

**CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD  
895 Aerovista Place, Suite 101  
San Luis Obispo, California 93401**

**DRAFT MONITORING AND REPORTING PROGRAM NO. R3-2021-0059**

**Old Stage Partners, LLC  
Monterey County  
July 7, 2021**

This monitoring and reporting program (MRP) describes requirements for monitoring treated effluent from a woodchip bioreactor prior to land disposal into an onsite stormwater retention basin at Old Stage Partners, LLC's cannabis cultivation facility located at 460 Old Stage Road, Salinas, Monterey County. This MRP is issued pursuant to California Water Code section 13267. Old Stage Partners, LLC (hereafter "Discharger") must not implement any changes to this MRP unless and until a revised MRP is issued by the Central Coast Regional Water Quality Control Board (Central Coast Water Board).

California Water Code section 13267 states, in part:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

California Water Code section 13268 states, in part:

"(a) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

(b)(1) Civil liability may be administratively imposed by a regional board in accordance with article 2.5 (commencing with section 13323) of chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”

The Central Coast Water Board’s requirement that you perform monitoring as described herein is made pursuant to section 13267 of the California Water Code. Pursuant to section 13268 of the Water Code, a violation of a Water Code section 13267 requirement may subject you to civil liability of up to \$1,000 per day for each day in which the violation occurs.

The Central Coast Water Board needs the required information to assess effectiveness of the woodchip bioreactor to meet applicable numeric targets and determine compliance with the General Waiver. You are required to submit this information because you operate and/or own the property that is causing a discharge of waste. The evidence supporting this requirement is detailed in the November 21, 2019 notice of violation, inspection report, and technical memo.

The cost of annual reporting is estimated to be less than \$5,000. Completing the requirements is necessary so that the Central Coast Water Board can determine compliance with the Basin Plan and General Waiver to ensure protection of water quality and beneficial uses. Thus the burden, including costs, of the monitoring bears a reasonable relationship to its need and the benefits to be obtained. More detailed information is available in the Central Coast Water Board's public file on this matter.

Any person affected by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with section 13320 of the California Water Code and title 23, California Code of Regulations, section 2050. The petition must be received by the State Board, Office of Chief Counsel, P.O. Box 100 Sacramento, 95812 within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions are available at: [https://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/wqpetition\\_instr.s.html](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.s.html).

All samples must be representative of the volume and nature of the discharge or matrix of materials sampled. The name of the sampler, sample type (grab or composite), time, date, location, bottle type, and any preservative used for each sample shall be recorded on the sample chain of custody form. The chain of custody form must also contain all custody information including date, time, and to whom samples were relinquished.

Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used, provided that they are used by a State Water Board California Environmental Laboratory Accreditation Program certified laboratory, or:

1. The user is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
3. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are maintained and available for at least three years.

## WOODCHIP BIOREACTOR EFFLUENT MONITORING

Monitoring requirements are organized into start-up phase and operation-phase requirements. Start-up phase monitoring is designed to verify that effluent targets are achievable with the current system design, and operational-phase monitoring is designed to determine continued system performance over the long term. Sample results from start-up phase monitoring must be submitted to the Central Coast Water Board within 14 days of completion of the start-up phase. Report of sample results from operational monitoring must be submitted to the Central Coast Water Board annually by March 1. The Central Coast Water Board may request to review available system data at any time.

### Monitoring Location

The Discharger shall establish the following monitoring location and collect representative samples from this location to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this MRP:

<u>Monitoring Point Name</u>	<u>Monitoring Location Name</u>	<u>Monitoring Location Description</u>
Effluent	Eff-1	At the outlet structure of the bioreactor, immediately exiting the facility but before discharge water mixes with any water in the stormwater retention pond.

### Start-Up Monitoring Requirements

- A. Notification: The Discharger shall notify the Executive Officer in writing of the start-up date 14 days prior to start-up beginning
- B. Monitoring: Monitoring requirements for the start-up phase, defined as the first 30 days of system operation, consists of system-wide visual observations and water quality monitoring of treated effluent at monitoring location Eff-1. Data gathered as part of start-up phase monitoring must be recorded daily during week one of the start-up phase and weekly in weeks two through four.

### Visual Observations

System-wide visual observations are necessary to determine if the basic system functionality supports stated design objectives. Visual observations of the system must include the following:

- Woodchip bioreactor conditions, such as conditions of the bioreactor footprint and immediate vicinity that would indicate system overflow, subsidence, bypass, animal burrowing, etc.
- Stormwater retention pond conditions, including the condition of the inlet, area and depth of water present, weather conditions of the 72 hours prior to observations including size and duration of rain events, if any, etc.

### Water Quality Monitoring

Water quality monitoring is necessary to determine if treated effluent meets the primary MCL for nitrate. Specific monitoring parameters required as part of start-up phase monitoring can be found in Table 1. Flow may be metered or estimated based on storage capacity and dewatering rates of holding tanks or other approved method. Sample results from start-up phase monitoring must be submitted to the Central Coast Water Board within 14 days of completion of the start-up phase.

Table 1: Start-Up Phase Water Quality Monitoring Requirements (Eff-1)

Parameter	Reporting Limit	Units <sup>1</sup>	Analytical Test Method	Sample Type	Sampling Frequency
Daily Inflow <sup>2</sup>	-	Gallons per day (gpd)	-	Metered <sup>1</sup>	Continuous
Dissolved oxygen (DO)	1%	% DO	Field measurement using calibrated instrument	Grab	Week 1: Daily Weeks 2-4: once/week
Temperature	0.1	°F		Grab	Week 1: Daily Weeks 2-4: once/week
pH	0.1	pH units		Grab	Week 1: Daily Weeks 2-4: once/week
Specific Conductance	2.5	µs/cm	Field or Laboratory Measurement EPA General Methods	Grab	Week 1: Daily Weeks 2-4: once/week
Total Dissolved Solids	10	mg/L	USEPA General Methods	Grab	Week 1: Daily Weeks 2-4: once/week

<sup>1</sup> DO: Dissolved Oxygen; °F: degrees Fahrenheit, µs/cm: microSiemens per centimeter; mg/L: milligrams per liter.

<sup>2</sup> Flow may be metered or estimated based on storage capacity and dewatering rates of holding tanks or other approved method

Nitrate + Nitrite or Nitrate	0.1	mg/L as N	General Anions USEPA Method 300 or EPA Method 353.2	Grab	Week 1: Daily Weeks 2-4: once/week
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Operational-Phase Monitoring

Operational-phase monitoring requirements consist of system-wide visual observations and water quality monitoring of treated effluent at monitoring location Eff-1. Operational monitoring shall commence upon completion of start-up phase.

Visual Observations

System-wide visual observations are necessary to determine if the basic system functionality supports stated design objectives. Visual observations of the system must include the following:

- Woodchip bioreactor conditions, such as conditions of the bioreactor footprint and immediate vicinity that would indicate system overflow, subsidence, bypass, etc.
- Stormwater retention pond conditions, including the condition of the inlet, area and depth of water present, weather conditions of prior 72 hours including size and duration of rain events, if any, etc.

Water Quality Monitoring

The General Waiver states that the discharge shall not impair beneficial uses of the receiving groundwater or cause an exceedance of water quality objectives. Additionally, given the proximity of the stormwater retention pond to Gabilan Creek and potential interaction of the treated and infiltrated water with the creek subflow, water quality monitoring is necessary to determine if treated effluent meets numeric targets and to assess impact of salts on groundwater beneficial uses. Specific monitoring parameters and frequency of sampling required as part of operational-phase monitoring can be found in Table 2. Flow may be metered or estimated based on storage capacity and dewatering rates of holding tanks or other approved method.

Table 2: Operational Monitoring Requirements (Eff-1)

Parameter	Reporting Limit	Units	Analytical Test Method	Sample Type	Sampling Frequency	Reporting Frequency
Daily Flow <sup>3</sup>	-	Gallons per day (gpd)	-	Metered	Continuous	Annually
Dissolved oxygen	1%	% DO	Field measurement using calibrated instrument	Grab	Quarterly	Annually
Temperature	0.1	°F		Grab	Quarterly	Annually
pH	0.1	pH units		Grab	Quarterly	Annually
Specific Conductance	2.5	µs/cm	Field or Laboratory Measurement EPA General Methods	Grab	Quarterly	Annually
Total Dissolved Solids	10	mg/L	EPA General Methods	Grab	Quarterly	Annually
Calcium	0.5		General Cations EPA 200.7, 200.8, 200.9	Grab	Quarterly	Annually
Magnesium	0.5			Grab	Quarterly	Annually
Sodium	0.1			Grab	Quarterly	Annually
Potassium	0.5			Grab	Quarterly	Annually
Sulfate (SO <sub>4</sub> )	1.0		General Anions EPA Method 300 or EPA Method 353.2	Grab	Quarterly	Annually
Chloride	0.1			Grab	Quarterly	Annually
Nitrate + Nitrite (as N) or Nitrate as N	0.1			Grab	Quarterly	Annually
Orthophosphate as P	0.5			Grab	Quarterly	Annually

In reporting the monitoring data, the Discharger must arrange the data in tabular form so that the date, sample type (e.g., effluent, solids, etc.), and reported analytical or visual inspection results are readily discernable. The results of any monitoring done more frequently than required at the locations specified in the MRP must be reported in

<sup>3</sup> Flow may be metered or estimated based on storage capacity and dewatering rates of holding tanks or other approved method.

the next regularly scheduled monitoring report and must be included in calculations as appropriate.

### ANNUAL REPORT

Annual reports must be submitted to the Central Coast Water Board by **March 1 following the monitoring year**. The monitoring year is defined as January 1 through December 31. The annual report must include the following:

1. Tabular and graphical summaries of all monitoring data collected.
2. An evaluation of the performance of the woodchip bioreactor, including discussion of capacity issues, nuisance conditions, system problems, flow variability, and a forecast of the flows anticipated in the next year.
3. A discussion of compliance with stated conditions and corrective actions taken, if any, as well as any planned or proposed actions needed to bring the discharge into compliance with the stated conditions outlined in with corresponding transmittal letter. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program.
4. The name and contact information for the wastewater operator responsible for operation, maintenance, and system monitoring.

The Discharger is required to submit all requested information electronically in a searchable PDF format by email to [CentralCoast.Cannabis@waterboards.ca.gov](mailto:CentralCoast.Cannabis@waterboards.ca.gov) using a signed transmittal sheet found at the link below as the cover page:

[https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/wastewater\\_permitting/docs/transmittal\\_sheet.pdf](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/wastewater_permitting/docs/transmittal_sheet.pdf)

<b>Report Submittal</b>	<b>Description of Action</b>	<b>Action</b>	<b>Frequency</b>
Reports and documents	Complete copy of all documents including monitoring reports (in searchable PDF format) and any other associated documents related to the facility.	Email all monitoring reports (in searchable PDF format) and any other associated documents to CentralCoast.Cannabis@waterboards.ca.gov.	On or before the due dates required by this MRP; for other documents, when requested by Central Coast Water Board staff.
Laboratory Data	All analytical data collected when monitoring a discharge should be in tabular format.	Email data in tabular format to CentralCoast.Cannabis@waterboards.gov.	On or before the due date of the required monitoring report.

The Discharger must implement the above monitoring program as of the date of this MRP.

The Executive Officer may modify or rescind this MRP at any time.

Ordered by:

*for* Matthew T. Keeling  
Executive Officer