. SRWR Chinook salmon spawning is now restricted to the stretches of the Sacramento River downstream of Keswick Dam, a complete barrier to upstream SRWR Chinook salmon migration (Figure 5). The SRWR Chinook salmon ESU also includes fish that are propagated at the Livingston Stone National Fish Hatchery.

1.8.2 Life History

In general, SRWR Chinook salmon rear in freshwater for 5 to 10 months, migrate to the ocean, spend one to three years maturing in the marine environment, and then return to freshwater to spawn. SRWR Chinook salmon adult upstream migration typically begins in December and lasts through July, and peak migration occurs between February and April (CDFW 2015). SRWR Chinook salmon are sexually immature when upstream migration begins, and SRWR Chinook salmon must hold for several months in suitable freshwater habitat prior to spawning to complete maturation (NMFS 2014b). Historically, SRWR Chinook salmon spawned in the cold, spring-fed tributaries of the upper Sacramento River Basin; however, with the construction of the Keswick Dam, SRWR Chinook salmon migration and spawning are now restricted to the stretches of the Sacramento River downstream of the dam. Spawning now occurs primarily in the mainstem of the Sacramento River between Keswick Dam and Battle Creek, with the majority of spawning occurring in the 14 miles between the Keswick Dam and the Redding Water Treatment Plant. SRWR Chinook salmon spawning typically occurs between April and August and peaks in May and June (CDFW 2015). As with all salmon, SRWR Chinook salmon spawn only once, and die shortly after spawning.

Because SRWR Chinook salmon spawning occurs during late spring and summer months, SRWR Chinook salmon require stream reaches with cold water sources that will protect embryos and juveniles from warm ambient conditions. Within the appropriate egg incubation temperature range, eggs incubate for 40 to 60 days. Upon hatching, SRWR Chinook salmon alevins remain in redds for an additional four to six weeks before emerging into the water column as fry, usually between mid-June and mid-October. Upon emergence, SRWR Chinook salmon fry may immediately begin migration downstream until reaching the San Francisco Bay/Sacramento – San Joaquin Delta (Bay-Delta) estuary, or may reside in freshwater for several weeks or up to one year. Typically, after five to nine months in fresh or estuarine waters, juvenile SRWR Chinook salmon migrate to the ocean; migration between the Bay-Delta and the ocean usually occurs between January and June. Following outmigration, SRWR Chinook salmon typically spend one to three years maturing in the marine environment before migrating back to freshwater to spawn. (NMFS 2014b)

1.8.3 Threats to Viability

SRWR Chinook salmon are subject to a number of population viability threats. SRWR Chinook salmon population stressors collectively affect all life history stages. Major SRWR Chinook salmon stressors include: passage impediments and barriers; flow fluctuations, water pollution, and warm water temperatures; loss of juvenile rearing habitat (e.g., lost natural river morphology and function, and lost riparian habitat and instream cover); predation; ocean harvest; changes in Delta hydrology, diversion into the central Delta, and entrainment of juveniles at pumping plants (NMFS 2014b). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: loss of juvenile rearing habitat, flow fluctuations, water pollution, passage impediments and barriers, warm water temperatures, predation, and entrainment.

1.9 Central Valley Spring-Run Chinook Salmon

1.9.1 Status and Distribution

The Central Valley spring-run (CV SR) Chinook salmon ESU is a special-status species listed as threatened under the federal ESA and the California ESA (CDFW 2017b). The CV SR Chinook salmon ESU contains naturally spawning populations in the Sacramento River watershed, and also includes the Feather River Hatchery Spring-run Chinook Program (Figure 5). Historically, CV SR Chinook salmon populations also occurred in the San Joaquin River

watershed; however, CV SR Chinook salmon have been extirpated from all tributaries in the San Joaquin River watershed. (SWRCB 2010; NMFS 1998)

1.9.2 Life History

In general, CV SR Chinook salmon rear in freshwater for up to 16 months, migrate to the ocean, spend one to four years maturing in the marine environment, and return to freshwater to spawn. CV SR Chinook salmon adult migration into the Delta typically begins in late January and early February, when the fish are sexually immature. Between March and October, adult CV SR Chinook salmon typically continue to migrate upstream into the freshwater of the Sacramento River watershed, peaking between April and July. CV SR Chinook salmon then hold in freshwater for several months in cold, deep pools to complete maturation prior to spawning. CV SR Chinook salmon spawning in the Sacramento River watershed typically occurs between mid-August and early October, with a peak in September. As with all salmon, CV SR Chinook salmon spawn only once, and die shortly after spawning. (CDFS 2015; NMFS 2014b)

CV SR Chinook salmon eggs tend to incubate in redds for 40 to 60 days, typically between August and December, before hatching. CV SR Chinook salmon egg incubation typically occurs between August and December, and fry emergence typically occurs between November and March. Upon emergence, the newly hatched alevins remain in redds for an additional four to six weeks before emerging into the water column as fry, with emergence typical between November and March. In the winter or spring and within eight months of hatching, CV SR Chinook salmon fry may either migrate to the ocean as young-of-the-year, or may rear in freshwater for 12 to 16 months and then migrate to the ocean as yearlings. The specific timing of young-of-the-year and yearling outmigration varies by stream system; outmigration typically occurs between November and May. Following outmigration, CV SR Chinook salmon generally spend one to four years maturing in the marine environment before migrating back to freshwater to spawn, typically as three year olds. (CDFW 2015; NMFS 2014b)

1.9.3 Threats to Viability

CV SR Chinook salmon are subject to a number of population viability threats. These stressors collectively affect all CV SR Chinook salmon life history stages. Major stressors on the CV SR Chinook salmon populations include passage impediments and barriers, ocean harvest, warm water temperatures during holding and rearing periods, limited quantity and quality of rearing habitat (e.g., loss of floodplain habitat, loss of natural river morphology and function, and loss of riparian habitat and instream cover), predation, and entrainment. Other important stressors on CV SR Chinook salmon populations include hatchery effects, warm water temperatures affecting adult immigration and spawning, low-flow conditions, excessive channel braiding, limited spawning habitat availability and instream gravel supply, sedimentation, loss of channel connectivity, and flow fluctuations from hydropower operations (NMFS 2014b). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: limitation to the quantity and quality of rearing habitat, sedimentation, flow fluctuations, low-flow conditions, loss of channel connectivity, warm water temperatures, predation, and entrainment.

1.10 Central Valley Fall-Run Chinook Salmon

1.10.1 Status and Distribution

The Central Valley fall-run (CV FR) Chinook salmon DTE is listed as a species of special concern by CDFW (Moyle et al. 2015). In addition, NMFS lists CV FR Chinook salmon in

conjunction with the Central Valley late fall-run Chinook salmon as a species of concern^{6,7} (NMFS 2017).

The CV FR Chinook salmon ESU includes populations in the Sacramento River watershed and the San Joaquin River watershed (Figure 6). Historically, CV FR Chinook salmon spawned in the low elevation reaches of all major Central Valley rivers. Today, impassable dams prevent CV FR Chinook salmon from reaching over seventy percent of their historic spawning habitat. In some Central Valley rivers, however, cold water releases from dams allow CV FR Chinook salmon to spawn in areas where stream temperatures conditions were historically unsuitable to support CV FR Chinook salmon. In addition, CV FR Chinook salmon populations have not been as substantially impacted by dam construction as SRWR Chinook salmon and CV SR Chinook salmon populations, which typically spawn at higher elevations in the Central Valley. (Moyle et al 2015)

1.10.2 Life History

In general, CV FR Chinook salmon rear in freshwater for one to seven months, migrate to the ocean, spend two to five years maturing in the marine environment, and return to freshwater to spawn. CV FR Chinook salmon adult spawning migration typically begins in June and lasts through December, with peak migration occurring between September and October. CV FR Chinook salmon exhibit an ocean-type life-history strategy, are sexually mature when adult upstream migration begins, and move relatively quickly to their spawning grounds. CV FR Chinook salmon spawning typically occurs between late September and December and peaks in October and November. As with all salmon, CV FR Chinook salmon spawn only once, and die shortly after spawning. (Moyle et al. 2015)

CV FR Chinook salmon eggs incubate in redds for 40 to 60 days under optimal egg incubation conditions. Upon hatching, the alevins remain in the redds for an additional four to six weeks before emerging into the water column as fry. CV FR Chinook salmon fry typically emerge between December and March and move downstream into large rivers within a few weeks of emergence. CV FR Chinook salmon fry often rear in freshwater for one to seven months, although they may remain as long as one year before out-migrating. Juvenile CV FR Chinook salmon out-migrate to the ocean during the spring, before water temperatures exceed thermal tolerances during the hot summer and early fall months. Following outmigration, CV FR Chinook salmon typically spend two to five years maturing in the marine environment before migrating back to freshwater to spawn. (Moyle et al. 2015)

Historically, juvenile CV FR Chinook salmon likely foraged extensively on floodplains prior to entering the San Francisco Estuary. This floodplain rearing life history component represented an important growth opportunity for CV FR Chinook salmon, which usually enter the ocean at a relatively small size and young age compared to out-migrating smolts from other Central Valley Chinook salmon runs. Today, less than 10 percent of this historic floodplain habitat remains. (Moyle et al 2015)

⁶ NMFS designates populations as species of concern if the organization has “concern regarding status and threats, but for which insufficient information is available to indicate a need to list the species under the Endangered Species Act” (NMFS 2017).

⁷ NMFS currently considers the Central Valley fall-run Chinook salmon and the Central Valley late fall-run Chinook salmon to be two races under a single ESU. To contrast, CDFW regards the CV FR Chinook salmon and CV LFR Chinook salmon runs as separate taxonomic entities, and thus separate species of special concern on the statewide Species of Special Concern list, based upon their distinct life-history strategies and in consideration of the unique management concerns of each run. (Moyle et al. 2015).

1.10.3 Threats to Viability

CV FR Chinook salmon are subject to a number of population viability threats. Overall, CV FR Chinook salmon population viability threats are considered to be of high concern. Estuary alteration is recognized as the anthropogenic factor of greatest concern related to CV FR Chinook salmon population viability. Additional anthropogenic factors that are considered major concerns on the continued viability of CV FR Chinook salmon populations include: major dams; agriculture; urbanization; instream mining; ocean and inland harvest; and hatcheries. CV FR Chinook salmon are particularly dependent on hatchery production to augment low numbers of naturally-spawning CV FR Chinook salmon, which may result in a loss of CV FR Chinook salmon life history variability due to homogenization. CV FR Chinook salmon viability is also threatened by climate change, which may result in Central Valley stream temperature increases and changes in precipitation patterns. Factors of lesser concern on the continued viability of CV FR Chinook salmon populations include grazing, rural residential development, legacy effects of hydraulic and hard rock gold mining, transportation, logging, fire, recreation, and alien species (Moyle et al 2015). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, rural development, logging, and existing roads and road development.

1.11 Central Valley Late Fall-Run Chinook Salmon

1.11.1 Status and Distribution

The Central Valley late fall-run (CV LFR) Chinook salmon DTE is listed as a species of special concern by CDFW (Moyle et al. 2015). In addition, NMFS lists CV LFR Chinook salmon in conjunction with the Central Valley fall-run Chinook salmon as a species of concern⁸. (NMFS 2017)

The CV LFR Chinook salmon ESU includes populations in the Sacramento River watershed (Figure 6). CV LFR Chinook salmon likely historically spawned in the upper Sacramento and McCloud Rivers, in portions of major tributaries that naturally provided adequate cold water temperatures during summer, and possibly in the Friant region and in other large tributaries to the San Joaquin River. Today, impassible dams prevent CV LFR Chinook salmon from reaching much of this historic spawning habitat. As a result, CV LFR Chinook salmon now primarily spawn and rear in the Sacramento River between the Red Bluff Diversion Dam and Redding, and are reliant on cold water releases from Shasta Dam to maintain suitable spawning habitat conditions. (Moyle et al 2015)

1.11.2 Life History

In general, CV LFR Chinook salmon rear in freshwater for 7 to 13 months, migrate to the ocean, spend one to four years maturing in the marine environment, and return to freshwater to spawn. CV LFR Chinook salmon adult migration typically occurs during December and January, but may begin as early as October and continue into April. CV LFR Chinook salmon are sexually mature when upstream migration begins, move relatively quickly to their spawning grounds, and typically spawn shortly after arrival at spawning grounds. CV LFR Chinook salmon spawning occurs between late December and April and peaks between February and March. As with all

⁸ NMFS currently considers the Central Valley fall-run Chinook salmon and the Central Valley late fall-run Chinook salmon to be two races under a single ESU. In contrast, CDFW regards the runs as separate taxonomic entities, and thus separate species of special concern on the statewide Species of Special Concern list, based upon their distinct life-history strategies and in consideration of the unique management concerns of each run. (Moyle et al. 2015).

salmon, CV LFR Chinook salmon spawn only once, and die shortly after spawning. (CDFW 2015; Moyle et al 2015)

CV LFR Chinook salmon life history details are less extensively documented compared to other Central Valley Chinook salmon populations because CV LFR Chinook salmon were recognized relatively recently as a unique run⁹ and because CV LFR Chinook salmon migration and spawning activities are difficult to observe and tend to coincide with high, cold, and turbid streamflows. It is presumed that CV LFR Chinook salmon have similar egg and alevin incubation lengths compared to other Central Valley Chinook salmon populations; it is presumed that CV LFR Chinook salmon egg incubation lasts for, 40 to 60 days and CV LFR Chinook salmon alevin incubation lasts 4-6 weeks. Alevins typically emerge into the water column as fry from April to early June. Juvenile CV LFR Chinook salmon usually hold in freshwater for 7 to 13 months before out-migrating, and peak CV LFR Chinook salmon outmigration appears to occur in October. Juvenile CV LFR Chinook salmon may, however, out-migrate at younger ages and smaller sizes during most months of the year. Following outmigration, CV LFR Chinook salmon may spend between one and four years maturing in the marine environment before migrating back to freshwater to spawn. Historically, spawning CV LFR Chinook salmon adults consisted of a mix of age classes ranging from two to five years of age; however, currently, most adults return to freshwater to spawn as three-year-olds. (Moyle et al. 2015)

1.11.3 Threats to Viability

CV LFR Chinook salmon are subject to a number of population viability threats. Overall, threats to the viability of CV LFR Chinook salmon population are considered to be of high concern. Major anthropogenic factors limiting or potentially limiting CV LFR Chinook salmon population viability include major dams, estuary alteration, agriculture, ocean and inland harvest, and hatcheries. In addition, while the current proportion of the spawning population of hatchery origin is small, the influence of hatcheries is still of concern due to the associated potential ecological and genetic impacts to the sustainability of the run. CV LFR Chinook salmon face additional risks posed by climate change, which is expected to increase instream temperatures while simultaneously limiting the ability to maintain a cool water pool behind Shasta Dam; these factors may result in a lack of cold water habitat sufficient to support CVLFR Chinook salmon year-round. CV LFR Chinook salmon population viability threats of lesser concern include grazing, rural residential development, instream mining, mining (particularly from Iron Mountain Mine), transportation, logging, fire, recreation, and alien species (Moyle et al. 2015). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, rural development, logging, and existing roads and road development.

1.12 California Central Valley Steelhead

1.12.1 Status and Distribution

The California Central Valley (CCV) steelhead DPS is a special-status species listed as threatened under the federal ESA. The CCV steelhead DPS includes naturally spawned steelhead populations in the Sacramento and San Joaquin Rivers and their tributaries, but does not include steelhead populations in tributaries to the San Francisco and San Pablo Bays (Figure 3). The CCV steelhead DPS also includes steelhead from two artificial propagation programs. (CDFW 2017b)

⁹ Central Valley late-fall run Chinook salmon were recognized as a distinct Chinook salmon run in 1966, after the construction of the Red Bluff Diversion Dam allowed for easier observation of fish passage through this area (Moyle et al. 2015).

1.12.2 Life History

In general, CCV steelhead rear in freshwater for one to three years, migrate to the ocean, spend one to four years maturing in the marine environment, and return to freshwater to spawn. At this time, CCV steelhead follow an ocean-maturing, or winter run life history strategy, but CCV steelhead may have also historically included a summer steelhead life history strategy prior to the construction of large Central Valley dams. CCV steelhead adults typically begin migrating from the ocean in December when tributary streamflows are high, with peak CCV steelhead adult migration occurring in January and February. However, adult CCV steelhead freshwater migration may begin as early as August and extend until as late as April. CCV steelhead spawn in small streams and tributaries in the Sacramento and San Joaquin River watersheds where cool, well-oxygenated water is available year-round, including every major tributary downstream of major storage dams. CCV steelhead spawning usually occurs between January and March and peaks in February. CCV steelhead are capable of spawning more than once, but rarely spawn more than twice. Those individuals that do not die after spawning typically migrate back to the ocean between April and June, with a peak observed in May. (CDFW 2015; NMFS 2014b)

CCV steelhead eggs incubate in redds for three to four weeks or more, depending on water temperature. Upon hatching, the alevins remain in redds for an additional four to six weeks before emerging into the water column as fry. Fry and juvenile CCV steelhead spend up to three years rearing in freshwater and most commonly rear in freshwater for two years. Typically, juvenile CCV steelhead out-migrate to the ocean between November and May. However, in the Sacramento River watershed, juvenile CCV steelhead may migrate downstream during most months of the year, with peak outmigration occurring in spring, and a smaller peak occurring in fall. During outmigration, juvenile CCV steelhead may rear for short periods in the Delta's tidal marshes, non-tidal freshwater marshes, and other shallow water habitat. Peak outmigration through the Delta typically occurs in March and April. Following outmigration, CCV steelhead typically spend two or three years maturing in the marine environment before migrating back to freshwater to spawn as four- or five-year-olds. (NMFS 2014b; CDFW 2015)

1.12.3 Threats to Viability

CCV steelhead are subject to a number of population viability threats. Overall, stressors on CCV steelhead collectively affect all life history stages. Major stressors on CCV steelhead include passage impediments and barriers, warm water temperatures for rearing, hatchery effects, limited quantity and quality of rearing habitat (e.g., loss of floodplain habitat, loss of natural river morphology and function, and loss of riparian habitat and instream cover), predation, and entrainment. Other important stressors on CCV steelhead include warm water temperatures affecting adult immigration and holding and embryo incubation, limited spawning habitat availability, limited instream gravel supply, sedimentation, the potential for hazardous spills, flow fluctuations, low-flow conditions, and poor water quality (NMFS 2014b). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: limitations to the quantity and quality of rearing habitat, poor water quality, entrainment, sedimentation, flow fluctuations, passage impediments and barriers, predation, warm water temperatures for rearing, and low-flow conditions.

1.13 Central California Coast Steelhead

1.13.1 Status and Distribution

The Central California Coast (CCC) steelhead DPS is a special-status species listed as threatened under the federal ESA. The CCC steelhead DPS includes all steelhead populations from the winter-run populations in the Russian River basin south to Aptos Creek in Santa Cruz County, and the drainages of San Francisco, San Pablo, and Suisun Bays, including the tributary streams to Suisun Marsh, but excluding the Sacramento-San Joaquin River system (Figure 3; CDFW 2017b, NMFS 1996).

1.13.2 Life History

The CCC steelhead DPS exhibits a similar life history to the ocean-maturing, or winter-run, NC steelhead. (NMFS 2011, 2007a) Please refer to the NC steelhead description in this appendix for general life history information that applies to the CCC steelhead DPS.

1.13.3 Threats to Viability

CCC steelhead are subject to a number of population viability threats. All CCC steelhead life stages are affected by CCC steelhead population viability threats, but the greatest impact of these threats fall on winter-rearing juvenile CCC steelhead, followed by egg incubation and summer-rearing juvenile life history stages. The highest severity and most extensive CCC steelhead population viability threats, inclusive of all life stages, include channel modifications, residential and commercial development, roads and railroads, and water diversions and impoundments. CCC steelhead population viability threats of lesser severity or extent include: severe weather patterns; agriculture; mining; livestock farming and ranching; fire, fuel management, and fire suppression; recreational areas and activities; logging and wood harvesting; disease, predation, and competition; fishing and collecting; and hatcheries and aquaculture (NMFS 2015). The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, water diversions and impoundments, channel modifications, land development, logging and wood harvesting, and existing roads and road development.

1.14 Central California Coast Coho Salmon

1.14.1 Status and Distribution

The Central California Coast (CCC) coho salmon ESU is a special-status species listed as endangered under the federal ESA and the California ESA (CDFW 2017b). The CCC coho salmon ESU includes all coho salmon populations in California found in coastal watersheds between Punta Gorda in Humboldt County and Aptos Creek in Santa Cruz County (Figure 4; NMFS 2012a).

1.14.2 Life History

CCC coho salmon predominantly adhere to a three-year life cycle. CCC coho salmon typically rear in freshwater for one year, migrate to the ocean, spend two years maturing in the marine environment, and return to freshwater to spawn. Adult CCC coho salmon typically migrate from the ocean to freshwater spawning grounds between September and January and spawn shortly thereafter, typically between November and January. In more southern portions of the CCC coho salmon range, such as Scott and Waddell Creeks in Santa Cruz County, CCC coho salmon tend to migrate and spawn later in the year. This southern-range spawning migration typically occurs from November through January, with spawning occurring into February and early March. CCC coho salmon adult migration into freshwater coincides with large increases in

streamflows that are sufficient to breach sandbars at the mouths of coastal streams and allow salmon access to upstream spawning areas. After spawning, female coho salmon will guard their redds from predators until they become too weak to hold their position. Both male and female coho salmon die shortly after spawning. (Moyle 2002, NMFS 2012a)

CCC coho salmon eggs incubate in redds for approximately 35 to 50 days, between November and April. Upon hatching, the alevins remain in redds for an additional 2 to 10 weeks before emerging into the water column as fry. Juvenile CCC coho salmon emergence typically occurs between February and June and peaks between March and May. Almost all juvenile CCC coho salmon rear in freshwater for one year prior to outmigration. During winter months, juvenile CCC coho salmon may seek refuge from higher flows in off-channel habitat, backwater pools, or small, clear tributaries. Juvenile CCC coho salmon outmigration typically begins in March and peaks from April to July. Most CCC coho salmon spend two years in the marine environment and then migrate to freshwater to spawn as three-year olds. (NMFS 2012a)

Compared to other anadromous salmonid populations in California, CCC coho salmon use the broadest diversity of freshwater/estuarine habitats. These freshwater habitat types include small tributaries of coastal streams, lakes, inland tributaries of major rivers, and estuarine environments. CCC coho salmon may utilize estuarine environments for seasonal juvenile rearing, to transition to or from the more saline ocean environment, or simply as a migratory corridor. (NMFS 2012a)

The dominance of the three-year life cycle amongst CCC coho salmon results in a strong demographic separation of the three-year classes. Exceptions to the dominant life cycle include smolts that remain in freshwater for two years instead of one year and jack males, which may return to freshwater at two years of age after spending only six months spent maturing in the ocean. However, essentially all wild female coho salmon spawn as three-year olds, creating three distinct, separate maternal brood year lineages for each CCC coho salmon stream. The lack of overlapping maternal generations places brood year lineages at high long-term risk from adverse effects of stochastic (random) events. In streams south of San Francisco Bay, loss of year classes appears to have already taken place due to poor ocean conditions and a fire that degraded both riparian and instream habitat. (NMFS 2012a)

1.14.3 Threats to Viability

CCC coho salmon are subject to a number of population viability threats. The most impacted CCC coho salmon life stage is winter-rearing juveniles, but all other life history stages are also impacted by anthropogenic stressors. The highest severity and most extensive CCC coho salmon population viability threats, inclusive of all life stages, include: roads and railroads; water diversions and impoundments; residential and commercial development; and severe weather patterns. CCC coho salmon population viability threats of lesser severity or extent include: channel modification; livestock farming and ranching; agriculture; logging and wood harvesting; fire, fuel management, and fire suppression; disease, predation, and competition; fishing and collecting; recreational areas and activities; mining; and hatcheries and aquaculture. Other emerging CCC coho salmon population viability threats include: water toxins, such as nutrients, pesticides, and pharmaceuticals; climate change; urbanization; adverse effects associated with the actual size of a population (e.g., small population dynamics); and increasing adverse impacts due to water diversions. (NMFS 2012a) The most significant threats discussed above that may be exacerbated by cannabis cultivation include: agriculture, water diversions and impoundments, channel modifications, land development, logging and wood harvesting, and existing roads and road development.

1.15 South-Central California Coast Steelhead

1.15.1 Status and Distribution

The South-Central California Coast (SCCC) steelhead DPS is a special-status species listed as threatened under the federal ESA (CDFW 2017b). The SCCC steelhead DPS includes steelhead populations in watersheds from the Pajaro River, located at the boundary between Santa Cruz and Monterey Counties, south to Arroyo Grande Creek, located in San Luis Obispo County (Figure 3).

1.15.2 Life History

In general, SCCC steelhead rear in freshwater for one to three years, migrate to the ocean to spend one to four years maturing in the marine environment, and return to freshwater to spawn. SCCC steelhead adult migration and spawning typically occurs during winter and early spring, and is cued by factors such as higher runoff and breaching of sandbars that form at the mouths of rivers during periods of low streamflows. SCCC steelhead may migrate back to the marine environment after spawning and return to freshwater to spawn again in subsequent years. Some large SCCC steelhead adults, however, may remain in freshwater after spawning and become trapped in deep residual pools in the summer. (NMFS 2013)

SCCC steelhead eggs incubate in redds for three weeks up to two months, depending on water temperature and dissolved oxygen conditions. Upon hatching, the alevins remain in redds for an additional two to six weeks before emerging into the water column as fry. Fry and juvenile SCCC steelhead typically spend a total of one to three years rearing in freshwater before out-migrating to the ocean in late winter and spring, cued by photoperiod, streamflow, temperature, and breaching of the sandbar. During their first rearing summer, juvenile SCC steelhead retreat to the cooler temperatures of headwaters or lagoons/estuaries¹⁰. At age one, juvenile SCCC steelhead that have grown rapidly, usually due to lagoon rearing, undergo smoltification and migrate out to the ocean. However, the majority of age one SCCC steelhead will stay in the river system and, in summer, again seek thermal refugia (primarily in headwaters), before finally out-migrating to the ocean at age two or three. In some watersheds, juvenile SCCC steelhead may rear in a lagoon or estuary for several weeks or months prior to entering the ocean. Following outmigration, SCCC steelhead spend between one and four years in the marine environment before migrating back to freshwater to spawn. (NMFS 2013)

1.15.3 Threats to Viability

SCCC steelhead are subject to a number of population viability threats. The highest severity and most extensive SCCC steelhead threats include dams and surface water diversions, groundwater extraction, levees and channelization, recreational facilities, urban development, roads and culverts (and other passage barriers), agricultural development, non-point source pollution, and mining. SCCC steelhead population viability threats of low and medium severity include agricultural effluent, flood control/maintenance, non-native species, roads, upslope/upstream activities, urban effluents, and wildfires. (NMFS 2013) The most significant threats discussed above that may be exacerbated by cannabis cultivation include: dams and surface water diversions, groundwater extraction, agricultural development, passage barriers including culverts and road crossings, non-point source pollution, and agricultural effluent.

¹⁰ Those steelhead that primarily rear over summer in lagoons or estuaries are termed lagoon-anadromous steelhead, while those primarily over-summering in freshwater rivers and streams are termed fluvial-anadromous steelhead. Finer-scale habitat switching, such as multiple movements between lagoon and freshwater habitats, is also possible. (NMFS 2013).

1.16 Southern California Coast Steelhead

1.16.1 Status and Distribution

The Southern California Coast (SCC) steelhead DPS is a special-status species listed as endangered under the federal ESA and not listed under the California ESA (CDFW 2017b). The SCC steelhead DPS includes Southern California coastal steelhead populations, including coastal steelhead populations between the Santa Maria River watershed and the Tijuana River watershed (Figure 3).

1.16.2 Life History

The SCC steelhead DPS exhibits a very similar life history to the SCCC steelhead DPS described above, under the South-Central California Coast Steelhead section. The only notable distinction in the life history description of the SCC steelhead as compared with SCCC steelhead is that SCC steelhead typically mature in the marine environment for two to four years, whereas SCCC steelhead reside in the marine environment for one to four years. (NMFS 2012b)

1.16.3 Threats to Viability

SCC steelhead face a number of population viability threats. The highest severity and most extensive SCC steelhead population viability threats include dams and surface water diversions, wildfires, groundwater extraction, urban development, levees and channelization, passage barriers (including culverts and road crossings), flood control maintenance, roads, agricultural development, recreational facilities, and non-native species. SCC steelhead population viability threats of low and medium severity include agricultural effluent, passage barriers associated with culverts and road crossings, urban effluents, mining and quarrying (including historical mining and quarrying), and upslope/upstream activities. (NMFS 2012b) The most significant threats discussed above that may be exacerbated by cannabis cultivation include: dams and surface water diversions, groundwater extraction, agricultural development, passage barriers including culverts and road crossings, existing roads and road development, and agricultural effluent.

2.0 Other Salmonids of Interest

Not included in Section 1.0 of this appendix are two anadromous salmonid populations considered by CDFW as likely to warrant designation as species of special concern, pink and chum salmon, and one special-status amphidromous salmonid, the coastal cutthroat trout. The Cannabis Cultivation Policy (Policy) is anticipated to be protective of pink salmon, chum salmon, and coastal cutthroat trout due to the similar means by which cannabis cultivation is expected to impact these populations and those that were reviewed in greater detail in Section 1.0 of this appendix.

2.1 Pink and Chum Salmon

Pink salmon and chum salmon are not listed as species of special concern by CDFW due to the insufficient information available to determine their status. However, both species' persistence in California is likely at risk due to their naturally small populations in the state and the fact that California represents the southern extreme of both of their ranges. Pink salmon have been observed in small numbers in the Klamath River, Russian River, Garcia River, Ten Mile River, Sacramento River and tributaries, and San Lorenzo River; they are currently extremely rare in California. Chum salmon are also rare; they seem to maintain small runs in northern California rivers (Smith, Klamath, and Trinity) and have been observed in freshwater as far south as the San Lorenzo River. Both species venture no further than 200 km inland from the ocean, have short freshwater residencies, and are heavily dependent on estuaries during the juvenile life stage. Impacts to estuaries and spawning areas from logging, road building, mining and other factors likely contribute to the species decline. (Moyle et al. 2015, 1995; Moyle 2002) These impacts may be exacerbated by cannabis cultivation.

2.2 Coastal Cutthroat Trout

Coastal cutthroat trout do not exhibit a strictly anadromous life history. Instead, individuals of this subspecies of cutthroat trout exhibit one of four life history variants: the amphidromous life history, the riverine (potadromous) life history, the stream-resident life history, and the lacustrine life history. Individuals exhibiting the amphidromous life history (the variant most similar to an anadromous life history) move back and forth between fresh and salt water multiple times to feed and then migrate to freshwater to spawn. Individuals exhibiting the potadromous life history strategy live in rivers and make seasonal migrations upstream and downstream. Stream-resident populations remain in streams and are often present in headwaters above natural barriers. Lacustrine coastal cutthroat trout dwell in large lakes but may migrate into streams to spawn. (Moyle et al. 2015)

Coastal cutthroat trout are distributed in California from the Salt River, tributary to the Eel River estuary, north to the California-Oregon border. They typically spawn and rear in small streams until one year of age. After year one, juveniles may move extensively throughout the watershed but prefer small, low gradient coastal streams and estuaries/lagoons where they may spend months at a time, moving in and out of freshwater. Those individuals that migrate to salt water typically stay near shore, venturing no more than 7 kilometers from the coastline and often remaining close to the plume of the river in which they reared. (Moyle et al. 2015)

Like many of special-status anadromous salmonids discussed in detail in this Policy (Appendix B, section 1.0), coastal cutthroat trout experience impacts from land-use activities, including agriculture, grazing, logging, water diversion, rural and urban development, estuary alteration, and road construction; fish passage issues, such as major dams; and competition and hybridization with hatchery steelhead. Climate change is expected to further stress the

population of coastal cutthroat trout in California. (Moyle et al. 2015) These impacts may be exacerbated by cannabis cultivation.

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Figure 1. Life-Stage Timing of California Special-Status Anadromous Salmonids

Shading indicates the relative abundance of “survivors” (i.e., individuals who persist through the conclusion of that life stage category) present in freshwater, unless otherwise specified, by life stage category and ESU/DPS/DTE. Life stage categories are consecutive (e.g., when a juvenile salmonid commences outmigration, it is represented by an addition to the “Juvenile outmigration” category and a loss from the “Incubation/rearing” category). The darkest shading indicates the highest abundance of survivors within a life stage category by ESU/DPS/DTE. No shading indicates that no individuals within the life stage category are expected to be present under most circumstances.

These graphics are approximations of the timing of salmonid life stages by ESU/DPS/DTE and are subject to the constraints of the various source materials. These graphics should not be relied upon as independent sources; instead, the in-text life history summaries, and the sources provided therein, should be referenced.

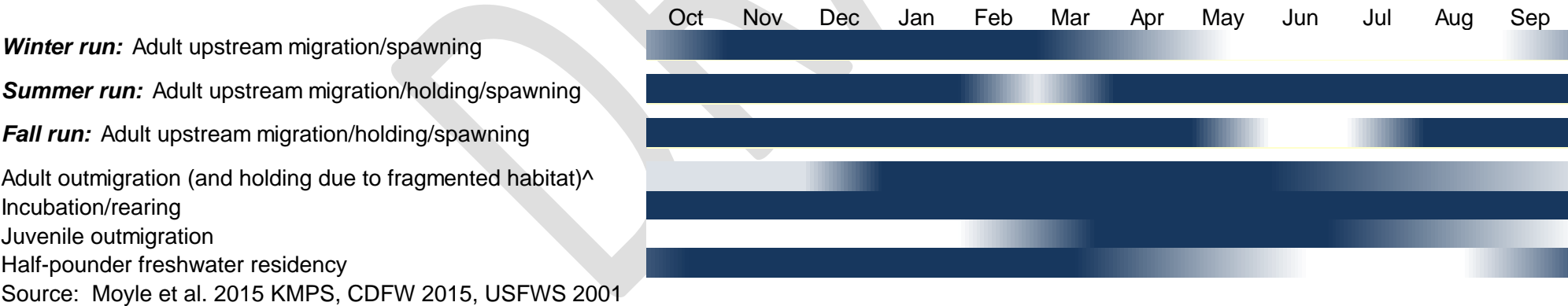
Southern Oregon/Northern California Coastal Chinook Salmon



California Coastal Chinook Salmon (Ocean Type)

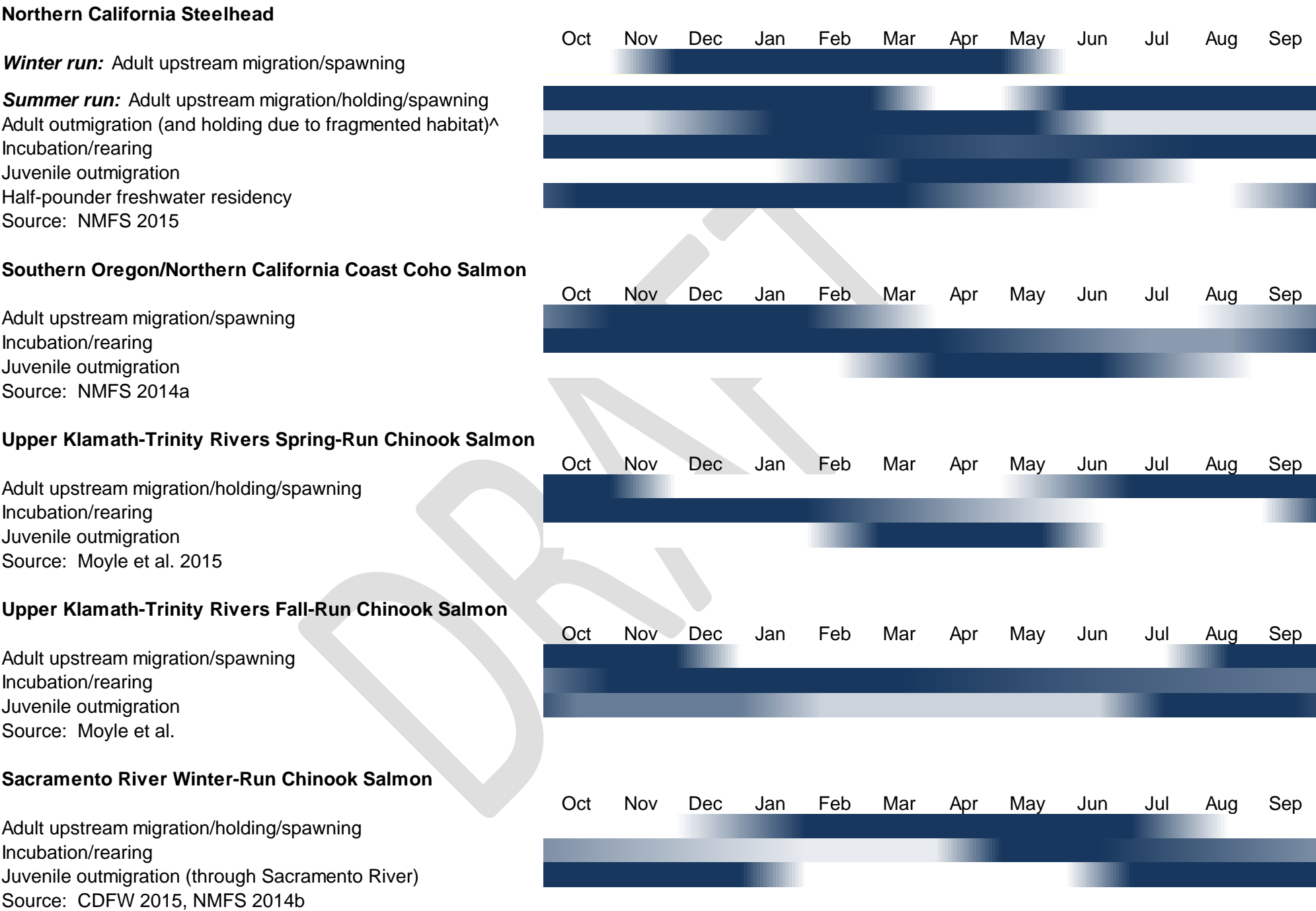


Klamath Mountains Province Steelhead



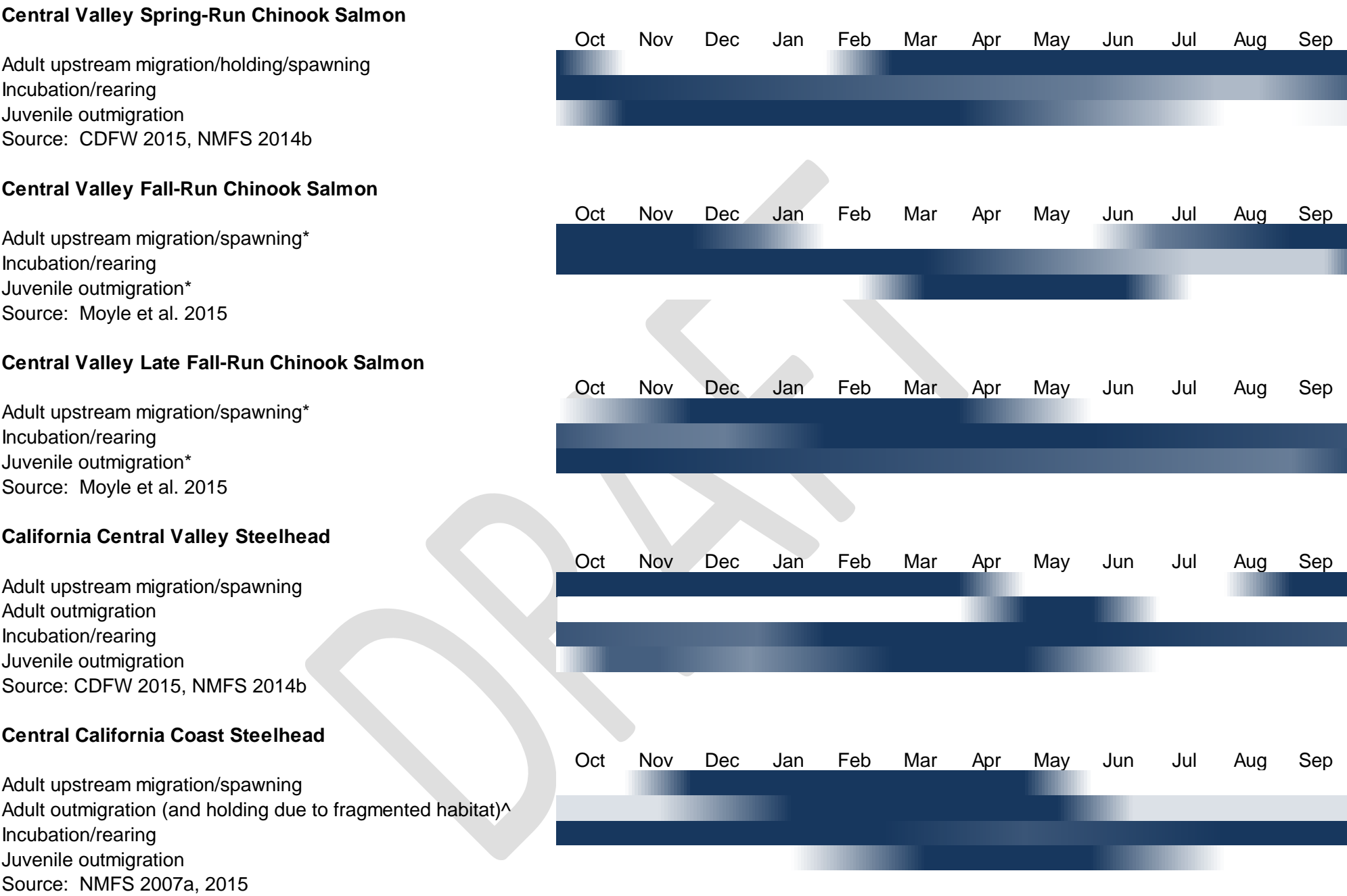
^ The timing of adult outmigration is infrequently described in the source materials, therefore, graphical representations of adult outmigration frequently show best estimates of the timing of this life stage based on the timing of spawning, the local hydrologic regime, and extrapolations from similar populations.

Figure 1. Continued



^ The timing of adult outmigration is infrequently described in the source materials, therefore, graphical representations of adult outmigration frequently show best estimates of the timing of this life stage based on the timing of spawning, the local hydrologic regime, and extrapolations from similar populations.

Figure B-1 Continued



^ The timing of adult outmigration is infrequently described in the source materials, therefore, graphical representations of adult outmigration frequently show best estimates of the timing of this life stage based on the timing of spawning, the local hydrologic regime, and extrapolations from similar populations.

* Representation of life stage timing includes presence in freshwater and brackish water (i.e., the San Francisco Bay/Sacramento-San Joaquin Delta).

Figure B-1 Continued

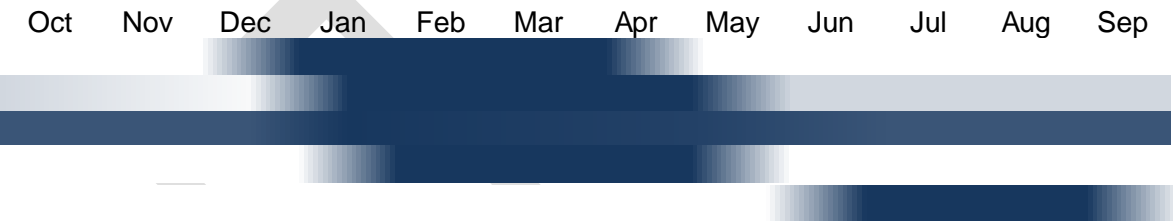
Central California Coast Coho Salmon

Adult upstream migration/spawning
Incubation/rearing
Juvenile outmigration
Source: NMFS 2012a



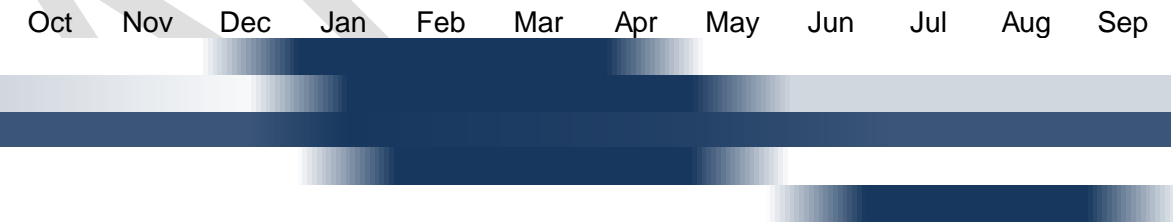
South-Central California Coast Steelhead

Adult upstream migration/spawning
Adult outmigration (and holding due to fragmented habitat)^
Incubation/rearing
Juvenile outmigration
Lagoon rearing
Source: NMFS 2013

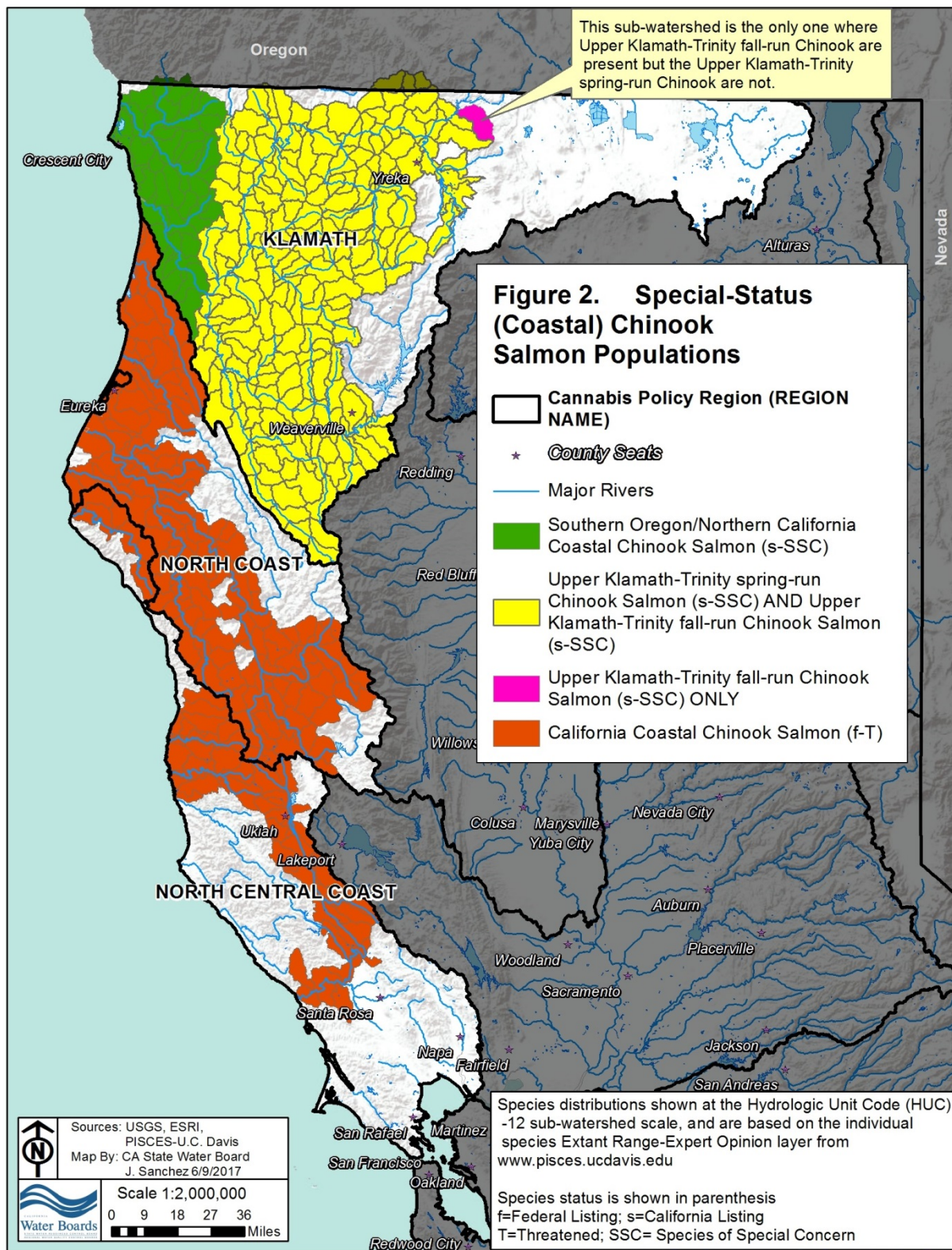


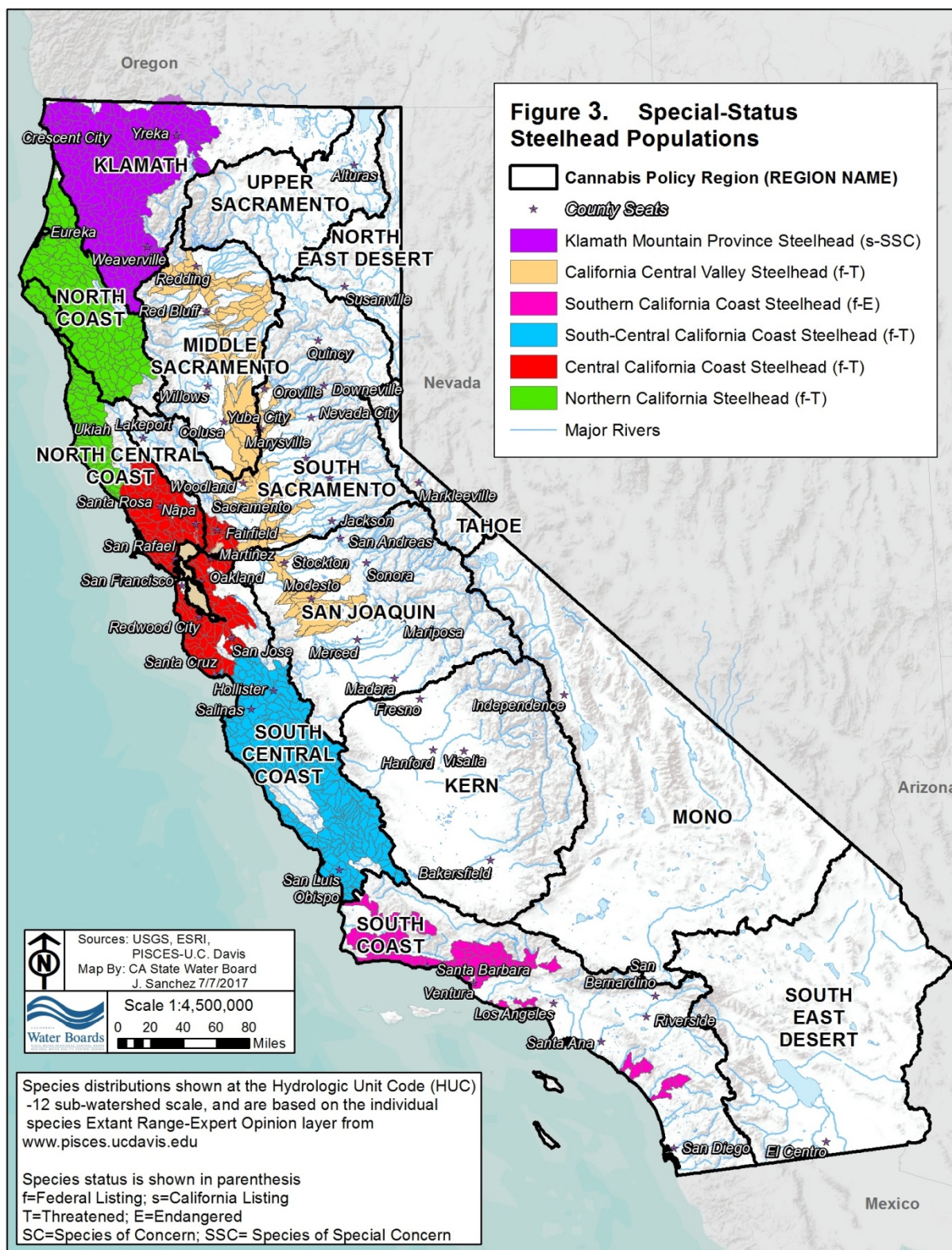
Southern California Coast Steelhead

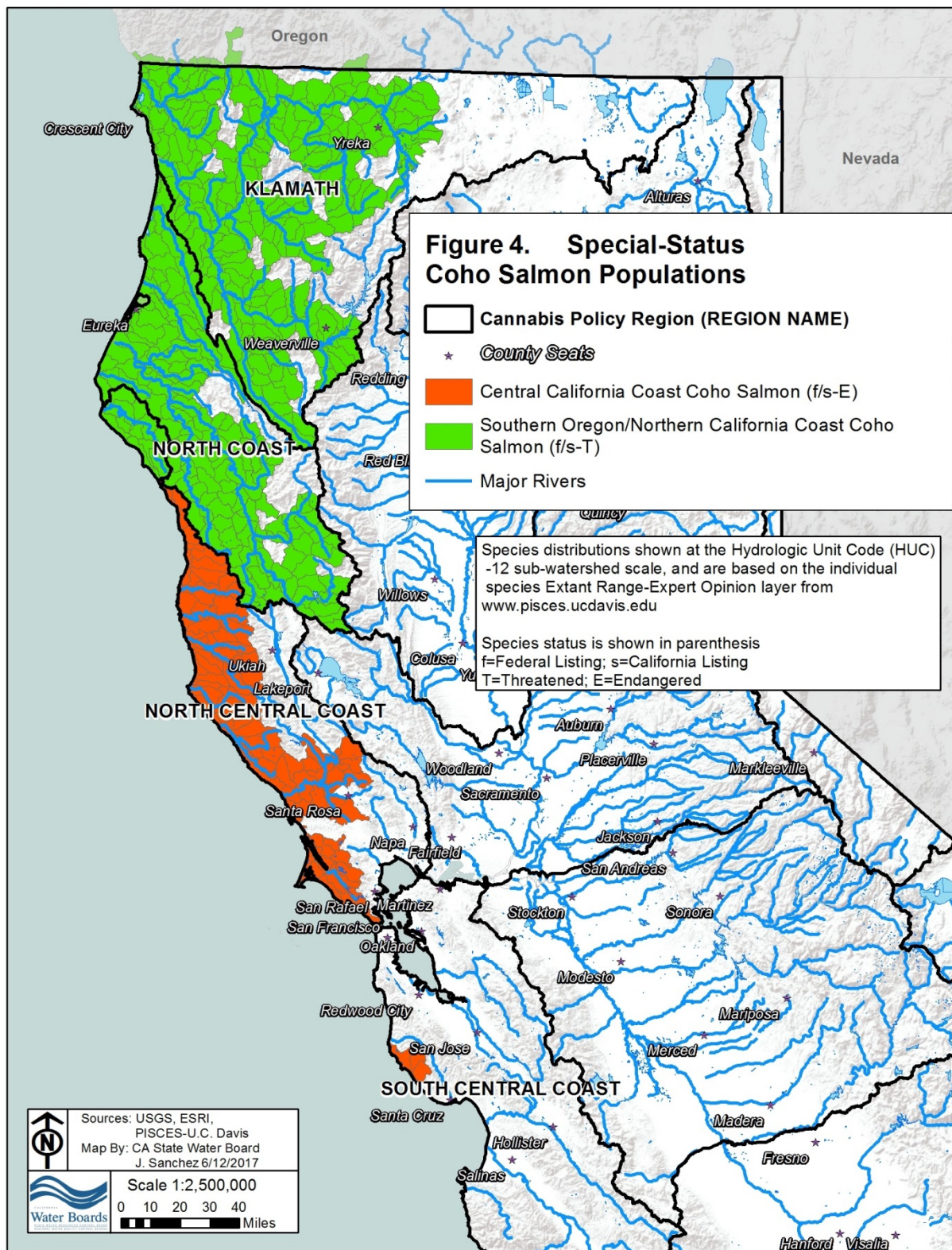
Adult upstream migration/spawning
Adult outmigration (and holding due to fragmented habitat)^
Incubation/rearing
Juvenile outmigration
Lagoon rearing
Source: NMFS 2012b

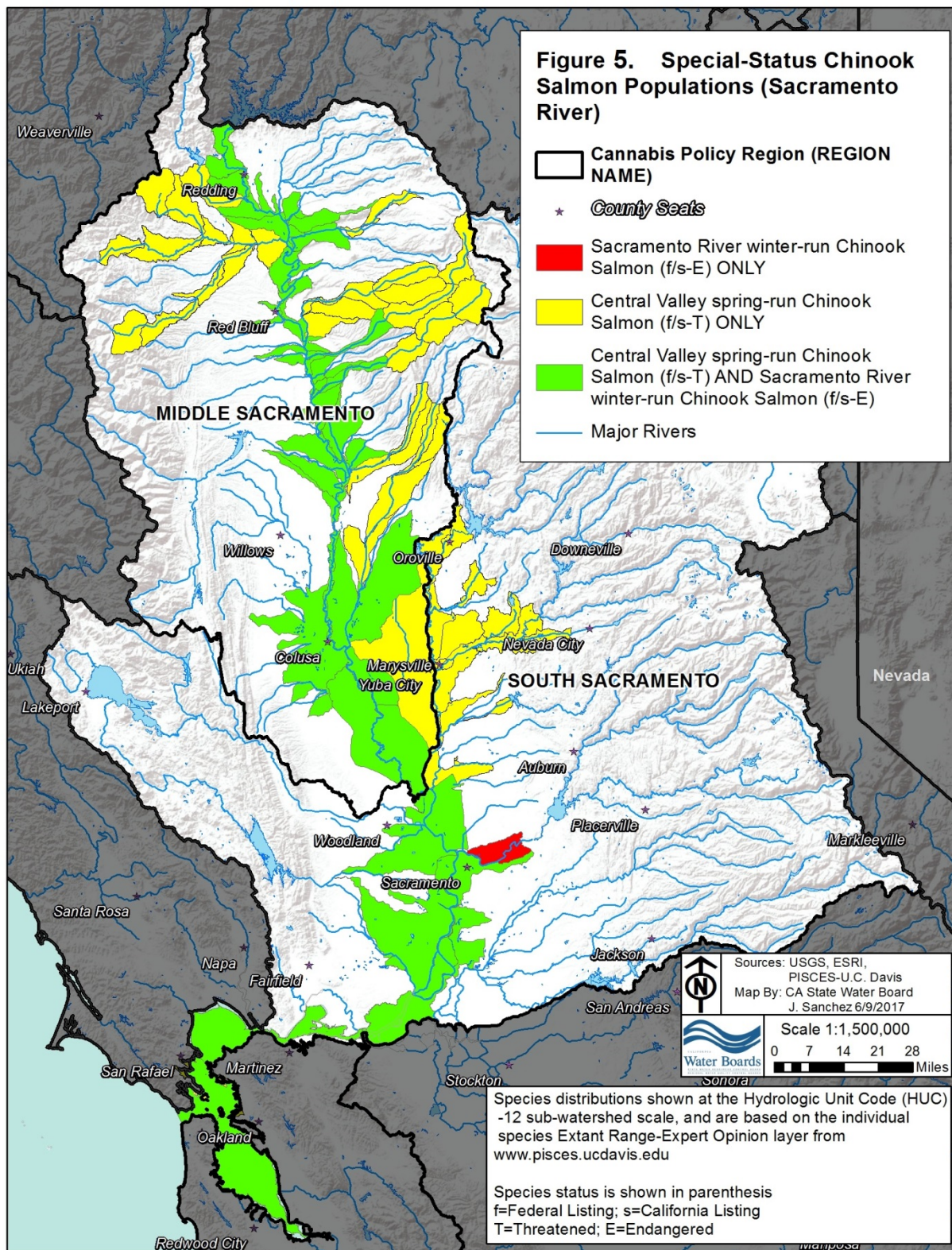


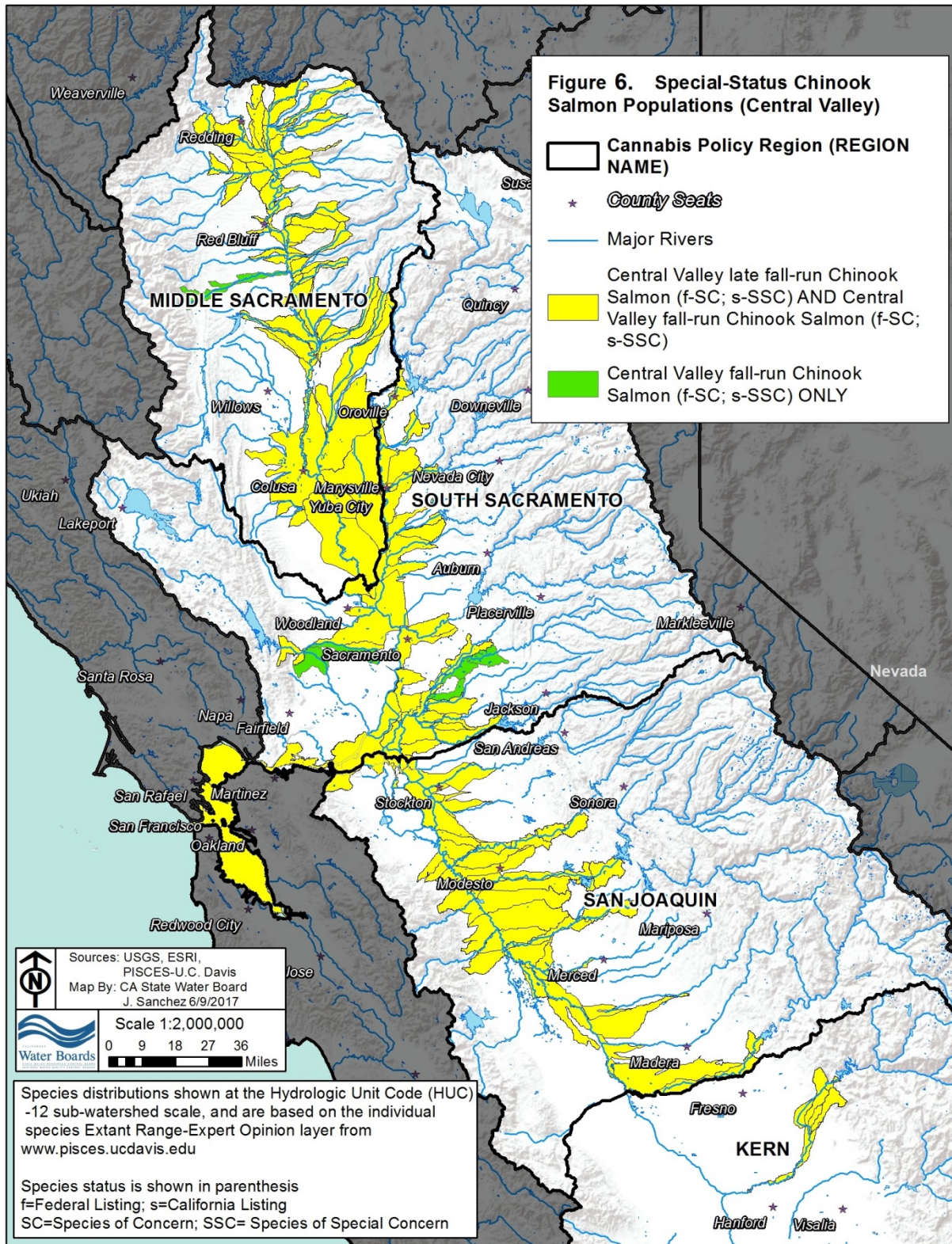
^ The timing of adult outmigration is infrequently described in the source materials, therefore, graphical representations of adult outmigration frequently show best estimates of the timing of this life stage based on the timing of spawning, the local hydrologic regime, and extrapolations from similar populations.











State Water Resources Control Board

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Cannabis Cultivation Policy

Staff Report

Appendix 3 Glossary of Terms

July 7, 2017

Agronomic rate — The rate of application of irrigation water and nutrients to plants necessary to satisfy the plants' evapotranspiration requirements and growth needs and minimize the movement of nutrients below the plants root zone. The agronomic rate considers allowances for supplemental water (e.g., effective precipitation), irrigation distribution uniformity, nutrients present in irrigation water, leaching requirement, and plant available nitrogen.

Anadromy (adj. form: anadromous) — Migration of fish, as adults or subadults, from salt water to fresh.

Aquatic benthic macroinvertebrate — Aquatic animals without backbones that can be seen by the unaided eye and typically dwell on rocks, logs, sediment or plants. Include, but are not limited to, insects, mollusks, amphipods, and aquatic worms. Common aquatic insects include, but are not limited to, mayflies, stoneflies, caddisflies, true flies, water beetles, dragonflies, and damselflies.

Aquatic non-fish vertebrate — Include, but are not limited to, aquatic mammals, such as beavers, river otters, and muskrats; amphibians, such as frogs and salamanders; and reptiles, such as snakes and turtles.

Average, also called mean — The sum of measured values divided by the number of samples.

California Native American tribe — As defined in section 21073 of the Public Resources Code: A Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.

Cannabis cultivation — Any activity involving or necessary for the planting, growing, pruning, harvesting, drying, curing, or trimming of cannabis. This term includes, but is not limited to (1) water diversions for cannabis cultivation, and (2) activities that prepare or develop a cannabis cultivation site or otherwise support cannabis cultivation and which discharge or threaten to discharge waste to waters of the state.

Cannabis cultivation area — Is defined by the following:

- a. For in-ground plants, the cultivation area is defined by the perimeter of the area planted, including any immediately adjacent surrounding access pathways.
- b. For plants grown outdoors in containers (e.g., pots, grow bags, etc.) the cultivation area is defined by a perimeter that contains the containers, including any surrounding immediately adjacent access pathways. The area is not limited to the sum of the area of each individual container.
- c. For plants grown indoors, but that do not qualify for the conditional exemption, the cultivation area is defined by the entire area contained in the structure where cultivation occurs, excluding any area used solely for activities that are not

cultivation activities (e.g., office space). Areas used for storage of materials, equipment, or items related to cultivation shall be included in the area calculation.

Cannabis cultivation site — A location where cannabis is planted, grown, pruned, harvested, dried, cured, graded, or trimmed, or where any combination of these activities occurs.

Cannabis cultivator — Any person or entity engaged in cultivating cannabis that diverts water (i.e. diverter) or discharges or threatens to discharge waste (i.e. discharger). The term includes business entities, employees, and contractors; landowners; cultivators; lessees; and tenants of private land where cannabis is grown and of lands that are modified or maintained to facilitate cannabis cultivation.

Construction Storm Water Program — Refers to implementation of Water Quality Order 2009-0009-DWQ and National Pollutant Discharge Elimination System No. CAS000002, as amended by Order No. 2010-0014-DWQ, Order No. 2012-0006-DWQ, and amendments thereto. Cannabis cultivators whose activities disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres may need to obtain coverage under the Construction Storm Water Program. Construction activities covered under the Construction Storm Water Program may include clearing, grading, and disturbances to the ground such as stockpiling, or excavation, but does not include agricultural stormwater discharges, silviculture, road construction and maintenance from which there is natural runoff, regular maintenance activities performed to restore the original line, grade, or capacity of a facility, or other non-point source discharges.

Canopy — For streams: The overhead branches and leaves of streamside woody vegetation. **For cannabis:** The area of a cultivation site that contains mature plants at any point in time.

Channel maintenance flows — Peak streamflows needed for maintaining stream channel geometry, gravel and woody debris movement, and the natural flow variability needed for protection of various habitat needs of anadromous salmonids.

Channel thalweg — The line connecting the lowest or deepest points along a stream channel.

Cesspool — An excavation in the ground receiving domestic wastewater, designed to retain the organic matter and solids, while allowing the liquids to seep into the soil. Cesspools do not have a septic tank providing primary treatment of wastewater prior to discharge. A cesspool is distinguished from an outhouse, pit-privy, or pit-toilet because liquid wastewater (e.g., from toilet flushing, shower, or kitchen sources) is discharged to a cesspool.

Coarse sediment — Particle sizes of ¼ inch or larger, including particles derived from debris flows, that either contribute directly to spawning gravel, or that reduce to a

smaller usable size, or influence stream channel morphology by forming a **substrate** framework.

Day — Is the mean solar day of 24 hours beginning at mean midnight. All references to day in the Policy are calendar days.

Deep percolation — Infiltration of water through soil when excess irrigation water is applied and percolates below the plant root zone.

Discharger — Any person or entity engaged in developing land for cannabis cultivation or to provide access to adjacent properties for cultivation activities and/or any person or entity engaged in the legal cultivation of cannabis that discharges or threatens to discharge waste to waters of the state.

Diverter — Any person or entity that diverts water from waters of the state, including surface waterbodies and groundwater.

Diversion — Taking water, by gravity or pumping, from a surface stream or groundwater, into a canal, pipeline, or other conduit, including impoundment of water in a reservoir.

Dredged material — Material that is excavated or dredged from a water body. This term is further defined at 33 Code of Federal Regulations Part 323.2(c).

Earthwork and Paving Contractor — A contractor holding a California Department of Consumer Affairs issued C-12 Earthwork and Paving License. These contractors are licensed to dig, move, and place material forming the surface of the earth, other than water, in such a manner that a cut, fill, excavation, grade, trench, backfill, or tunnel (if incidental thereto) can be executed, including the use of explosives for these purposes. This classification includes the mixing, fabricating and placing of paving and any other surfacing materials. See California Code of Regulations Title 16, Division 8, Article 3. Classifications.

Ecological functions and values (of riparian habitat) — Functions are onsite and offsite natural riparian habitat processes. Values are the importance of the riparian habitat to society in terms of health and safety; historical or cultural significance; ecological characteristics, education, research, or scientific significance; aesthetic significance; economic significance; or other reasons.

Ephemeral watercourse — See *Watercourse* definitions.

Exceedance probability — The probability that a specified streamflow magnitude will be exceeded. The exceedance probability is equal to one divided by the recurrence interval.

Face value —The maximum amount of water that is authorized to be diverted under a water right permit, license, small domestic/livestock stockpond certificate, or statement of diversion.

Face value demand — The sum of the face values of all water rights above an identified location in a stream channel.

Fill material — Material placed into a water body that has the effect of either replacing any portion of the water with dry land or changing the bottom elevation of the water body. This term is further defined at 33 Code of Federal Regulations Part 323.2(e).

Fish — Wild fish, mollusks, crustaceans, invertebrates, or amphibians, including any part, spawn, or ova thereof (California Fish and Code section 45). For the purposes of stream classification, fish are defined as finfish.

Flow frequency analysis — A statistical technique used by hydrologists for estimating the average rate at which floods, droughts, storms, stores, rainfall events, etc., of a specified magnitude recur.

Flow path — The direction water flows along its stream course from the point of diversion to the Pacific Ocean. If a project will have a *de minimis* effect on flows in a flow-regulated mainstem river, then the flow path may terminate at the flow-regulated mainstem river.

Flow-regulated mainstem river — A river or stream in which scheduled releases from storage are made to meet minimum instream flow requirements established by a State Water Board Order or Decision.

Forbearance Period —The calendar days or otherwise defined conditions during which no water may be diverted. See also *Surface Water Diversion Period*.

Habitat suitability criteria — Structural and hydraulic characteristics of a stream that are indicators of habitat suitability for different fish species and life stages.

Hazardous material — Any item or agent (biological, chemical, radiological, and/or physical), which has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors.

Heavy equipment — Large pieces of machinery or vehicles, especially those used in the building and construction industry (e.g., bulldozers, excavators, backhoes, bobcats, tractors, etc.).

Hydraulic conductivity — The capacity of a porous medium to transmit water. The rate at which fluid can move through a permeable medium depends on the properties of the fluid (viscosity and specific weight) and properties of the medium (intrinsic

permeability). Hydraulic conductivity is generally measured in units of feet/day or centimeters/second.

Hydrograph — A graph showing for the rate of flow versus time past a specific point in a river, or other channel or conduit carrying flow; generally measured in units of cubic meters or cubic feet/second.

Hyporheic — Denoting an area or ecosystem beneath the bed of a river or stream that is saturated with water and that supports invertebrate fauna which play a role in the larger ecosystem.

Impervious surface — A permanent improvement affixed to the earth which does not allow water or liquid to pass through it or permeate into the earth. Impervious surface includes a house or primary structure, driveway, parking lot, walkways, sidewalks, patios, decks, green houses, accessory structure(s), and other hardscape.

Instream cover — Areas of shelter in a stream channel that provide aquatic organisms protection from predators or competitors and/or a place in which to rest and conserve energy due to a reduction in the force of the current.

Integrated Pest Management (IPM) — An ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

Intermittent watercourse — see *Watercourse* definitions.

Invasive Species — Organisms (plants, animals, or microbes) that are not native to an environment and, once introduced; establish, quickly reproduce and spread, and cause harm to the environment, economy, or human health. For guidance on decontamination methods and species of concern, see CDFW's invasive species webpage: <https://www.wildlife.ca.gov/Conservation/Invasives>.

Lake and Streambed Alteration Agreement — Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

- Substantially divert or obstruct the natural flow of any river, stream or lake;
- Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- Deposit debris, waste or other materials that could pass into any river, stream or lake.

Any river, stream or lake" includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Land Disturbance — Land areas where natural conditions have been modified in a way that may result in an increase in turbidity in water discharged from the site. Disturbed land includes areas where natural plant growth has been removed whether by physical, animal, or chemical means, or natural grade has been modified for any purpose. Land disturbance includes all activities whatsoever associated with developing or modifying land for cannabis cultivation related activities or access. Land disturbance activities include, but are not limited to, construction of roads, buildings, or water storage areas; excavation; grading; and site clearing. Disturbed land includes cultivation areas, storage areas where soil or soil amendments (e.g., potting soil, compost, or biosolids) are located.

Land Owner — Any person or entity who owns, in whole or in part, the parcel of land on which cannabis cultivation is occurring or will occur. A Landowner need not be a Cannabis Cultivator.

Laterals (in the context of irrigation water lines) — Pipes between the control valve and the sprinkler heads.

Legacy Conditions — Sites of historic activity, which may not be related to cannabis cultivation activity, that may discharge sediment or other waste constituents to waters of the state. Legacy conditions are caused or affected by human activity. Implementation of corrective actions can reduce or eliminate the waste discharge.

Licensed Timber Operators (LTOs) — Persons who have been licensed under the Forest Practice Act law and are authorized to conduct forest tree cutting and removal operations.

Local Environmental Health Department — To identify ones local environmental health department enter your address information into the following website directory: <http://cersapps.calepa.ca.gov/public/directory>.

Low Flow Threshold —The minimum flow in a stream that is considered supportive of the aquatic ecosystem, including water quality and salmonid rearing and migration. The low flow threshold is determined using defined scientific methodology that equates the aquatic ecosystem health with the flow in the stream.

Mainlines (in the context of irrigation water lines) — Pipes that run from the water source to the control valves.

Maximum cumulative diversion rate — The sum of the rates of diversion of all diversions upstream of a specific location in the watershed.

Mean, also called average — The sum of measured values divided by the number of samples.

Minimum bypass flow — In the context of a diversion Requirement, it is the minimum instantaneous flow rate of water that must be moving past the point of diversion before water may be diverted.

Natural monthly streamflows — Modeled monthly streamflows that are unaffected by land use or water management

Offset well — A well drilled at an offset distance from a river or stream that is considered pumping from the underflow of the river or stream

Permeability — The property of a porous rock or soil for transmitting a fluid. It measures the relative ease of flow under unequal pressure. See *hydraulic conductivity*.

Period of record — The time period for which flow measurements have been recorded. The period of record may be continuous or interrupted by intervals during which no data were collected.

Perennial stream — See *Watercourse* definitions.

Pesticide — Pesticide is defined as follows:

- Per California Code of Regulations Title 3, Division 6, Section 6000:
 - (a) Any substance or mixture of substances that is a pesticide as defined in the Food and Agricultural Code and includes mixtures and dilutions of pesticides;
 - (b) As the term is used in Section 12995 of the California Food and Agricultural Code, includes any substance or product that the user intends to be used for the pesticidal purposes specified in Sections 12753 and 12758 of the Food and Agricultural Code.
- Per California Food and Agricultural Code section 12753(b), the term “Pesticide” includes any of the following: Any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, as defined in Section 12754.5, which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever.
- In laymen’s terms: “pesticide” includes: rodenticides, herbicides, insecticides, fungicides, and disinfectants.

Point of Diversion — A location at which water is withdrawn from a surface waterbody.

Pool — A deeper area of water in a stream channel; usually quiet and often with no visible flow.

Professional Archeologist — An Archeologist that is qualified by the Secretary of Interior, Register of Professional Archaeologists, or Society for California Archaeology.

Qualified Biologist — An individual who possesses at a minimum a bachelor's or advanced degree, from an accredited university, with a major in a biological, physical, natural resources science, or a closely related scientific discipline, at least two years of field experience in the biology and natural history of local plant, fish, and wildlife resources present at the project site, and knowledgeable of state and federal laws regarding the protection of sensitive species.

Qualified Professional — Means:

- 1) Individuals licensed in California under the Professional Engineer Act (e.g., Professional Engineer), Geologist and Geophysicist Act (e.g., Professional Geologist and Certified Engineering Geologist), and Professional Land Surveyors' Act (e.g., Professional Land Surveyor)¹,
- 2) California Registered Professional Forester (RPF), and
- 3) Qualified Storm Water Pollution Prevention Plan (SWPPP) Practitioner.

Range of anadromy — Length of stream reach between the Pacific Ocean and the upper limit of anadromy (see definition of *Anadromy*), where migration, spawning and rearing of salmonids occur.

Recurrence interval — The average time between occurrences of streamflows of a given or greater magnitude, sometimes referred to as the return period. The recurrence interval is equal to one divided by the exceedance probability.

Redd — Spawning areas or nests made by a salmon or trout

Residual pool depth — The difference between the depth of a pool at its deepest point and at its outlet.

Restricted materials — Restricted materials are defined in California Code of Regulations Title 3 section 6400. Restricted materials include all "restricted use pesticides", as defined in the Federal Insecticide, Fungicide, and Rodenticide Act section 3(d)(1)(C). Information on restricted materials is available at: http://www.cdpr.ca.gov/docs/enforce/compend/vol_3/chap2.pdf

Riffle — A shallow area in which water flows rapidly over a rocky or gravelly streambed.

Riffle crest — The highest point along the channel thalweg at a riffle.

Riparian habitat — Vegetation growing close to a stream, lake, swamp, or spring that is generally critical for wildlife cover, fish food organisms, stream nutrients and large organic debris, and for streambank stability.

¹ See Business and Professions Code sections 6700-6799, 7800-7887, and 8700-8805, respectively.

Salmonid — Of, belonging to, or characteristic of the family Salmonidae, which includes salmon, trout, and whitefish.

Seep — See *Spring or seep*.

Surface Water Diversion Period — The calendar period during which water may be diverted. See also *Forbearance Period*.

Sheet flow length — The length that shallow, low velocity flow travels across a site.

Site Mitigation — efforts to mitigate the impacts of Legacy Conditions or cannabis cultivation-related activities on the Cannabis Cultivation Site or its surroundings.

Site Remediation — efforts to restore the Cannabis Cultivation Site and its surroundings to its condition before cannabis cultivation activities began, or to restore the cultivation site and its surroundings to its natural condition.

Slope — shall be determined across the natural topography (preconstruction) of the disturbed land. Measure the highest and lowest elevations of the disturbed land, then measure the horizontal distance separating the highest and lowest elevations. Determine the slope using the formula below. (Multiple the ratio by 100 to find the percent value.) There may be more than one slope value if the low elevation has higher elevations in different directions. The highest slope value calculated (highest percentage numerically) is the value to be reported.

$$\text{Slope} = \frac{\text{elevation difference}}{\text{horizontal distance}} \times 100$$

Slope – Value of slope expressed as a percentage.

Elevation difference – Report in feet to an accuracy of one inch or one tenth of a foot.

Horizontal distance – Report in feet to an accuracy of one inch or one tenth of a foot.

Soil Materials — Include soil, aggregate (rock, sand, or soil), potting soil, compost, manure, or biosolid.

Spring or Seep — Place where water flows out of the ground. A spring or seep may flow the whole year or part of the year. Surface water flow Requirements apply to both natural springs and seeps and springs and seeps that are modified to improve productions such as, installing piping and spring boxes/wells.

Stabilized Areas — Consist of areas previously disturbed that have been successfully reclaimed to minimize the increase in sediment or turbidity in water discharged from the site. Areas where vehicles may travel or be parked are not considered stabilized.

Substrate —The material (e.g., sand, gravel, cobbles, boulders, bedrock, and combinations thereof) that forms the bed of a stream.

Thalweg — See *channel thalweg*.

Timberland — As defined in Public Resources Code section 4526: Land, other than land owned by the federal government and land designated by the Board of Forestry as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species, on a district basis, are defined in California Code of Regulations, title 14, section 895.1.

Tribal lands — Lands recognized as “Indian country” within the meaning of title 18, United States Code, section 1151.

Turbidity — A measure of water clarity: how much the material suspended in water decreases the passage of light through the water. Suspended materials include soil particles (clay, silt, and sand), algae, plankton, and other substances. The turbidity test is reported in Nephelometric Turbidity Units (NTUs).

Upper limit of anadromy — The upstream end of the range of anadromous fish that currently are or have been historically present year-round or seasonally, whichever extends the furthest upstream.

Waterbody — Any significant accumulation of water, such as: lakes, ponds, rivers, streams, creeks, springs, seeps, artesian wells, wetlands, and canals.

Watercourse — A natural or artificial channel through which water flows.

- Perennial watercourse (Class I):
 1. In the absence of diversions, water is flowing for more than nine months during a typical year,
 2. Fish always or seasonally present onsite includes habitat to sustain fish migration and spawning, and /or
 3. Spring or seep: a place where water flows out of the ground. A spring or seep may flow the whole year or part of the year.
- Intermittent watercourse (Class II):
 1. In the absence of diversions, water is flowing for three to nine months during a typical year, or
 2. Water is flowing less than three months during a typical year and the stream supports riparian vegetation.
- Ephemeral watercourse (Class III): In the absence of diversion, water is flowing less than three months during a typical year and the stream does not support riparian vegetation or aquatic life. Ephemeral watercourses typically have water

flowing for a short duration after precipitation events or snowmelt and show evidence of being capable of sediment transport. Ephemeral watercourses include channels, swales, gullies, rills, and any other drainage features that channelize and transport runoff.

- Other watercourses (Class IV): Class IV watercourses do not support native aquatic species and are man-made, provide established domestic, agricultural, hydroelectric supply, or other beneficial use.

Watershed — The land area that drains into a stream. An area of land that contributes runoff to one specific delivery point; large watersheds may be composed of several smaller "subsheds", each of which contributes runoff to different locations that ultimately combine at a common delivery point. Often considered synonymous with a drainage basin or catchment. Watershed (drainage basin) boundaries follow topographic highs. The term watershed is also defined as the divide separating one drainage basin from another.

Watershed drainage area — The land area that comprises a watershed.

Water hauler — Any person who hauls water in bulk by any means of transportation.

Waters of the State — Any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code section 13050(e)). This term includes all waters within the state's boundaries, whether private or public, including waters in both natural and artificial channels. Waters of the state includes waters of the United States.

Weed free mulch — A certified weed-free protective covering (e.g. bark chips, straw, etc.) placed on the ground around plants to suppress weed growth, retain soil moisture, or prevent freezing of roots.

Wetland — An area is wetland if, under normal circumstances:

1. the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both;
2. the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and
3. the area's vegetation is dominated by hydrophytes or the area lacks vegetation.

Winter low flow — A lower magnitude streamflow threshold that inundates riffles and is important to managing several steelhead and salmon life history needs in California streams by: (1) protecting benthic macroinvertebrate habitat in riffles to foster stream productivity, (2) preventing redd desiccation and maintaining hyporeic subsurface flows, (3) sustaining juvenile salmonid winter rearing habitat, and (4) not impeding smolt out-migration.

Winter Period — Calendar dates from November 15 to April 1, except as noted under special County Rules California Code of Regulations, title 14, sections 925.1, 926.18, 927.1, and 965.5.

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