



Central Valley Regional Water Quality Control Board

8 April 2022

Wayne Bishop
7 Points Group, Inc.
19535 Avenue 344
Woodlake, CA 93286

CERTIFIED MAIL
7020 0640 0002 1958 3672

NOTICE OF APPLICABILITY

WATER QUALITY ORDER 2003-0003-DWQ; STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND WITH A LOW THREAT TO WATER QUALITY; 7 POINTS GROUP, INC.; 7 POINTS CANNABIS CULTIVATION FACILITY; TULARE COUNTY

On 20 December 2020, 7 Points Group, Inc. (7 Points or Discharger) submitted a Notice of Intent (NOI) to obtain coverage under Water Quality Order No. 2003-0003-DWQ, *Statewide General Waste Discharge Requirements for Dischargers to Land with a Low Threat to Water Quality* (Low Threat General Order) for the discharge of cooling tower blowdown and condensate from the 7 Points Cannabis Cultivation Facility (Facility) in Woodlake, CA. The Facility is currently covered by Waste Discharge Requirements (WDRs) Order 85-301. However, WDRs Order 85-301 was originally issued for a citrus packing operation that previously operated at this site. The WDRs do not represent current operations or discharge from the Facility.

The Discharger previously submitted a Report of Waste Discharge (RWD) for individual WDRs on 15 July 2019. The July 2019 RWD was determined to be incomplete by Central Valley Water Board staff in a 7 August 2019 letter. The Discharger submitted a revised RWD on 21 October 2019 and supplemental analytical information in a 25 January 2021 email. The information contained in the NOI, revised RWD, and supplemental analytical data provided the information needed to evaluate applicability of the General Order.

Based on this information, the discharge meets the conditions of the General Order for “cooling discharge.” You are hereby assigned General Order No. **2003-0003-DWQ-0233** for your Facility. Coverage under the General Order will become effective after WDRs Order 85-301 has been rescinded. We intend to rescind WDRs Order 85-301 at the June 2022 Board Meeting. Please include this number on all

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | www.waterboards.ca.gov/centralvalley

correspondence related to this discharge. A [copy of the General Order](#) is enclosed and available on the Central Valley Water Board's website at:

(https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/water_quality/2003/wqo2003-0003.pdf).

Due to the type and manner of the discharge, this NOA is accompanied by a separate Monitoring and Reporting Program (MRP) R5-2022-0811 to ensure compliance with the conditions in the General Order.

PROJECT LOCATION

The Discharger owns and operates a cannabis cultivation facility at 19535 Avenue 344 in Woodlake, Tulare County as shown in **Attachment A**. The Facility occupies Assessor's Parcel Number (APN) 059-110-024 in Tulare County (36.413°, -119.137°), which is within the Tulare Lake Basin. The operative Water Quality Control Plan for the Tulare Lake Basin (hereafter Basin Plan) designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve water quality objectives.

DISCHARGE DESCRIPTION

The cannabis cultivation facility consists, in part, of an indoor hydroponic cannabis cultivation operation. Wastewater generated from cooling tower blowdown and dehumidifier condensate at the cannabis facility is discharged to an onsite unlined pond. Based on the information submitted, the discharge meets the definition of "Cooling Discharge" in the General Order.

The Discharger estimates that approximately 19,200 gallons of wastewater is generated each day. The Discharger, in a 24 March 2021 email, provided additional analytical information characterizing the source water well, disposal pond, and cooling tower blowdown. The source water quality, disposal ponds quality, and cooling tower blowing quality are characterized in Tables 1, 2, and 3, respectively, below.

Table 1. Source Water Well Characterization

Constituent/Parameter	Units	2/16/2021	2/26/2021	3/10/2021
pH	Std. Units	7.7	7.5	7.6
EC	µmhos/cm	700	700	600
Nitrogen	mg/L	8	10	7

Table 2. Disposal Pond Characterization

Constituent/Parameter	Units	2/16/2021	2/26/2021	3/10/2021
pH	Std. Units	7.9	7.5	7.7
EC	µmhos/cm	500	700	700
Nitrogen	mg/L	9	10	13

Table 3. Cooling Tower Blowdown Characterization

Constituent/Parameter	Units	2/16/2021	2/26/2021	3/10/2021
pH	Std. Units	9.3	9.2	9.3
EC	µmhos/cm	2,100	2,300	2,200
Nitrogen	mg/L	34	42	31

During a 13 May 2021 telephone conversation with Central Valley Water Board staff, Mr. Wayne Bishop indicated that the Discharger was in the process of upgrading the Facility by installing HVAC units for the cultivation rooms, which will result in the elimination of the cooling tower blowdown discharge. In a follow-up teleconference call on 11 March 2022, the Discharger indicated to Central Valley Water Board staff that the installation is planned to be completed by late 2022. Once the installation of the HVAC units is complete, and the cooling tower blowdown discharge is eliminated, please contact Central Valley Water Board staff.

FACILITY SPECIFIC REQUIREMENTS

The General Order and this Notice of Applicability (NOA) regulate the discharge of cooling tower blowdown and condensate to land at the Facility. The Discharger shall comply with the requirements listed in the General Order and this NOA, including the following:

1. Discharge of cooling tower blowdown and condensate at a location or in a manner different from that described in the NOI is prohibited.
2. The disposal of wastes shall not cause pollution, contamination, or nuisance as defined in CWC Section 13050.
3. Runoff or discharge of waste to a wetland, surface water, surface water drainage course, or biologically or culturally sensitive area is prohibited.
4. Failure to comply with the requirements of this NOA, MRP R5-2022-0811 (enclosed), and the General Order, could result in enforcement actions as authorized by provisions of the California Water Code.
5. The Discharger shall submit the required annual fee (as specified in the annual billing statement issued by the State Water Resources Control Board) until this NOA is officially terminated.
6. The Discharger shall notify the Central Valley Water Board of any change in agreement or proposed discharge or disposal of slurry waste as described in the NOI and this NOA.

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternatives for Long Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting (Resolution R5-2018-0034). Pursuant

to the Basin Plan amendments, the Discharger was sent a Notice to Comply on 5 January 2021 (CV SALTS ID: 2643) with instructions and obligations for the Salt Control Program. The Discharger submitted a Notice of Intent on 5 November 2021 and selected Option 2 (Alternative Option for Salt Permitting) and will participate in the Prioritization and Optimization Study. For the Nitrate Control Program, the Facility is in a Priority 1 basin, therefore the Discharger was sent a Notice to Comply on 29 May 2020 (**CV-SALTS ID: 2643**) which required the Discharger to submit a Notice of Intent and a Nitrate Assessment Report no later than 7 May 2021. The discharger submitted a Notice of Intent on 5 November 2021 and selected Pathway B (Management Zone Permitting Approach) and will join the Kaweah Water Foundation (Kaweah Management Zone). Continued compliance with the Salt and Nitrate Control Programs are required as part of this NOA. [More information on the Salt and Nitrate Control Program](https://cvsalinity.or/public-info) may be found on the internet (<https://cvsalinity.or/public-info>).

All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50MB or larger should be transferred to a disk and mailed to the Central Valley Water Board office at 1685 E Street, Fresno, CA 93706.

To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Facility Name: 7 Points Woodlake Cannabis Cultivation Facility
Program: NON-15
Order: 2003-0003-DWQ-0233
MRP: R5-2022-0811
CIWQS Place ID: 272948

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board Fresno Office
1685 E Street
Fresno, CA 93706

All documents, including responses to inspections and written notifications, submitted to comply with this General Order shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Dale Harvey. Mr. Harvey can be reached at (559) 445-6190 or dale.harvey@waterboards.ca.gov. Questions regarding the permitting aspects of the General Order and notification for termination of coverage under the General Order, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Mr. Cruz Romero. Mr. Romero can be reached at Cruz.Romero@Waterboards.ca.gov.

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, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet or will be provided upon request.

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

In order to conserve paper and reduce mailing costs, a paper copy of the General Order has been sent only to the Discharger. Others are advised that the [General Order](#) is available on the State Water Board's website:

(https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf).

WDRs Order 85-301 is proposed to be rescinded at the June 2022 meeting of the Central Valley Water Board. Upon rescission of your individual WDRs, coverage for your Facility under the General Order shall become applicable under this Notice of Applicability.

Original Signed by Scott J. Hatton for:
Patrick Pulupa
Executive Officer

Attachments: Attachment A – Site Map

Enclosures: MRP R5-2022-0811

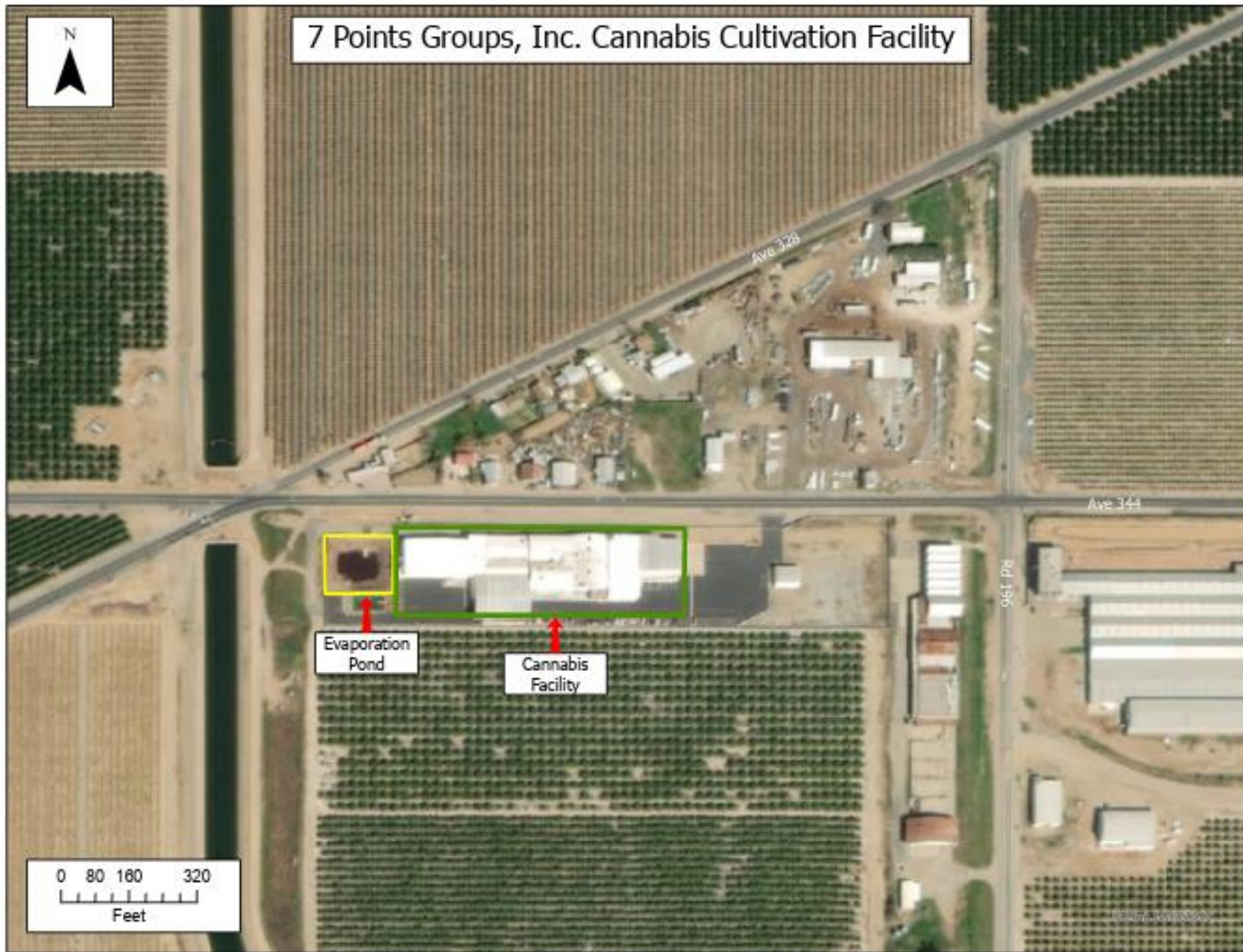
Low Threat Order 2003-0003-DWQ

cc w/o enclosures:

- Christopher Moskal, State Water Resources Control Board, OCC, Sacramento (via email)
- Laurel Warddrip, State Water Resources Control Board, OCC, Sacramento (via email)
- Angela Wilson, Central Valley Water Board, Redding (via email)
- Central Valley Water Board CV-SALTS Program (via email)
- Dale Harvey, Central Valley Water Board, Fresno (via email)

- Tulare County Environmental Health Services, Tulare
- Tulare County Resources Management Agency, Tulare
- City of Woodlake, Planning Department

ATTACHMENT A – SITE MAP



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

**MONITORING AND REPORTING PROGRAM NO. R5-2022-0811
FOR
7 POINTS GROUP, INC.
7 POINTS CANNABIS CULTIVATION FACILITY
TULARE COUNTY**

On 9 June 2022 the Central Valley Regional Water Quality Control Board (Central Valley Water Board) Executive Officer issued 7 Points Group, Inc. (hereafter Discharger) Notice of Applicability (NOA) 2003-0003-DWQ-0233 for coverage under *Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality* (General Order). NOA 2003-0003-DWQ-0233 is for the discharge of cooling tower blowdown and condensate from the 7 Points Cannabis Cultivation Facility (Facility) in Woodlake, CA. This Monitoring and Reporting Program (MRP) is issued pursuant to California Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until the Central Valley Water Board adopts, or the Executive Officer issues, a revised MRP.

Section 13267 of the California Water Code 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.”

The Discharger owns and operates the area subject to NOA 2003-0003-DWQ-0233, and the monitoring reports are necessary to ensure the Discharger complies with the NOA and the conditions specified in the General Order. Pursuant to Water Code section 13268, the Discharger shall implement this MRP upon rescission of WDRs Order 85-301 (tentatively scheduled for the June 2022 Board Meeting) and shall submit the monitoring reports described herein. Section 13268 of the California Water Code 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 and 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.”

A glossary of terms used in this MRP is included on the last page.

I. GENERAL MONITORING REQUIREMENTS

A. FLOW MONITORING

Hydraulic flow rates shall be measured at the monitoring points specified in this MRP. All flow monitoring systems shall be appropriate for the conveyance system (i.e., open channel flow or pressure pipeline) and liquid type. Flow measurements shall be based on flow meter readings unless specifically stated otherwise. The method of measurement must be specified. Unless otherwise specified, each flow meter shall be equipped with a flow totalizer to allow reporting of cumulative volume as well as instantaneous flow rate. Flow meters shall be calibrated at the frequency recommended by the manufacturer; typically, at least once per year and records of calibration shall be maintained for review upon request.

B. MONITORING AND SAMPLING LOCATIONS

Samples shall be obtained at the monitoring points specified in this MRP. The Central Valley Water Board Executive Officer shall approve any proposed changes to sampling locations prior to implementation of the change.

The Discharger shall monitor the following locations as described in Table 1 to demonstrate compliance with the requirements of this MRP:

Table 1 – Monitoring Locations

Monitoring Location	Monitoring Location Description
PND-001	Evaporation/percolation pond adjacent to the facility

B. SAMPLING AND SAMPLE ANALYSIS

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. Except as specified otherwise in this MRP, grab samples will be considered representative of water, wastewater, soil, solids/sludges and groundwater. The time, date, and location of each sample shall be recorded on the sample chain of custody form.

Field test instruments (such as those used to measure pH, temperature, electrical conductivity, dissolved oxygen, wind speed, and precipitation) may be used provided that:

1. The operator is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated at the frequency recommended by the manufacturer;
3. The instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are submitted as described in the "Reporting" section of this MRP.

Laboratory analytical procedures shall comply with the methods and holding times specified in the following (as applicable to the medium to be analyzed):

- *Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater* (EPA);
- *Test Methods for Evaluating Solid Waste* (EPA);
- *Methods for Chemical Analysis of Water and Wastes* (EPA);
- *Methods for Determination of Inorganic Substances in Environmental Samples* (EPA);
- *Standard Methods for the Examination of Water and Wastewater* (APHA/AWWA/WEF); and
- *Soil, Plant and Water Reference Methods for the Western Region* (WREP 125).

Approved editions shall be those that are approved for use by the United States Environmental Protection Agency (EPA) or the State Water Resources Control Board (State Water Board), Division of Drinking Water's Environmental Laboratory Accreditation Program (ELAP). The Discharger may propose alternative methods for approval by the Executive Officer. Where technically feasible, laboratory reporting limits shall be lower than the applicable water quality objectives for the constituents to be analyzed.

II. SPECIFIC MONITORING REQUIREMENTS

A. POND MONITORING

The cooling tower blowdown and condensate discharge and condition of the evaporation/percolation pond shall be monitored as specified in Table 2 below.

Table 2 – Pond Monitoring

<u>Constituent</u>	<u>Units</u>	<u>Sample Type</u>	<u>Sampling Frequency</u>
Flow	gpd	Metered (see 1 below)	Daily
Electrical Conductivity	µmhos/cm	Grab	Quarterly
Total Nitrogen	mg/L	Grab	Quarterly
Freeboard	Inch	Measurement	Monthly
Berm Condition (see 2 below)	--	Observation	Monthly

1. Flow measurement may be metered or estimated based on pump run time or other similar approved method. The method of measurement and calculations used shall be included in the annual report.
2. Berm condition evaluation: Report presence or absence of burrowing animals, erosion, odors, or similar conditions.

III. REPORTING REQUIREMENTS

All monitoring reports should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to the following address:

Central Valley Regional Water Quality Control Board
 Region 5 – Fresno Office
 1685 “E” St. Fresno,
 California 93706

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or transmittal sheet:

Program: Non-15,
Facility Name: Woodlake Cannabis Cultivation Facility
Place ID: 272948,
Order: 2003-0003-DWQ-0233
MRP: R5-2022-0811
County Tulare County

A transmittal letter shall accompany each monitoring report. The letter shall include a discussion of all violations of this MRP during the reporting period and actions taken or planned for correcting each violation. If the Discharger has previously submitted a report describing corrective actions taken and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory.

The transmittal letter shall contain the following penalty of perjury statement and shall be signed by the Discharger or the Discharger's authorized agent:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, groundwater, etc.), and reported analytical result for each sample are readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with waste discharge requirements and spatial or temporal trends, as applicable. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported in the next scheduled monitoring report.

Laboratory analysis reports shall be included in the monitoring reports. All laboratory reports must also be retained for a minimum of three years. For a discharger conducting any of its own analyses, reports must also be signed and certified by the chief of the laboratory.

Monitoring information shall include the method detection limit (MDL) and the Reporting limit (RL) or practical quantitation limit (PQL). If the regulatory limit for a given constituent is less than the RL (or PQL), then any analytical results for that constituent that are below the RL (or PQL) but above the MDL shall be reported and flagged as estimated.

All monitoring reports that involve planning, investigation, evaluation or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1.

A. QUARTERLY MONITORING REPORTS

Quarterly reports shall be submitted to the Central Valley Water Board on the **first day of the second month after the quarter ends** (e.g., the January-March Quarterly Report is due by May 1st). The reports shall bear the certification and signature of the Discharger's authorized representative. At the minimum, the quarterly reports shall include:

1. Results of all required monitoring.
2. Disclosure of any violations of the NOA and/or General Order, and an explanation of any violation of those requirements. Data shall be presented in tabular format.

3. Copies of laboratory analytical report(s) and chain of custody form(s).

B. FOURTH QUARTERLY MONITORING REPORT

In addition to the information specified in Section III.A. above, the Fourth Quarterly Monitoring Report shall also include the following information:

1. Names, general responsibilities, and contact information for persons to contact regarding the Facility for emergency and routine situations.
2. Tabular and graphical summaries of all data collected during the calendar year.
3. Calibration log verifying calibration of all handheld monitoring instruments and devices used to comply with the prescribed monitoring program.
4. A summary of any changes in processing or operation that might affect waste characterization and/or discharge rates.

A letter transmitting the monitoring reports shall accompany each report. The letter shall report violations found during the reporting period, and actions taken or planned to correct the violations and prevent future violations. The transmittal letter shall contain the following penalty of perjury statement and shall be signed by the Discharger or the Discharger's authorized agent:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

If, in the opinion of the Executive Officer, the Discharger fails to comply with the NOA and the conditions specified in the Low Threat Waiver, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

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, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this MRP, except that if the thirtieth day following

the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided on request.

The Discharger shall implement the above monitoring program in the first month following the rescission of WDRs Order 85-301.

Ordered by:

*Original Signed by Scott J. Hatton for:
PATRICK PALUPA, Executive Officer*

*4/8/2022
(Date)*

V. GLOSSARY

BOD ₅	Five-day biochemical oxygen demand
CaCO ₃	Calcium carbonate
DO	Dissolved oxygen
EC	Electrical conductivity at 25° C
FDS	Fixed dissolved solids
TDS	Total dissolved solids
TKN	Total Kjeldahl nitrogen
TSS	Total suspended solids
Continuous	The specified parameter shall be measured by a meter continuously.
24-hr Composite	Samples shall be a flow-proportioned composite consisting of at least eight aliquots over a 24-hour period.
Once/3 Years	Sample shall be collected at least once every three years.
Daily	Every day.
Monthly	Once per calendar month.
Quarterly	Once per calendar quarter (i.e., January – March).
Semi-Annually	Twice per year. Semi-annual samples shall be collected in the second and fourth quarters.
Annually	Once per year.
mg/L	Milligrams per liter
mg/kg	Milligrams per kilogram
mL/L	Milliliters [of solids] per liter
µg/L	Micrograms per liter
µmhos/cm	Micromhos per centimeter
gpd	Gallons per day
mgd	Million gallons per day
General Minerals	Analysis shall include; alkalinity (as CaCO ₃), bicarbonate (asCaCO ₃), boron, calcium, carbonate (as CaCO ₃), chloride, iron, magnesium, manganese, nitrate as N, phosphate, potassium, sodium, sulfate, and verification that the analysis is complete (i.e., cation/anion balance).