

ITEM: 5

SUBJECT: Staff Report on the Development of a Program to Regulate Discharges of Waste from Marijuana Cultivation Sites

BOARD ACTION: Informational Item Only

BACKGROUND: In the Fall of 2013, responding to requests from local governments for the Board to play a larger role in addressing water quality impacts associated with the proliferation of marijuana cultivation sites, the Central Valley Water Board initiated a multi-agency effort to regulate these activities. In support of this effort, the Board has been working closely with the State Water Resources Control Board, the North Coast Regional Water Quality Control Board, and the California Department of Fish and Wildlife. The goal of this effort is to develop a Region-wide program to regulate waste discharges from marijuana cultivation sites.

Irresponsible marijuana cultivation practices can cause significant impacts to the environment and to water quality. Such impacts include: sediment discharges to surface waters; chemical toxicity to land animals, birds, fish, and aquatic biota from pesticides, herbicides, and rodenticides; and overdrafting or illegal diversion of surface waters, which can reduce allocations to legitimate downstream users, elevate water temperatures (affecting anadromous fish), and cause complete drying of normally year-round stream systems.

The Governor's Proposed Budget proposes to allocate 11 Water Board positions "to improve the prevention of illegal stream diversions, discharges of pollutants into waterways, and other water quality impacts associated with marijuana production." The Governor's Proposed Budget also allocates seven Fish and Wildlife positions "to investigate and enforce violations of illegal streambed alterations and the Endangered Species Act associated with marijuana production." It is intended that the Water Boards and Department of Fish and Wildlife coordinate these efforts.

The purpose of this informational item is to update the Board and the public on work by the Board and Fish and Wildlife staff that is laying the foundation for an expanded regulatory program, should the Final Budget grant our agencies these additional positions.

RECOMMENDATION: This is an information item only; no recommendations are provided.

Mgmt. Review \_\_\_\_\_  
Legal Review \_PEP\_\_\_

16 May 2014