Cannabis Cultivation Regulatory Program

South Coast Regional Cannabis Cultivation Regulatory Unit
San Diego Regional Water Quality Control Board
South Coast Regional Cannabis Cultivation Regulatory Unit

- South Coast Policy Region covers large parts of San Diego, Riverside, San Bernardino, Orange, Los Angeles, and Ventura counties
- Unit represents Santa Ana, Los Angeles, and San Diego Regional Boards for compliance and enforcement
- Headquartered in Riverside (R8)
South Coast Regional Cannabis Cultivation Regulatory Unit

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South Coast Cannabis Cultivation Policy Region
Cannabis Regulation

- California voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA), in November 2016.
- Under Proposition 64, adults 21 years of age or older can legally grow, possess, and use cannabis for non-medicinal purposes, with certain restrictions.
Cannabis Regulation

- Several state agencies are granted with licensing and regulatory authority:
Cannabis Cultivation Policy (by City)

Note: Cultivation is not allowed in unincorporated (unshaded) areas

- **Red**: Commercial Cannabis Cultivation Prohibited
- **Yellow**: Commercial Cannabis Cultivation Allowed-Medical Only
- **Green**: Commercial Cannabis Cultivation Permitted
- **Region 8 Boundary**
- **Region 4 Boundary**
- **Region 9 Boundary**
- **Los Angeles/ San Diego**

Data Sources:
2) http://www.dot.ca.gov/hq/tsip/gis/data/library/
Regulating Discharges Related to Cannabis Cultivation

- Goal: To address water quality and water quantity issues related to cannabis cultivation, and to protect the beneficial uses of our water resources
State Water Resources Control Board Cannabis Cultivation Policy

- Establishes requirements for the diversion of water and discharge of waste associated with cannabis cultivation activities
- Cannabis cultivators (dischargers) can obtain coverage under the Cannabis Policy General Order by applying for Waste Discharge Requirements (WDR) or a Conditional Waiver of WDRs
- If approved and after fees have been paid, a Notice of Applicability (NOA) will be issued by either the Regional Board or State Board
Cannabis General Order
WQ 2017-0023-DWQ

- Establishes Waste Discharge Requirements for cultivators
- Site classification and permit fees for outdoor cultivation based on disturbed area (Tier 1 or 2) and threat to water quality (low, moderate, or high)
  - Tier 1: ≥ 2,000 sq. ft. < 1 acre ($600-$4,800)
  - Tier 2: ≥ 1 acre ($1,000-$8,000)
- Conditional Waiver of WDRs if cultivation is entirely indoors with no discharge, or if outdoor disturbed area is < 2,000 sq. ft. ($600 one-time fee)
- Exempt if cultivation is for personal use and disturbed area is < 2,000 sq. ft. – no application and no fee required
Role of the Cannabis Unit

- Process applications for enrollment under the State Water Board General Order
- Public outreach
- Compliance inspections of permitted cultivation sites
- Identification of unpermitted cultivation sites using aerial imagery and Geographic Information System (GIS) tools
- Enforcement activities
- Conduct field investigations of illicit cultivation sites with law enforcement and other local and state agencies
Figure 2 - Cannabis Operation Locations - San Diego Region

Notice of Applicability Status
- Issued
- Pending Signature
- Pending Draft
- Pending Payment

Cannabis Cultivation Policy (by City)
Note: Cultivation is not allowed in unincorporated (unshaded) areas

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- Yellow: Cultivation Allowed-Medical Only
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Region 9 Boundary

Data Sources:
2) http://www.dot.ca.gov/hq/tsip/gis/datallibrary/
Cannabis General Order
Outdoor Cultivation – Waste Discharge Requirements

- Disturbed area
  - Tier 1: ≥ 2,000 sq. ft. < 1 acre
  - Tier 2: ≥ 1 acre

- Threat to water quality
  - Low Risk: Slope ≤ 30%
  - Moderate Risk: Slope > 30% < 50%
  - High Risk: Slope > 50% or located within riparian setback requirements
Cannabis General Order
Indoor Cultivation – Conditionally Exempt

- Indoor cultivation refers to a structure with a permanent roof and a permanent relatively impermeable floor (e.g., concrete- or asphalt-paved). May be performed using hydroponic growing systems, soil, or other growth media.
- Typical greenhouses do not meet the above requirements and are considered outdoor cultivation.
- Industrial wastewater discharge options:
  - Community sewer system (with permission)
  - On-site wastewater treatment system, such as septic tank and leach field, or to land (must obtain separate regulatory authorization e.g., WDRs, etc.)
  - Appropriate collection tank regularly collected by an authorized waste hauler who disposes of the wastewater to a community sewer system
These are not indoor grows
These are not indoor grows
This is an indoor grow
Why is it Important?

- Unregulated cannabis cultivation activities can cause negative environmental impacts and harm the waters of the State, such as...
Illegal water diversions

Loss of water resources and harms beneficial uses
Illegal water diversions

Loss of water resources and harms beneficial uses
Erosion and sediment pollution

Negatively impacts aquatic life and other downstream beneficial uses
Household Garbage

Unsanitary conditions can cause contamination to streams, lakes, and groundwater.
Human waste

Unsanitary conditions have potential to cause contamination to streams, lakes, and groundwater.
Trespass Grows on Public Lands

Loss of water resources and harms beneficial uses
Figure 2 - Cannabis Operation Locations - San Diego Region

Not a of Applicability Status
- Issued
- Pending Signature
- Pending Draft
- Pending Payment

Cannabis Cultivation Policy (by City)
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Region | Applicants | Issued | Pending Payment | Pending Draft | Pending Signature | Withdrawn
---|---|---|---|---|---|---
4 | 121 | 96 | 10 | 0 | 4 | 11
8 | 8 | 6 | 0 | 0 | 0 | 2
9 | 7 | 4 | 0 | 0 | 1 | 2
Total | 136 | 106 | 10 | 0 | 5 | 15

Data Sources:
2) http://www.dot.ca.gov/rg/rtsp/gps/datalibrary/
Figure 3 - Cannabis Legacy Sites - San Diego Region

Legacy Site Ownership
- Bureau of Indian Affairs
- Bureau of Land Management
- Forest Service (USFS)
- National Park Service (NPS)
- Private
- Public
- Unknown

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Region 9 Boundary

Data Sources:
2) http://www.dot.ca.gov/hq/ssl/gisdatalibrary/
Questions?

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