

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER R5-2019-XXXX

RESCINDING ORDER R5-2015-0113  
WASTE DISCHARGE REQUIREMENTS GENERAL ORDER  
FOR DISCHARGES OF WASTE ASSOCIATED WITH  
MEDICINAL CANNABIS CULTIVATION ACTIVITIES

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), finds that:

1. On 2 October 2015, the Central Valley Water Board adopted Waste Discharge Requirements General Order for Discharges of Waste Associated with Medicinal Cannabis Cultivation Activities, Order R5-2015-0113 (Regional General Order) to regulate discharges of waste from cannabis cultivation sites to waters of the state.
2. On 17 October 2017, the State Water Resources Control Board (State Water Board) adopted General Waste Discharge Requirement and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities, Order WQ 2017-0023-DWQ (Statewide General Order), which applies to discharges from cannabis cultivation activities statewide.
3. As provided in the Statewide General Order, “[t]he State Water Board intends that regulatory coverage under an existing Regional Water Board general order will be terminated by the applicable Regional Water Board by July 1, 2019.” (Statewide General Order at p. 13, emphasis omitted.)
4. Due to the Statewide General Order’s enrollment requirements, the Central Valley Water Board may not automatically transfer a Discharger’s enrollment under the Regional General Order to the Statewide General Order. **Any Dischargers currently enrolled under the Regional General Order who have not applied for coverage under the Statewide General Order will automatically lose regulatory coverage for their cannabis cultivation activities when this recession order goes into effect on June 30, 2019.**
5. The Central Valley Water Board has notified affected Dischargers and interested agencies and persons of its intent to rescind the Regional General Order and has provided the opportunity for a public hearing and submittal of written comments.
6. The action to rescind the Regional General Order is not subject to the California Environmental Quality Act (CEQA) because the rescission of an order is not a “project,” as that term is defined. (Cal. Code Regs., tit. 14, § 15060(c)(2).)
7. The Central Valley Water Board, in a public meeting, heard and considered all comments and evidence pertaining to this matter.

IT IS HEREBY ORDERED that Order R5-2015-0113 is rescinded, except for purposes of enforcement for past violations, effective June 30, 2019.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, Title 23, section 2050 and following. The State Water Resources Control Board must *receive* the petition by 5:00p.m., 30 days after the date of this Resolution, except that if the thirtieth day following the date of this Resolutions falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00p.m. on the next business day. Copies of the law and regulation applicable to filing petitions may be found on the internet at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

I, PATRICK PULUPA, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region on **XXX** June 2019.

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PATRICK PULUPA, Esq., Executive Officer