

State of California
California Regional Water Quality Control Board
Santa Ana Region

Staff Report

March 22, 2019

ITEM: 10

SUBJECT: Water Boards Cannabis Cultivation Regulatory Program - Implementation Status Update. ORDER NO. WQ-2017-0023-DWQ

DISCUSSION:

Summary

Board staff will provide an update on the Regional program development and implementation of the statewide Water Boards Cannabis Cultivation Program.

Background

The State Water Board adopted the *Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation* (Cannabis Policy) on October 17, 2017. The Cannabis Policy establishes principles and guidelines (requirements) for the diversion and use of water, land disturbances, and the activities related to cannabis cultivation to protect water quantity and quality. The requirements are intended to minimize the effects of cannabis cultivation on fisheries, wildlife, and water quality; maintain healthy riparian corridors; and protect springs, wetlands, and aquatic habitat, thereby protecting beneficial uses.

Enrollment

The Cannabis Unit has received applications for coverage under the statewide General Order from 25 commercial cannabis cultivators in the Santa Ana Region. Of those, 22 have paid the appropriate fees and have been determined to be eligible for coverage. Notices of Applicability (NOAs) have been issued to those 22 cultivators.

Region	Active Applications	NOAs Issued	Pending Payment	Pending Review	Pending Signature	Withdrawn	Terminated
4	444	413	28	3	0	37	6
8	25	22	3	0	0	4	0
9	19	19	0	0	0	2	0
Total	488	454	31	3	0	43	6

Many cities and counties in southern California continue to prohibit the commercial cultivation of cannabis (see map figure attached). Unit staff expects enrollments to increase over time, particularly if cities and counties continue to adopt pro-grow ordinances. The Riverside County Planning Department is expected to begin accepting Conditional Use Permit applications for cultivation in unincorporated Riverside County in early 2019. As many as 50 new permits may be issued for commercial cultivation in Riverside County spanning the Santa Ana, San Diego, and Colorado Regional jurisdictions.

Enforcement

Cannabis Unit staff have not initiated any enforcement actions related to unpermitted cannabis cultivation in the Santa Ana Region. Twenty-two cultivation operations are currently covered under the General Order; of those, none have started active cultivation due to local (City/County) permitting delays. The Unit has not received any public complaints for unpermitted cultivation within the Region. Similarly, we have not received any referrals from law enforcement agencies related to unpermitted cultivation in the Santa Ana Region. Staff continue to support law enforcement agencies when assistance is requested and when there is a reasonable suspicion that a violation of the California Water Code related to cannabis cultivation may have taken place.

Outreach

Cannabis Unit staff have participated in 13 public outreach events during the last 10 months. Informational presentations were given to professional organizations, community action groups, various state and local agencies, and industry conferences throughout southern California. Unit staff also sent out 51 general information letters to cultivators that held temporary cultivation licenses issued by the CA Dept. of Food and Agriculture. Outreach and education remain a program priority.

RECOMMENDATIONS:

This is an information item. No Board action required.

SUPPORTING DOCUMENTS:

Figure 1 – See attached.

