

State Water Resources Control Board

Cannabis Cultivation Regulatory Program

December 2017
Public Workshop
State Water Resources Control Board





Meeting Agenda

- Cannabis Cultivation Policy Overview: 10:00am – 12:00pm (noon)
- Lunch (on your own): 12:00pm (noon) – 1:00pm
- Cannabis General Order Overview: 1:00pm – 1:30pm
- Water Rights Overview: 1:30pm – 2:00pm
- Cannabis General Order and Small Irrigation Use Registration Portal Introduction: 2:00pm – 4:00pm



State Water Board Public Workshops

December 1, 2017

895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

December 6, 2017

200 South School Street
Ukiah, CA 95482

December 8, 2017*

1001 I Street, 2nd Floor
Sacramento, CA 95814

* The Sacramento meeting will be webcast at:
<https://video.calepa.ca.gov/>.

December 13, 2017

364 Knollcrest Drive, #205
Redding, CA 96002

December 15, 2017

1011 Waterfront Drive
Eureka, CA 95501

December 19, 2017

1685 E Street
Fresno, CA 93706

December 21, 2017

2375 Northside Drive, Suite 100
San Diego, CA 92108

All workshops are scheduled to run from **10:00 am to 4:00 pm**. For more information please visit: www.waterboards.ca.gov/cannabis.

Background

- Three bills adopted in 2015 – Assembly Bills (AB) 243 and 266; Senate Bill (SB) 643 (MMRSA)
- SB 837 adopted in June 2016 – included clean up language for three 2015 bills (MCRSA)
- Proposition 64 passed November 2016, allowing recreational cannabis use for adults (AUMA)
- SB 94 adopted June 2017 – consolidated provisions of MCRSA and AUMA and established the Medicinal and Adult-Use Cannabis Regulations and Safety Act (MAUCRSA)





State Water Board Responsibilities

“The state board or appropriate regional board shall address discharges of waste resulting from cannabis cultivation under [MAUCRSA] and associated activities, including by adopting a general permit, establishing waste discharge requirements...”

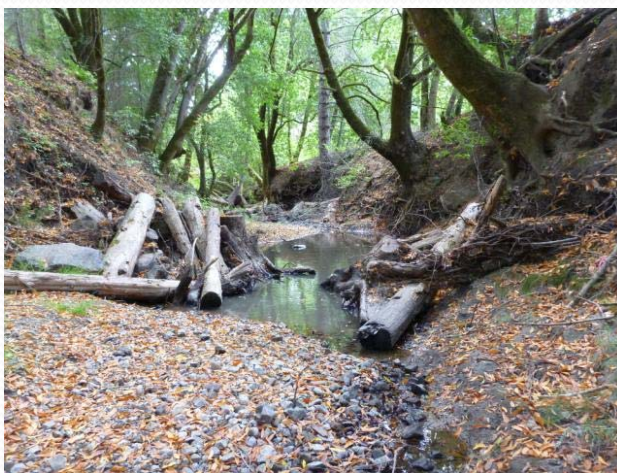
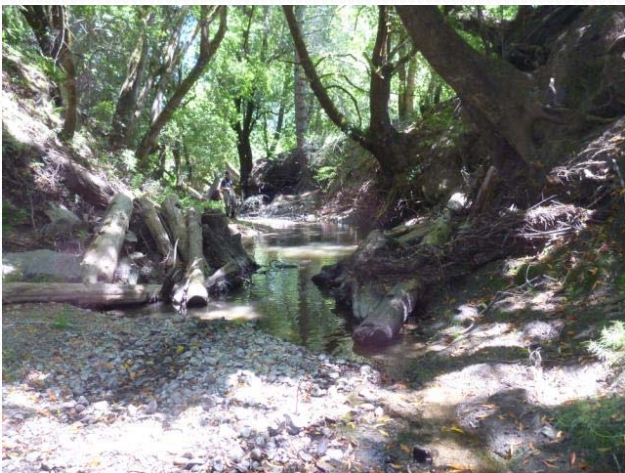
Water Code Section 13276(b)

State Water Board Responsibilities

(continued)

Ensure individual and cumulative effects of water diversion and discharge associated with cannabis cultivation do not affect instream flows needed for fish spawning, migration, and rearing, and flows needed to maintain natural flow variability

Business and Professions Code Section 26060.1(b)(1)



State Water Board Responsibilities

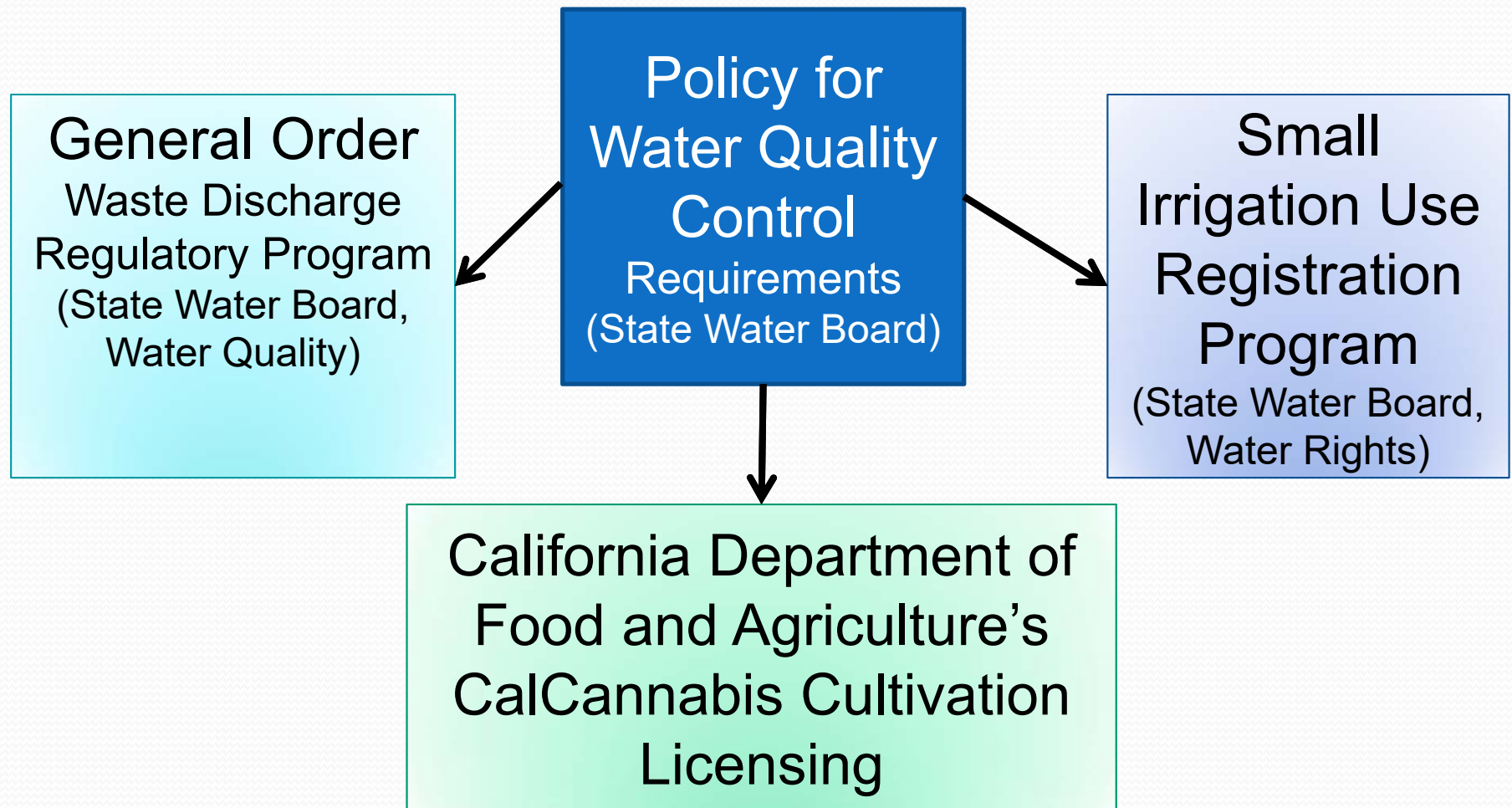
(continued)

- Develop policy for water quality control to establish principles and guidelines (requirements) for cannabis cultivation:
 - Shall include measures to protect springs, wetlands, and aquatic habitat from negative impacts of cannabis cultivation
 - May include requirements for groundwater extractions



Water Code Section 13149(a)(1)(A)

Cannabis Policy Regulatory Flow





Cannabis Cultivation Policy - Status

- October 17, 2017 - Cannabis Cultivation Policy and Cannabis General Order adopted by State Water Board
- November 2, 2017 - Cannabis Cultivation Policy submitted to Office of Administrative Law (OAL) for review and approval
 - December 19, 2017 - Review period is expected to conclude
- Goes into effect upon OAL approval



Cannabis Cultivation Policy

- Cannabis Cultivation Policy:
 - Policy describes overall structure of Water Boards proposed cannabis cultivation regulatory program, water quality and instream flow requirements
 - Policy is categorically exempt from California Environmental Quality Act (CEQA), provided it does not relax standards
 - Class 8 action under CEQA – action taken by regulatory agency for protection of environment within regulatory process



Cannabis Cultivation Policy

(Principles and Guidelines for Cannabis Cultivation)

- Main Document
- Attachment A: Cannabis Cultivation Requirements
 - Section 1 – Definitions, General Requirements, and Prohibitions
 - Section 2 – Requirements for Water Diversion and Waste Discharge (10 subsections)
 - Section 3 – Numeric and Narrative Instream Flow Requirements
 - Section 4 - Watershed Compliance Gage Assignments
 - Section 5 – Planning and Reporting
 - Section 6 – Useful Guidance Documents

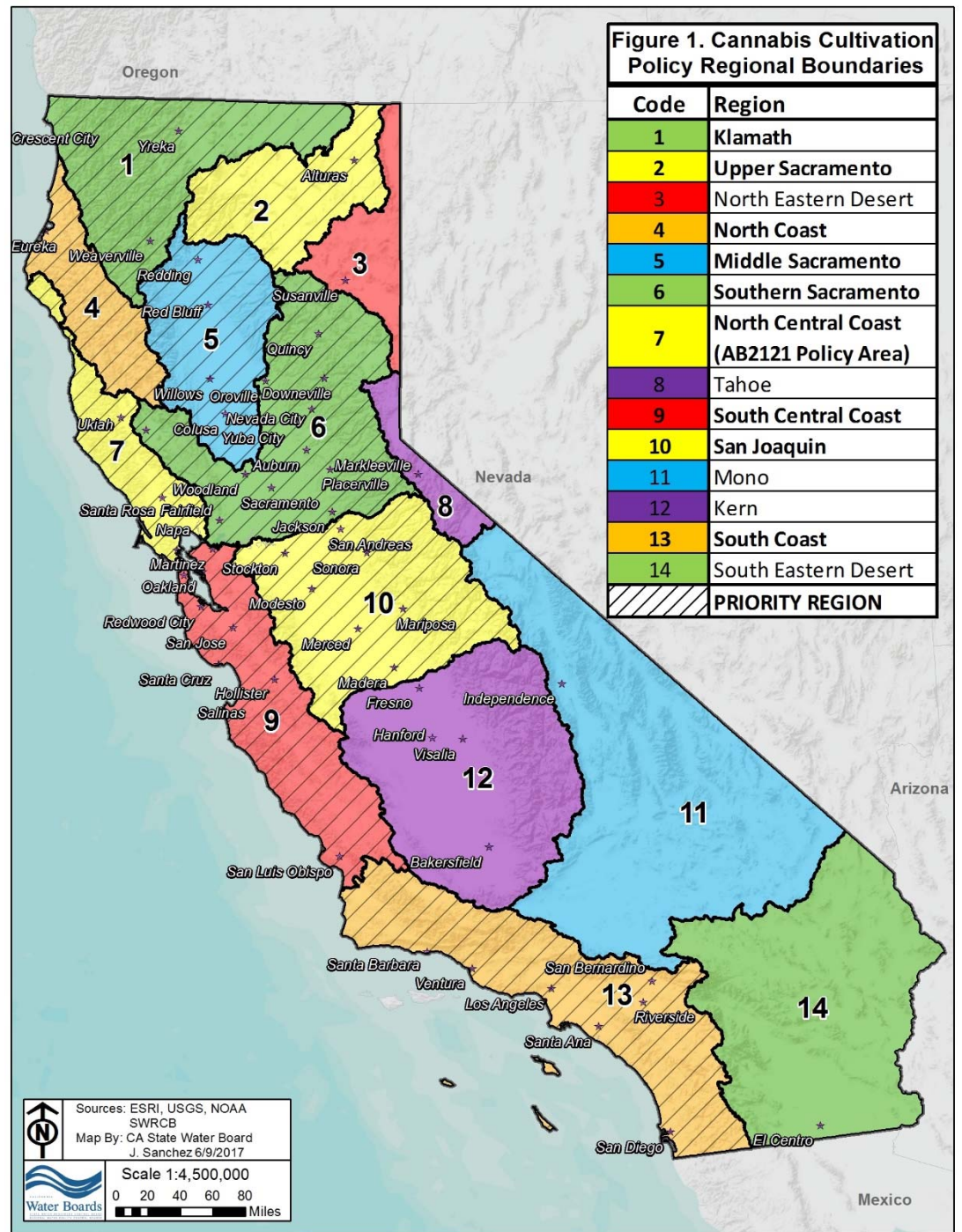


Cannabis Cultivation Policy

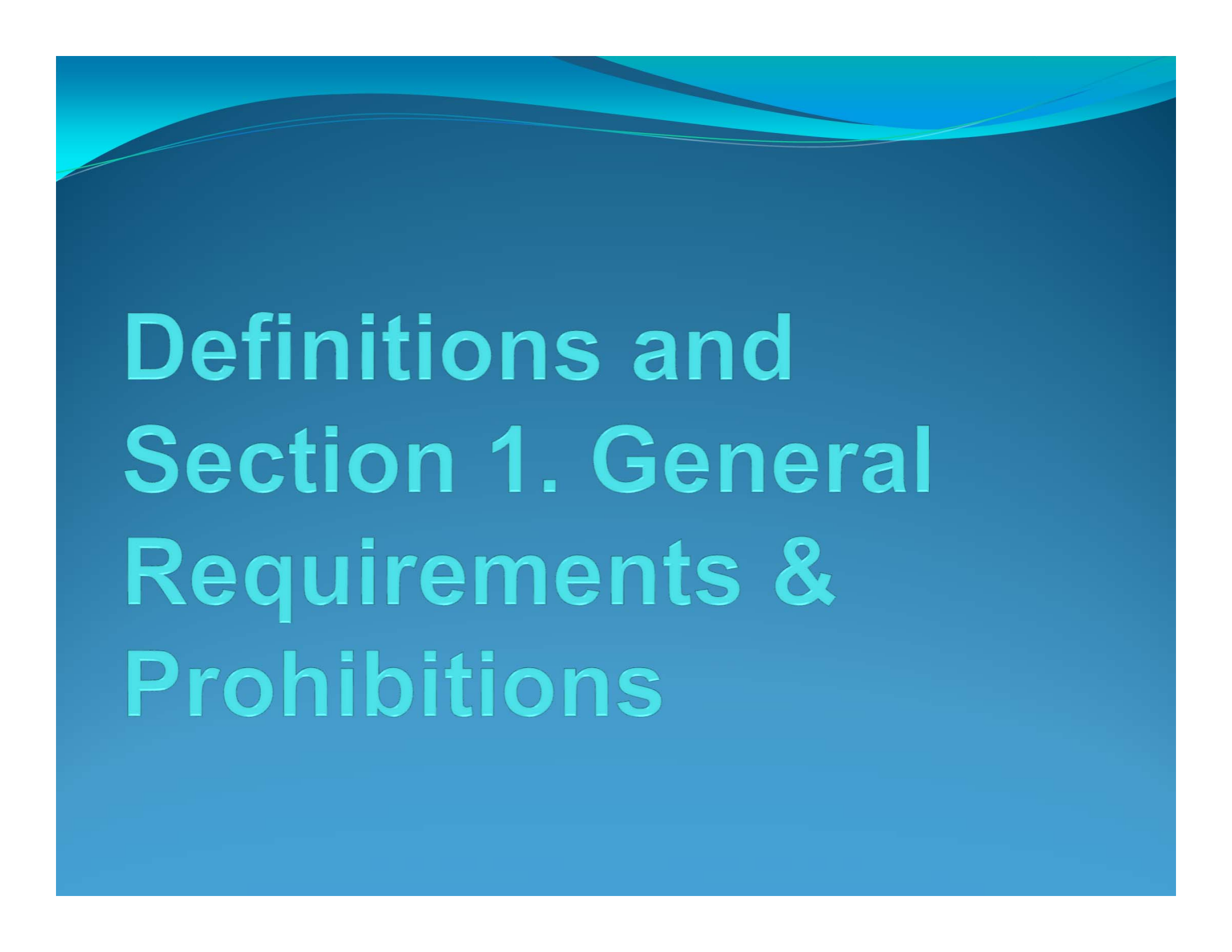
(Main Document)

- Provides overview of Water Boards' program and context for how it fits in with other cannabis regulatory programs
- Establishes 14 regions throughout state for instream flow requirements
- Continuing authority to amend Policy
- Describes how Policy will be enforced

Map of Regional Boundaries



Attachment A



Definitions and Section 1. General Requirements & Prohibitions



Definitions, General Requirements & Prohibitions

- Definitions are considered a component of Requirements
- Rules and authorities applicable to all cultivators, including:
 - Right of access by agencies to inspect for compliance
 - Laws about tribal lands and cultural resources
 - General water quality rules such as riparian setbacks, limitations on slope of land being disturbed
 - Cannabis General Water Quality Certification

Qualified Professional - Definition

- Qualified Professional means:
 - individuals licensed in California under Professional Engineer Act, Geologist and Geophysicist Act, and Professional Land Surveyors' Act
 - a California Registered Professional Forester (RPF), and
 - a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD)
- Licensed Contractor - In California, anyone who contracts to perform work that is valued at \$500 or more in combined labor and material costs must hold a current, valid license from California Contractors' State License Board; licensed contractors are classified as general engineering, general building, or specialty contractors
- Should only perform work they are qualified to do



Land Disturbance Definition

- Land areas where natural conditions have been modified in a way that may result in an increase in turbidity in water discharged from the site
- Disturbed land includes areas where natural plant growth has been removed whether by physical, animal, or chemical means, or natural grade has been modified for any purpose
- Land disturbance includes all activities whatsoever associated with developing or modifying land for cannabis cultivation related activities or access
- Disturbed land includes cultivation areas, storage areas where soil or soil amendments (e.g., potting soil, compost, or biosolids) are located



Watercourse Definitions (Class I, II, III, & IV)

- **Perennial watercourse (Class I*):**
 1. In the absence of diversions, water is flowing for more than nine months during a typical year,
 2. Fish always or seasonally present onsite or includes habitat to sustain fish migration and spawning, and/or
 3. Spring: an area where there is concentrated discharge of ground water that flows at the ground surface. A spring may flow any part of the year. For the purpose of this Policy, a spring does not have a defined bed and banks
- **Intermittent watercourse (Class II*):**
 1. In the absence of diversions, water is flowing for three to nine months during a typical year,
 2. Provides aquatic habitat for non-fish aquatic species,
 3. Fish always or seasonally present within 1,000 feet downstream, and/or
 4. Water is flowing less than three months during a typical year and the stream supports riparian vegetation.



Watercourse Definitions Cont'd

- **Ephemeral watercourse (Class III*):**
 - In absence of diversion, water is flowing less than three months during a typical year and stream does not support riparian vegetation or aquatic life
 - Ephemeral watercourses typically have water flowing for a short duration after precipitation events or snowmelt and show evidence of being capable of sediment transport
- **Other watercourses (Class IV*):**
 - Do not support native aquatic species and are man-made, provide established domestic, agricultural, hydroelectric supply, or other beneficial use

* Except where more restrictive, stream class designations are equivalent to the Forest Practice Rules Water Course and Lake Protection Zone definitions (California Code of Regulations, title 14, Chapter 4. Forest Practice Rules, Subchapters 4, 5, and 6 Forest District Rules, Article 6 Water Course and Lake Protection)

Minimum Riparian Setbacks

Common Name	Watercourse Class	Distance*
Perennial watercourses, waterbodies (e.g. lakes, ponds), or springs	I	150 ft.
Intermittent watercourses or wetlands	II	100 ft.
Ephemeral watercourses	III	50 ft.
Man-made irrigation canals, water supply reservoirs, or hydroelectric canals that support native aquatic species	IV	Established Riparian Vegetation Zone
All other man-made irrigation canals, water supply reservoirs, or hydroelectric canals	IV	N/A

** Cannabis cultivators enrolled in a Regional Water Board order adopting waste discharge requirements (WDRs) or a waiver of WDRs for cannabis cultivation activities prior to October 17, 2017, may retain reduced setbacks applicable under that Regional Water Board order unless Regional Water Board's Executive Officer determines that reduced setbacks applicable under that order are not protective of water quality*



Compliance with Other General Requirements

- Cannabis cultivator shall comply with all applicable federal, state, and local laws, including but not limited to:
 - Clean Water Act
 - California Water Code
 - All applicable state, city, county, or local regulations
 - California Department of Fish and Wildlife requirements (Lake and Streambed Alteration Agreement, etc.)
 - CAL FIRE requirements
 - CEQA and National Environmental Policy Act



Slope Restrictions for Grading

- Cannabis cultivators located on slopes greater than 30% and less than 50% must submit a Site Erosion and Sediment Control Plan to Regional Water Board Executive Officer for any cannabis-related land development or alteration
 - Plan shall be approved by applicable Regional Water Board Executive Officer prior to cannabis cultivator initiating or expanding any land disturbance
 - Regional Water Board Executive Officer may deny request to conduct new land disturbance activities for cannabis cultivation if local conditions (e.g., soil type, site instability, proximity to a waterbody, etc.) do not allow for adequate erosion and sediment control measures to ensure discharges to waters of the state will not occur



Tribal/Cultural Resource Requirements

- Cultivation prohibited on tribal lands or within 600 feet of tribal lands without express written permission of governing body of affected tribe
- No cultivation shall occur within 600 feet of an identified tribal cultural resource site
- Prior to land disturbance for new or expanded cannabis cultivation activities:
 - Perform records search of potential Native American archeological or cultural resources at a California Historical Resources Information System (CHRIS) information center
 - Request search of Sacred Lands Inventory – maintained by Native American Heritage Commission
- Upon discovery of any buried archeological indicators or human remains, ground disturbing activities must cease and appropriate authorities notified



Land Disturbance Forecast Monitoring

- During land disturbance activities cultivator shall review and evaluate applicable daily forecast and 24 hour forecast at least once per 24 hour period and maintain records
- Cultivator shall cease land disturbance activities and implement erosion control requirements described in Policy during any 24 hour period with daily forecast or 24 hour forecast that reports a 50 percent or greater chance of precipitation
 - For Lake Tahoe Hydrologic Unit, trigger is 30 percent or greater chance of precipitation greater than 0.1 inch per 24 hours



General Water Quality Certification

- Water Boards may issue a water quality certification for a class or classes of activities that, as here, are the same or similar, or involve the same or similar types of discharges and possible adverse impacts to water quality if it determines that these activities are more appropriately regulated under the general certification rather than an individual certification
- Regional Board may include specific monitoring requirements for turbidity and other constituents that may be associated with activity to ensure applicable state water quality standards are met
- Projects that do not meet criteria for coverage under the General Water Quality Certification must apply for individual certification

Section 2.

Requirements Related to Water Diversion & Waste Discharge for Cannabis Cultivation



Cannabis Cultivation Policy

(Requirements for Water Diversion and Waste Discharge)

Specific requirements for cultivation activities, such as:

- General erosion control measures for entire cultivation site
- Stream crossings and installation, culverts, road development
- Management of fertilizers, pesticides, and petroleum
- Cleanup, restoration, and mitigation on existing sites
- Proper soil, cultivation, and human waste disposal
- Control of irrigation runoff
- Appropriate methods of water diversion and storage
 - Maximum diversion rate: 10 gallon per minute (unless otherwise approved in existing water right)
- Winterization

Land Development & Maintenance, Erosion Control, & Drainage Features

Limitations on Earthmoving

Construction Equipment Use and Limitations

Erosion Control

Access Road/Land Development and Drainage

Drainage Culverts

Limitations on Earthmoving

- Grading activities shall not be conducted on slopes exceeding 50 percent grade, or as restricted by local county or city permits, ordinances, whichever is more stringent
- Finished cut and fill slopes shall not exceed slopes of 50 percent and should conform to the natural pre-grade slope whenever possible
- Designs by qualified professionals



Construction Equipment Use and Limitations

- Employ spill control and containment practices to prevent discharge of fuels, oils, solvents and other chemicals to soils and waters of the state
- Designate an area outside riparian setback for equipment storage, short-term maintenance, and refueling
- Frequently inspect equipment and vehicles for leaks



- Immediately clean up leaks, drips, and spills
- Make repairs and wash equipment off site

Erosion Control



- Use appropriate erosion control measures to minimize erosion to prevent discharges of waste
- Design, work schedule, and implementation of cannabis cultivation activities shall incorporate erosion control
- Measures shall be effective in protecting water quality.
- Monitor erosion control measures during and after each storm event that produces at least 0.5 inch per day or 1.0 inch per 7 days of precipitation*

Access Road/Land Development

- Obtain all required permits and approvals prior to construction of any access road
- Shall be constructed consistent with requirements of California Code of Regulations Title 14, Chapter 4. *The Handbook for Forest, Ranch, and Rural Roads* (Road Handbook) describes how to implement regulations
- Decommission or relocate existing roads away from riparian setbacks whenever possible
- Requires work to be performed by qualified professionals and licensed contractors, as applicable



Drainage Culverts

- Designed to accommodate estimated 100-year flood flow, including debris and sediment loads
- Designed and sized by a qualified professional.
- Use 15- to 24-inch diameter pipes, at minimum; in forested areas with a potential for woody debris, a minimum 18-inch diameter pipe shall be used to reduce clogging



Cleanup, Restoration, & Mitigation

Riparian Vegetation

- Avoid damage to native riparian vegetation
- Avoid damage to oak woodlands; cultivators shall plant three oak trees for every one oak tree damaged or removed
- Riparian trees over four inches diameter at breast height (dbh) shall be replaced by similar native species at a ratio of three to one (3:1)
- Revegetation plan requirements



Stream Crossing Installation & Maintenance

Limitations on Work in Watercourses and Permanently Ponded Areas

Temporary Watercourse Diversion and Dewatering: All Live Watercourses

Watercourse Crossings



Limitations on Work in Watercourses and Permanently Ponded Areas

- Obtain all applicable permits and approvals prior to doing any work in or around waterbodies or within the riparian setbacks
 - Permits may include section 404/401 Clean Water Act permits, Regional Water Board WDRs (when applicable), and a California Department of Fish and Wildlife Lake and Streambed Alteration Agreement
- Additional requirements that minimize amount of work or disturbance instream or in riparian corridor
- Requirements related to use of heavy equipment in a watercourse



Temporary Watercourse Diversion and Dewatering: All Live Watercourses (Flowing Water)

- Requirements covering diversion and dewatering of live watercourses
 - Intended to be in addition to or backstop to 404/401 Clean Water Act permits and Lake and Streambed Alteration Agreements
- General requirements for construction and removal of cofferdams and dewatering of streams
- Protections for fish and other aquatic wildlife

Watercourse Crossings



- Designed by qualified professional
- Allow for unrestricted passage of water and shall be designed to accommodate estimated 100-year flood flow and associated debris
- Allow migration of aquatic life during all life stages supported or potentially supported by that stream

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Soil Disposal & Spoils Management



Soil Disposal & Spoils Management

- Store soil, construction, and waste materials outside riparian setback except as needed for immediate construction needs
- Separate large organic material (e.g., roots, woody debris, etc.) from soil materials
 - Either place large organic material in long-term, upland storage sites, or properly dispose of materials offsite
- Store erodible soil, soil amendments, and spoil piles to prevent sediment discharges in stormwater



Riparian & Wetland Protection & Management

Riparian & Wetland Protection & Management

- Do not disturb aquatic or riparian habitat unless authorized under a Clean Water Act 404/401, Regional Water Board WDRs (when applicable), or a California Department of Fish and Wildlife Lake and Streambed Alteration Agreement
- Maintain existing, naturally occurring, riparian vegetative cover (e.g., trees, shrubs, and grasses) in aquatic habitat areas to maximum extent possible



- In addition to required riparian setbacks

Water Storage & Use

Water Supply, Diversion, and Storage

Water Conservation and Use

Irrigation Runoff

Water Supply, Diversion, and Storage

- Maximum instantaneous diversion rate of 10 gallons per minute
- Must have a California Department of Fish and Wildlife (CDFW)-approved water-intake screen (e.g. fish screen)
- Fuel powered diversion pumps shall be located outside riparian setbacks
- Must plug, block, disconnect, or remove diversion intake associated with cannabis cultivation activities during forbearance period





Water Supply, Diversion, and Storage (cont.)

- Shall install and maintain measuring device(s) for surface water, including subterranean stream, diversions
 - Measuring device shall be, at a **minimum equivalent to requirements for direct diversions greater than 10 acre-feet per year** in CCR, Title 23, Division 3, Chapter 2.7
- Shall maintain daily diversion records for water diverted for cannabis cultivation
 - Must maintain separate record to document amount of water used for cannabis cultivation separated out from amount used for other beneficial uses
 - Must maintain records at cultivation site and make records available to State Water Board, CDFW, or authorized representative
 - Records shall be maintained for a minimum of five years
- Groundwater diversions may be subject to additional requirements if deemed necessary to implement purposes of Policy

Water Supply, Diversion, and Storage (cont.)



- Onstream storage reservoirs are prohibited unless appropriative water right has been obtained
- Requires that off-stream storage reservoirs and ponds are sited and designed or approved by a qualified professional in compliance with Division of Safety of Dams (DSOD), county, and/or city requirements, as applicable
- Bladders are discouraged and must have secondary containment capable of capturing 110 percent of maximum capacity



Water Conservation and Use

- Implement water conserving irrigation methods (e.g., drip or trickle irrigation, micro-spray, or hydroponics)
- Maintain daily records of all water used for irrigation of cannabis
 - Daily records may be calculated by use of a measuring device or, if known, by calculating the irrigation system rates and duration of time watered
 - Records shall be retained on site for a minimum of five years

Irrigation Runoff

- Regularly inspect for leaks in:
 - water diversion
 - delivery system
 - irrigation system
 - **Must immediately make necessary repairs**
- Minimize irrigation deep percolation by applying irrigation water at agronomic rates
- Irrigation systems shall be designed to include redundancy and cannabis cultivators shall regularly replace worn, outdated, or inefficient irrigation system equipment



Fertilizers, Pesticides, & Petroleum Products

Fertilizers, Pesticides, and Petroleum Products

- Use of agricultural chemicals inconsistent with product labeling, storage instructions, or Department of Pesticide Regulation requirements for pesticide applications is prohibited
- Requirements ensure proper use, storage, and handling of fertilizers, pesticides, and petroleum products
- Keep spill clean up materials on site
- Separate storage and secondary containment requirements



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Cultivation Related Waste

Cultivation Related Waste

- Cannabis plant material may be disposed of onsite in compliance with applicable CDFA license conditions
- Contain and regularly remove all debris and trash
- Dispose of debris and trash at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations
- Proper reuse of spent growth medium may include incorporation into garden beds or spreading on a stable surface and revegetating surface with native plants (**Composting**)



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Refuse and Domestic Waste

Refuse and Domestic Waste

- Requirements related to disposal of trash and domestic waste at cultivation site
- Ensure that **ALL** trash or any substance which could be hazardous to any life stage of fish and wildlife or their habitat (includes food sources) does not contaminate soil or enter riparian setback or waters of the state



Winterization



Winterization

- Complete all winterization Requirements prior to onset of winter period (If not, telephone region and submit site-specific compliance schedule)
- Winter period defined in definitions section as calendar dates from November 15 to April 1, except as noted under special County Rules in CCR, title 14, sections 925.1, 926.18, 927.1, and 965.5. Following special rules or basin plan requirements apply:
 - Santa Clara County, Santa Cruz County, and Monterey County: October 15 to April 15;
 - Marin County: October 1 to April 15; and
 - Lahontan Regional Water Board: October 15 to May 1 (for elevations above 6,000 feet).
- Regional Water Board may require additional site-specific erosion and sediment control requirements

Section 3. Numeric and Narrative Instream Flow Requirement



Cannabis Cultivation Policy

(Numeric and Narrative Instream Flow Requirements)



Narrative Instream Flow Requirement:

- 50% of streamflow shall be bypassed past point of diversion
- Surface water forbearance period: April 1 – October 31, possibly later depending on precipitation
 - Initial diversion before December 15 may not commence until after seven consecutive days with flow above numeric instream flow

Numeric Instream Flow

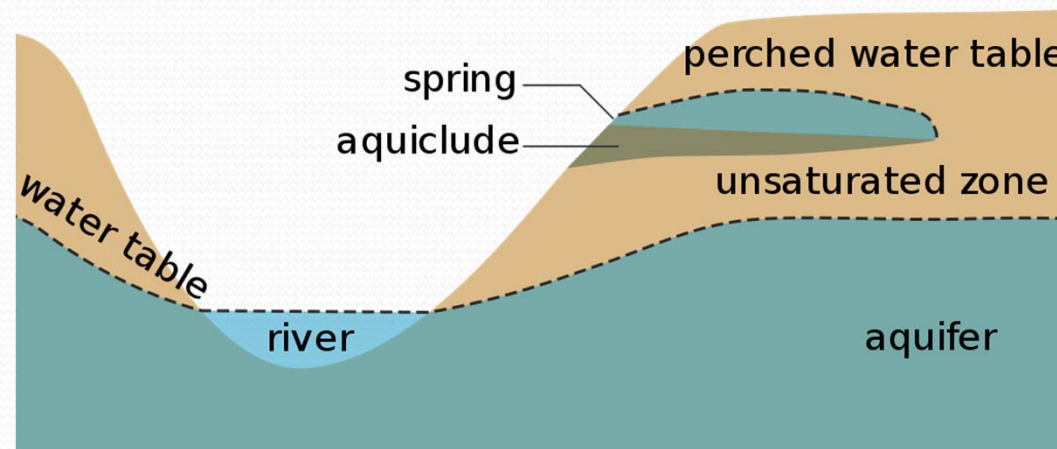
- Diversions can only occur when daily average flow at assigned gage is above minimum instream flow requirement
- Diverters shall measure and record daily water diversion and use

Cannabis Cultivation Policy

(Numeric and Narrative Flow Requirements)

Groundwater Requirements:

- Aquatic base flow thresholds established as one mechanism to help monitor whether groundwater diverters are having a cumulative negative impact on instream flows
- If it is determined that groundwater diversions have potential to significantly affect surface water supply, forbearance periods or other measures may extend to groundwater diverters



Cannabis Cultivation Policy

(Numeric and Narrative Flow Requirements)

Fully Contained Springs:

- Springs that do not run off a property in the absence of diversion and do not have surface or subsurface hydrologic connectivity at any time of year during all water year types may request to be exempt from numeric instream flow and forbearance period (requires substantial evidence)
- Requirements related to submittal of substantial evidence are in addition to any information provided in Form B4
- **Springs deemed exempt are subject to 50% visual bypass and Groundwater Requirements**





First Year – Flow Requirements for Installation of Storage

- Cannabis cultivators diverting under a valid water right or claim of water right and without storage:
 - First year of the Surface Water Dry Season Forbearance Period (April 1, 2018 through October 31, 2018) is waived; may only divert during this period in a manner consistent with their permit/license or claim of right
 - All other applicable requirements of Policy shall remain in force
 - Shall file for a Cannabis Small Irrigation Use Registration or submit an application for an appropriative water right permit to obtain storage sufficient to support cannabis cultivation during forbearance period prior to diverting water for cannabis cultivation during the 2018 forbearance period (April 1, 2018)
 - As soon as possible after storage has been authorized, following conclusion of winter period and any necessary approvals, cannabis cultivators shall begin installing and diverting to off-stream storage **to prepare for a potential curtailment during the dry season of 2018 (triggered by the Aquatic Base Flow Numeric Instream Flow Requirement)**



Retail Water Suppliers

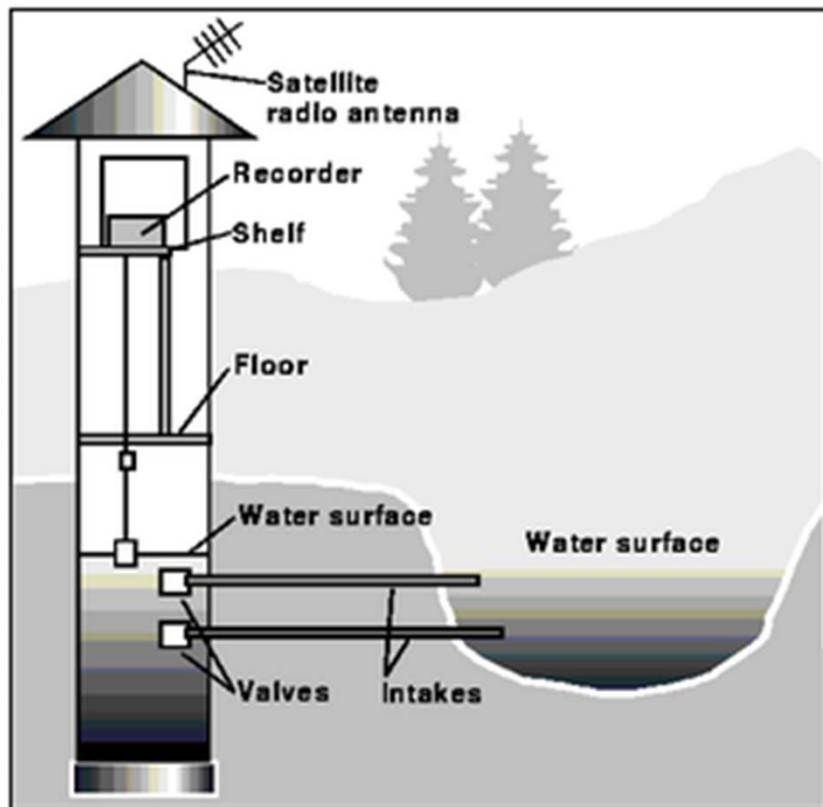
- Flow requirements shall not apply to retail water suppliers (as defined in Section 13575 of Water Code) unless any of the following apply:
 - Retail water supplier has 10 or fewer customers and delivers water that is used for cannabis cultivation;
 - Retail water supplier delivers 10 percent or more of diverted water to one or more cannabis cultivator(s) or cannabis cultivation site(s), as established by an assessor's parcel number;
 - 25 percent or more of the water delivered by retail water supplier is used for cannabis cultivation; or
 - A cannabis cultivator and the retail water supplier are affiliates, as defined in California Code of Regulations, title 23, section 2814.20.



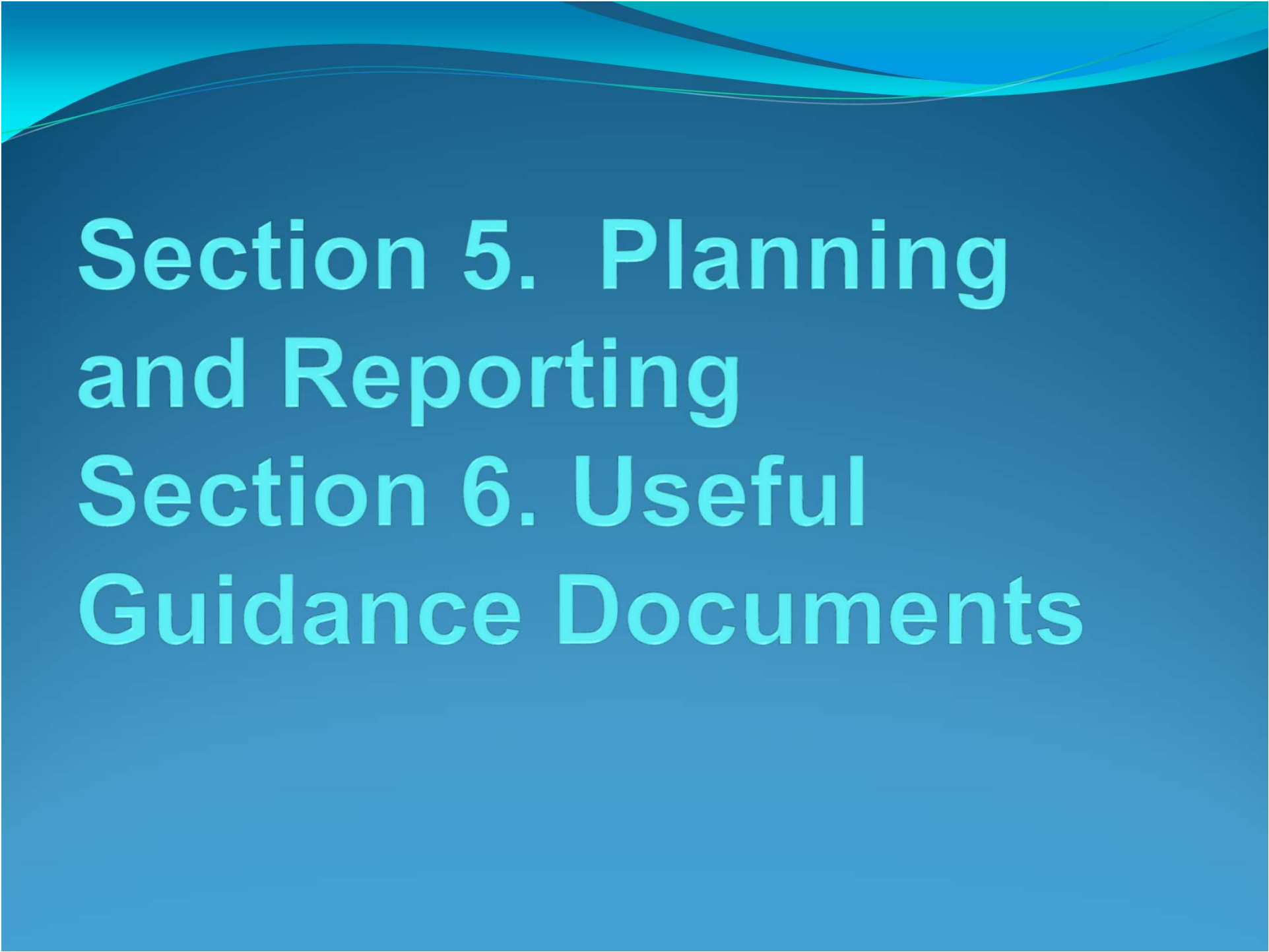
Section 4. Watershed Compliance Gage Assignments

Cannabis Cultivation Policy

(Watershed Compliance Gage Assignments)



- Policy establishes minimum monthly flows at compliance gages
- Watershed areas without existing gages are assigned a compliance gage for a different location in same watershed or a nearby watershed with similar flow characteristics
- During diversion season, cannabis cultivators are required to check their compliance gage assignment at least daily and prior to diverting water to ensure water is available to divert at assigned gage
- Compliance gage assignments may change as more information becomes available



Section 5. Planning and Reporting Section 6. Useful Guidance Documents

Cannabis Cultivation Policy (Planning and Reporting)

Section 5

- Specifies plans and reports that are needed, such as:
 - Site management plan
 - Erosion and sediment control plan
 - Nitrogen management plan
 - Site closure plan
- More detail provided in Cannabis General Order

Section 6

- Useful Guidance Documents
 - Links to helpful water quality facts and documents



Questions?



Contact Information

- **Cannabis Policy Questions**
 - **CannabisWR@waterboards.ca.gov**
- **Cannabis Small Irrigation Use Registration Questions**
 - **CannabisReg@waterboards.ca.gov**
 - **916.319.9427**
- **Cannabis General Order (WDRs/Waivers) Questions**
 - **DWQ.Cannabis@waterboards.ca.gov**
 - **916.341.5580**



Meeting Agenda

- Cannabis Cultivation Policy Overview: 10:00am – 12:00pm (noon)
- Lunch (on your own): 12:00pm (noon) – 1:00pm
- Cannabis General Order Overview: 1:00pm – 1:30pm
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State Water Resources Control Board

General WDRs and Waiver of WDRs for Discharges of Waste Associated with Cannabis Cultivation Activities



Waste Discharge Requirements (WDRs)

The State and Regional Water Boards identify sources of pollutants that threaten water quality and **regulate** those sources by imposing requirements to control the discharge of pollutants. The permits, called WDRs are based on the laws, regulations, and policies designed to protect water quality.



General WDRs

State Water Board or a Regional Water Board may prescribe general WDRs if determined that the discharges:

- 1) are produced by the same or similar operations
- 2) involve the same or similar types of waste
- 3) require the same or similar treatment
- 4) are more appropriately regulated under general WDRs than individual WDRs



Waiver of WDRs

- WDRs may be waived by State Water Board or a Regional Water Board as to a specific discharge or type of discharge if it's determined that the waiver is consistent with any applicable state or regional water quality control plan and is in the public interest
- A waiver may not exceed five years in duration, but may be renewed by State Water Board or a Regional Water Board



General Order

- Adopted by State Water Board on October 17, 2017
- Implements requirements of Cannabis Cultivation Policy
- Recognizes other permitting requirements may apply, but does not implement those requirements
- If applicable, requires water rights compliance, but a water right is not provided in General Order



General Order Approach

- Generally based on North Coast and Central Valley Regional Water Board orders (2015)
- General Order requirements are tiered based on threat to water quality
 - Disturbed area, slope, and setbacks
 - Conditional exemptions apply for some cultivation activities
- All cannabis related activities must comply with applicable Best Practicable Treatment or Control (BPTC) requirements in Attachment A



Disturbed Area

Disturbed Area/Disturbed Land/Land Disturbance

Where natural conditions have been modified in a way that may result in an increase in turbidity discharged from a site

- Disturbed area includes:
 - areas where natural plant growth has been removed, or natural grade has been modified for any purpose
 - all activities associated with developing or modifying land for cannabis cultivation related activities or access

Access roads that are designed, constructed, and maintained consistent with *Handbook for Forest, Ranch, and Rural Roads*, are not considered disturbed areas for purpose of tier determination



General Order Discharger Classifications

Non-Commercial

- Personal use exemption
- Not required to enroll or pay a fee

Commercial

- Conditional Exemption (indoor & outdoor)
 - Requires coverage under Waiver of WDRs & pay a one time fee
- Tier 1 and Tier 2
 - Requires enrollment under General Order, pay enrolment fee, and annual fee thereafter



Personal Use Exemption

- Exempt from CDFA licensing requirements
- Max 1,000 ft² disturbed area on slope \leq 20%
- Contiguous cultivation area
- Complies with setback requirements
- Implements all applicable requirements in Attachment A
- Subject to applicable water rights requirements
- Coalitions or cooperatives cannot claim this exemption



Conditional Exemption (indoor)

- Commercial cultivation – CDFA license required
- Indoor means within a structure with a permanent roof and relatively impermeable floor
- Discharge industrial wastewater to:
 - community sewer consistent with their requirements
 - on-site wastewater treatment system covered by separate regulatory authorization
- No cultivation size limits
- Implements all applicable requirements in Attachment A
- Subject to applicable water rights requirements

Conditional Exemption (indoor) continued



1



2



3



4



5



6

Cannabis General Order



Conditional Exemption (outdoor)

- Commercial cultivation – CDFA license required
- Max 2,000 ft² disturbed area on slope \leq 20% slope
- Contiguous cultivation area (all in one place)
- Complies with setback requirements
- Implements all applicable requirements in Attachment A
- Subject to applicable water rights requirements



Tier 1 or Tier 2 Enrollees

- Commercial cultivation – CDFA license required
- Tier determination is based on disturbed area
 - Tier 1 disturbs more than 2,000 ft², less than 43,560 ft²
 - Tier 2 disturbs more than one acre
- Implements all applicable requirements in Attachment A
- Enrollment under the General Order is required
- Sites are further characterized by risk
 - Low, moderate, high
- Subject to applicable water rights requirements

Tier 1 & Tier 2 Risk Designations (Slope and Setback Compliance)

Low Risk	Moderate Risk	High Risk
<p>No portion of the disturbed area is located on a slope greater than 30 percent</p> <p><u>AND</u></p> <p>All of the disturbed area complies with the setback requirements</p>	<p>Any portion of the disturbed area is located on a slope greater than 30 percent,</p> <p><u>AND</u></p> <p>All of the disturbed area complies with the setback requirements</p>	<p>Any portion of the disturbed area is located within the setback requirements</p>



Reporting Requirements

Conditionally Exempt Dischargers

- Site Closure Report – due **90 days prior** to termination

Tier 1 and Tier 2 Dischargers

- Low Risk – Site Management Plan and Site Closure Plan
- Moderate Risk – **add** Site Erosion Sediment Control Plan (EO approval)
- High Risk – **add** Disturbed Area Stabilization Plan (EO approval)
- Large area cultivation sites – **add** Nitrogen Management Plan

Monitoring and Reporting Program (MRP)



Monitoring and Reporting

- Reports are necessary to ensure compliance with General Order
- MRP can be revised by Regional Water Board EO
- Reports due March 1
- Include:
 - Facility status
 - Site maintenance status
 - Stormwater runoff monitoring

Monitoring and Reporting (cont.)

Facility Status

- All Tier 1 and Tier 2 (report)

Winterization Measures Implemented
Tier Status Confirmation
Third Party Identification
Nitrogen Application, if applicable

Monitoring and Reporting (cont.)

Site Maintenance Status

- Tier 1 and Tier 2, Moderate or High Risk (observations)

Surface water runoff	Soil erosion control
Sediment capture	Erosion/Sediment capture maintenance
Stabilization of disturbed areas	Materials storage erosion/spills prevention
Holding tank, septic tank, or chemical toilet	

Monitoring and Reporting (cont.)

Stormwater Runoff Monitoring

- Tier 1 and Tier 2, High Risk (monitoring)

Turbidity	pH
-----------	----

- Instruments must be calibrated
- Representative samples of discharge
- Monitoring all months until winterization is complete



General Order Summary

- All commercial cannabis activities require coverage under the General Order Waiver or General Order
- Existing enrollees in the Region 1 and Region 5 orders:
 - Transition to the statewide General Order by **July 1, 2019**
 - Existing facilities can operate within existing setbacks (unless Regional Water Board Executive Officer determines not protective of water quality)
- Previously exempt commercial cultivators under Region 1 and Region 5 orders must apply for coverage
- All applications will be on-line via Internet
- Tier 1 and 2 cultivators have technical report requirements

Questions?



California Water Rights and Small Irrigation Use Registrations

State Water Resources Control Board
Division of Water Rights



Outline

- Overview of California Water Rights
- State Water Board's role in water source documentation and water rights for cannabis cultivations
- Small Irrigation Use Registrations



General Water Rights Principles

- All water belongs to people of the state
- Water rights are a right to the use of water
- Water use must be reasonable and beneficial



Water Rights in California

- Riparian Water Rights
- Appropriative Water Rights (Post-1914)
 - Application
 - Permit
 - License
 - **Registration** (est. 1989)
 - Expedited water rights for certain small projects
 - **Small Domestic, Small Irrigation**, and Livestock Stockpond



Riparian Water Rights

All owners of property adjacent to a stream have right to reasonable use of water from the stream

- Applies only to natural flow
- Exist through ownership of land abutting stream
- Can be put to any reasonable, beneficial use on riparian property
- Usually have priority over appropriative rights
- CANNOT store



Appropriative Water Rights

Water Rights for diversion of water on parcels that do not abut a stream. Also, for **storage** of water on any parcel

- First in time, First in Right
- Limited to amount historically used (cannot be increased)
- Can lose the right due to non-use (more than 5 years)



State Water Board

- Water Rights oversight includes:
 - Permitting & administration of **post-1914 water rights**
 - Reasonable use of all water rights, including pre-1914 and riparian
 - Protection of the public trust with regard to all rights, including pre-1914 and riparian



Examples of Surface Water Requiring a Water Right

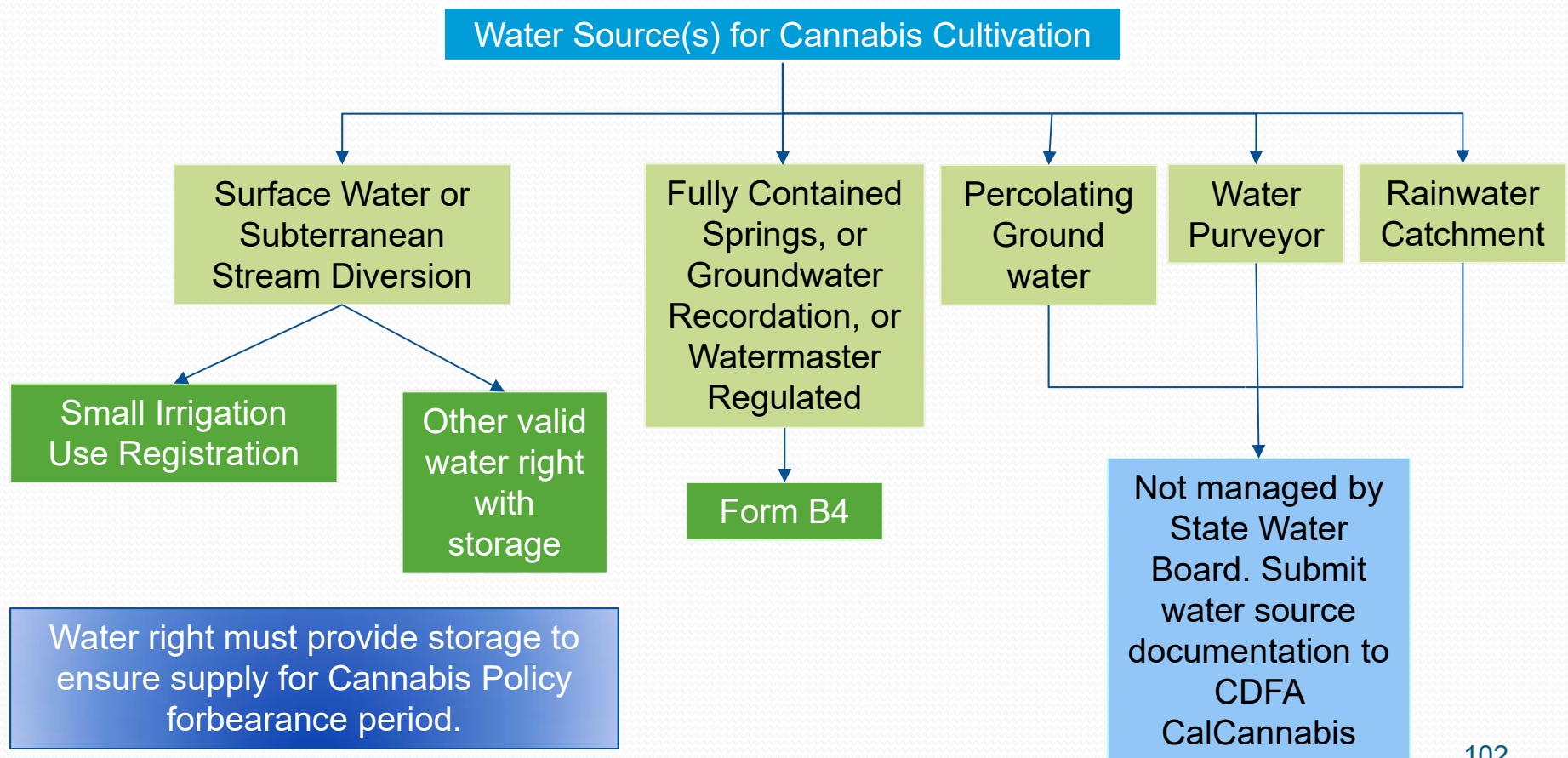
- River
- Stream
- Creek
- Gully (surface water channels)
- Pond
- Lake
- Reservoir
- Hydrologically Connected Subsurface Flow
- **Spring** located on the diverter's property that runs off the property at any time during the year



“Percolating” Groundwater

- All groundwater not part of a subterranean stream
- Regulated by Sustainable Groundwater Management Act (local agencies and state)
- Complex rules for use among neighbors

Do I need a water right?





Who needs a water right?

- Small **Domestic** Use Registration
 - For domestic water users
 - 6 cannabis plants or less
 - **More** than 6 cannabis plants and **less than 100 square feet cultivation**
 - Cannabis General Order Personal Medical Use Exemption
- Small **Irrigation** Use Registration
 - **Commercial cannabis cultivator**
 - For sale, trade, or barter



When do I apply for Small Irrigation Use Registration?

- ALL CASES – we recommend obtaining your SIUR as soon as possible
- If you have an existing water right and submitted your Initial Statement or Form b5 by October 31, 2017:
 - 2018 forbearance period is waived (with potential for curtailment*) if you obtain SIUR prior to diverting during the forbearance period (April 1 – October 31, 2018)
- If you currently have no water right:
 - Obtain SIUR prior to diverting during forbearance period

* See slide in Cannabis Policy presentation for more information



Small Irrigation Use Registration (SIUR)

- Must comply with General Conditions, California Department of Fish and Wildlife (CDFW) Conditions, and Cannabis Policy
- Obtain SIUR certificate through State Water Board's online cannabis application portal
- Max Diversion Amount: Up to 6.6 Acre-Feet per Year (AFY)
- Max Diversion Rate: 10 Gallons per Minute (GPM)
- Allows water **diversion to storage** during wet season
 - November 1 through March 31 (see Cannabis Policy for limitations)
- Imposes **forbearance period** during dry season
 - April 1 through October 31, possibly longer depending on flows

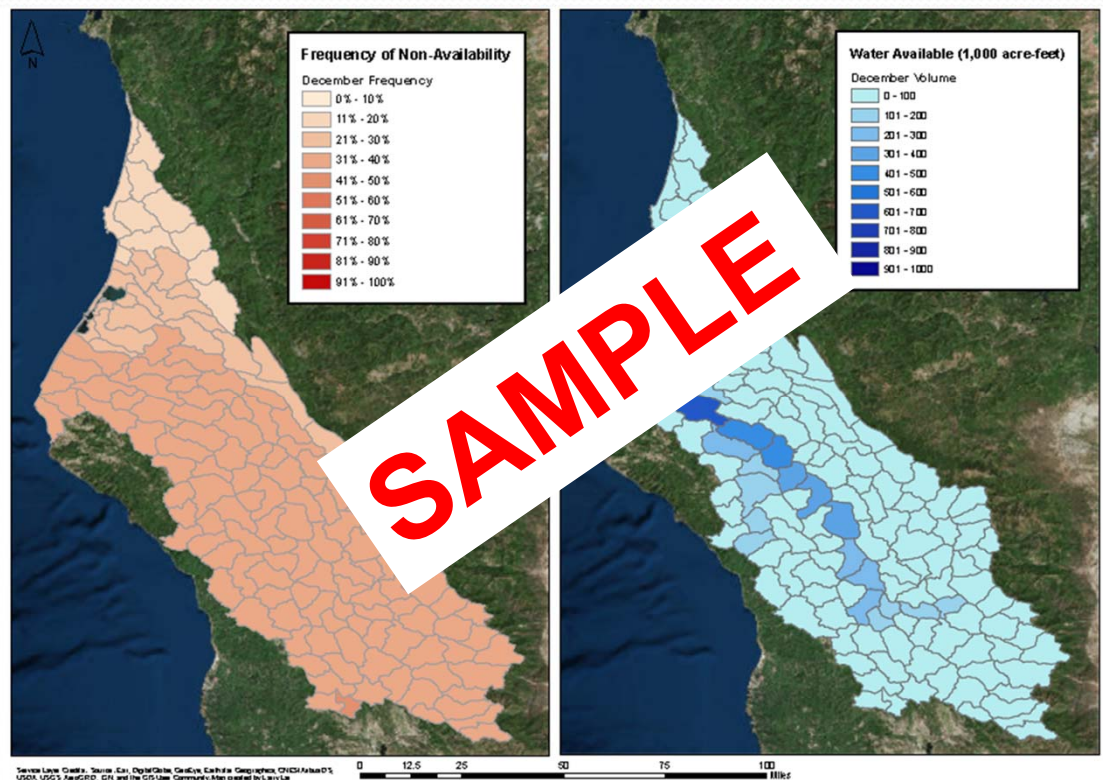


SIUR Limitations

- Will not be issued for diversions from:
 - Fully Appropriated Streams
 - Wild and Scenic Rivers
 - CDFW Instream Flow Study Area
 - Public Resource Code section 10002
- Must obtain Tribal approval if within 600 feet of Tribal lands

Water Availability Analysis

- Statewide Predictive Model
 - Multiple methods based on cannabis cultivation regions
- Identify watersheds that may become Fully Appropriated
 - Cultivators would need to submit site-specific water availability analyses to demonstrate a reasonable likelihood that water is available for their use
- Northern CA Coastal Watersheds in development




State Water Resources Control Board

Cannabis Program - Online Portal Overview




Water Boards Cannabis Website

www.waterboards.ca.gov/cannabis



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Cannabis Cultivation

Home : Water Issues : Programs : Cannabis

Water Boards Cannabis Cultivation Programs

Welcome to the State Water Resources Control Board's (State Water Board) Cannabis Cultivation Regulatory Program webpage. On October 17, 2017, the State Water Board adopted the Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation (Cannabis Policy) and General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General

Subscribe directly to the Cannabis Cultivators Email List

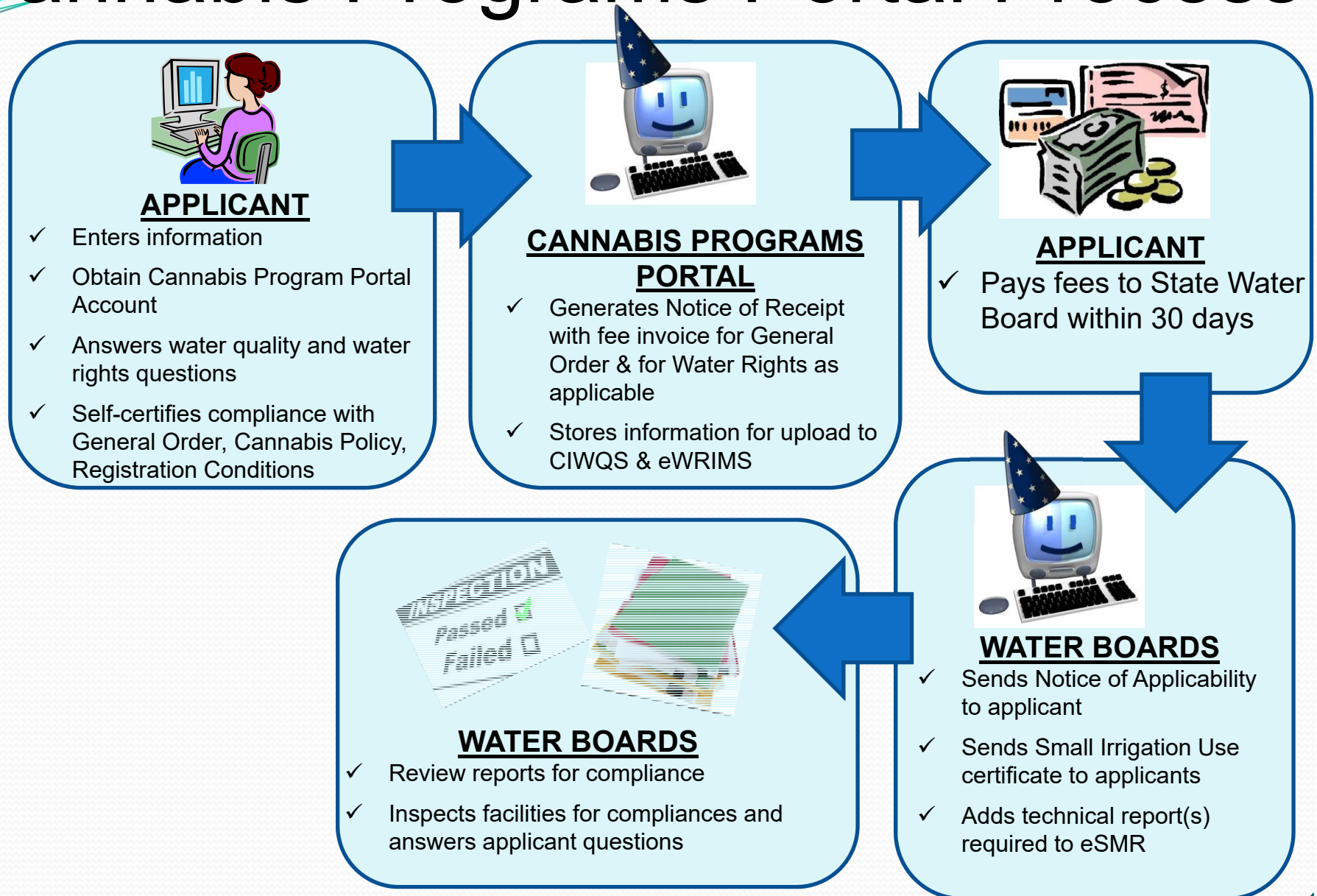
Quick Links

[» Water Rights](#)[» Water Quality](#)[» Enforcement](#)[» Publications](#)

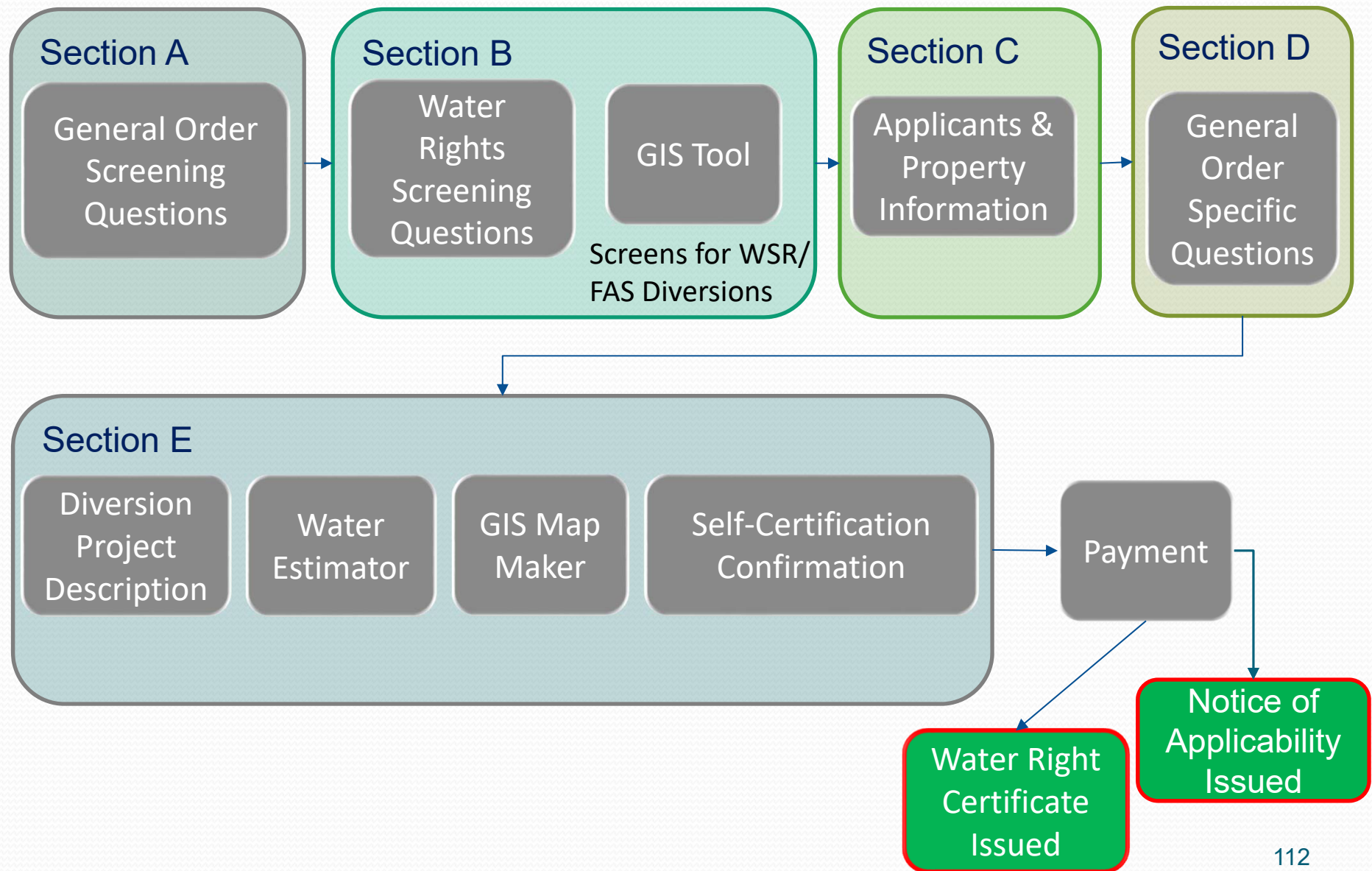
File an Environmental Complaint

[• File an Environmental Complaint](#)

Cannabis Programs Portal Process



Cannabis Program Portal Process Flow



Section A

Cannabis General Order Eligibility Screening Questions

Section A - Water Quality Eligibility

Applying for Coverage under the Cannabis General Order

Some Regional Water Quality Control Boards (Regional Water Boards) will be covering discharges of waste from cannabis cultivation activities under Irrigated Lands Regulatory Program (ILRP) waste discharge requirements (WDRs). If you are or will be seeking coverage under ILRP WDRs or site-specific WDRs, contact the Regional Water Board for information on how to apply.

Do any of the following conditions apply to you?

- I am currently enrolled under General Waiver R1-2015-0023 or General Order R5-2015-0113 for my cannabis cultivation activities and I am not seeking coverage under the Cannabis General Order but would like to file for a water right registration for Small Irrigation Use for Cannabis Cultivation. (If you are seeking coverage under the Cannabis General Order regardless of whether you are filing for a water right registration for Small Irrigation Use for Cannabis Cultivation, this condition does not apply to you.)
- I will be seeking coverage under ILRP WDRs or a site-specific WDR but would like to file for a water right registration for Small Irrigation Use for Cannabis Cultivation.



☐ Yes ☐ No

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1. Applying for Coverage under the Cannabis General Order
2. Completely Indoor Cultivation
3. Outdoor Cannabis Cultivation Activities
4. Personal Use Exemption Compliance with Conditions

Flow Chart - Surface Water Diversion – Off Stream Storage

Section B

Water Source is Surface Water

Water Storage Method
All water will be stored **offstream** for cannabis cultivation

Point of Diversion Location GIS Tool
Season of Diversion

Water Diversion
Currently Diverting?
Existing water rights?

Section C

Complete Applicant and Property Information

Submission
Page

Section E

CDFW Confirmation
Water Rights Self-Confirmation
Information Practices Act


Additional Documentation
Requirements

Project Description
Diversion Works
Completion Schedule

Cannabis Cultivation Water Use
Estimator

GIS Place of Use Map
Point of Diversion Confirmation
Place of Use Information (APN)

Section B Water Source Surface Water & Storage Method



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Section B - Water Rights Eligibility

Water Source

1. For more information on subterranean streams, please visit http://www.waterboards.ca.gov/water_issues/programs/gmp/faqs.shtml.

2. The spring would flow off the property if it is not being diverted.

3. For Rainwater Catchment, water cannot channelize before entering your pond.

Please check your water source(s) for your cannabis cultivation project.

Check all that apply ★ **Check all applicable water resources**

☒ Stream, creek, gully (surface water channels), pond, lake, reservoir, and subterranean streams

☐ Spring located on the diverter's property that runs off the property at any time during the year.

☐ Spring located on the diverter's property that does NOT run off the property at any time during the year, in the absence of any diversions.

☐ Groundwater well (Not a subterranean stream. Note that wells that are close to streams may divert surface water through a subsurface connection and require a water right)

☐ Rainwater Catchment (does not include tarping of roofs)

☐ Water Purveyor (municipal, retail supplier, water hauler)

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Water Storage Method

Will you be diverting water for cannabis cultivation from onstream storage? ★

☐ Existing onstream storage with a permit, license, or registration obtained prior to October 17, 2017.

☐ Additional Proposed onstream storage for cannabis cultivation

☐ Existing onstream storage (with a permit, license, or registration) and proposed onstream storage

☒ All water will be stored offstream for cannabis cultivation

Select storage method

Section B Point of Diversion Location & Seasons of Diversion

Section B - Water Rights Eligibility

Point of Diversion Location

Point of Diversion

The point of diversion is the point (or points) where water diverted under the project. The point where the pump withdraws water is the point of diversion.

Click on the map button to select the location of your primary Point of Diversion. Add a marker on the map as close to the actual water source as possible. If you have multiple points of diversion, select the largest stream from which you will be diverting water (you will have a chance to mark additional points of diversion later). This step is important to determine whether your water source is eligible for the Small Irrigation Use Registration Program.

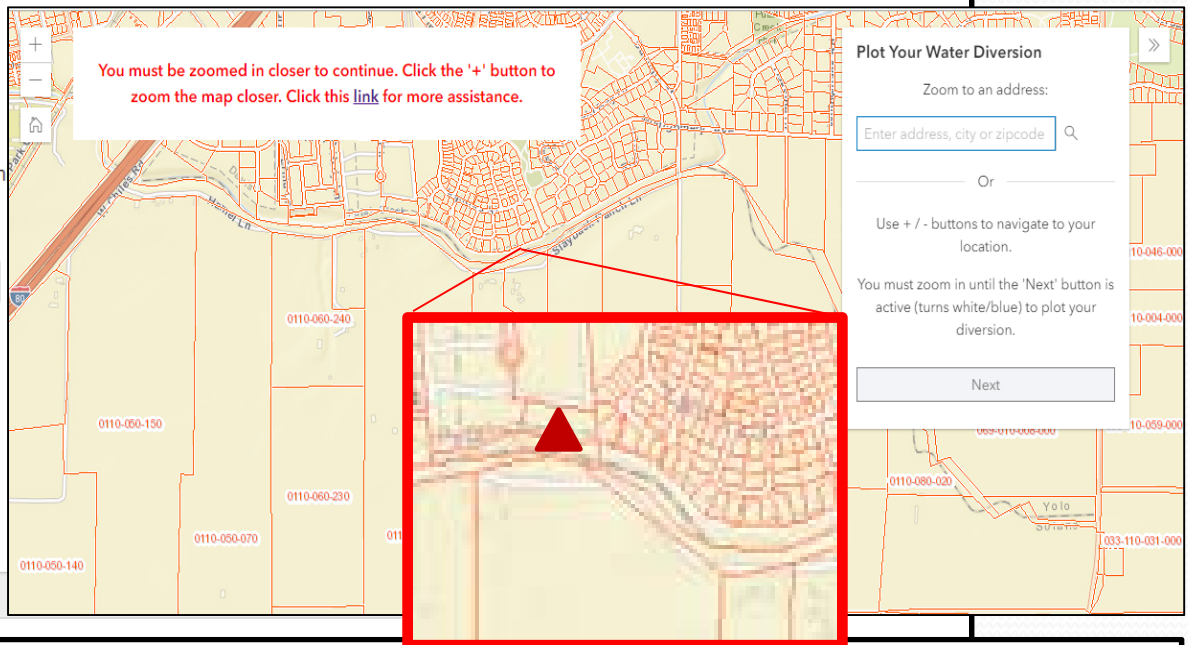
★ **Point of Diversion APN**

★ **County**

★ Lat/Long

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Season of Diversion

Your diversion season below has been calculated based on the water source at which your Point of Diversion is located. However, the Cannabis Policy may have significant additional restrictions on your diversion, including a forbearance period and minimum aquatic base flow requirements. Refer to the Cannabis Policy for actual diversion restrictions. Other limitations on diversions may apply, subject to water availability.

★ Your diversion season begins on: 01/01/2018

★ Your diversion season ends on: 12/31/2018

Section B Water Diversion Currently Diverting? Existing water rights?

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Section B - Water Rights Eligibility

Water Diversion

Are you currently diverting or have you previously diverted water (for any purpose) at the place of use?

☐ Yes ☒ No

Do you have an existing water right at the Place of Use where you are filing a Small Irrigation Use Registration?

☐ Yes ☒ No

Prev Next

Existing Water Rights

Use the following navigation buttons to return to the previous sections:

Introduction Section A - Cannabis General Order Eligibility Questions Section B - Water Rights Eligibility Questions

List the identification number of all registrations, applications (permits and licenses), groundwater extraction notices, or statements of water diversion and use (riparian, jurisdictional springs, or pre-1914 rights), that you have at your proposed place of use for cannabis cultivation. Examples include:

- Small Irrigation Use Registration: H000404
- Small Domestic Use Registration: D000404
- License or Permit Application: A004004
- Statement of Diversion and Use: S000404
- Groundwater Extraction Notice: G000404
- Livestock stockpond use registration: L031423

Water Right ID

File Initial Statement of Diversion and Use


☒ I acknowledge that I am on notice that I must file a [Statement of Water Diversion and Use](#) and am potentially subject to monetary penalties; if I fail to file a Statement within 30 days, the monetary penalties may increase by \$500 per day after this 30 day notice.

Do you have another existing water right at the Place of Use where you are filing a Small Irrigation Use Registration? ☐ Yes ☒ No

Go to Section C – Applicant and Property Information

Section C

Complete Applicant and Property Information

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Section C - Applicant and Property Information


Cannabis Cultivation Site and Contact Information


Provide information regarding your cannabis cultivation site and contact information. For Cannabis General Order coverage, if your site is located on more than one parcel and the parcels are not contiguous (next to each other), you must submit a separate application for each non-contiguous cultivation area. Refer to the Cannabis General Order for additional information.



Enter the legal name of the cannabis cultivation site (e.g., the name of the operation or the facility name), if any. If the site does not have a legal name, enter the name of the site as you would like it to be identified.
The site name will be published on the public site of the State Water Board's database(s). We suggest a name.

Site Name 



Enter the physical address of the cultivation site (**NO P.O. BOX NUMBERS!**), including the county.

Street 

NumberSuite/AptStreet DirectionStreet Name 

City State Zip

Enter information about the contact person for the cannabis cultivation site, their phone number, and email address.

Contact Person First Name Contact Person Last Name 

Contact Person Telephone NumberExtensionContact Person Email

Phone extensions should only include numbers (no leading 'x').

1. Cannabis Cultivation Site and Contact Information
2. Cultivator /Diverter Information
3. Property Landowner Information (1)
4. Additional Property Landowner (1)
5. Address Where Legal Notice may Be Served
6. Billing Information
7. General Order Third-Party Representative/ Agent
8. Water Rights Agent/Third-Party Representative

Section C

Complete Applicant and Property Information

If applicants has identical information to the address and contact information provided on a previous page, you will be able to choose to auto fill from drop down list.

In the following pages you will have the ability to enter additional property landowner addresses and contact information, if applicable. After the property landowner address and contact information pages, you will be asked to provide the address and contact information where legal notice may be served. If the legal notice address and contact information is identical to the address and contact information provided on a previous page, or the address and contact information you will provide for one of the additional property landowners, please select the page name from the drop-down menu below. This will allow the system to copy the information so you do not need to re-enter it. Otherwise, select "Not the same."



-Select- ▼



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Section D

Cannabis General Order Questions

Section D - Water Quality Questions

Site Coordinates

Use the map to select the geographic coordinates of the cultivation site for which you are applying for coverage under the Cannabis General Order. The coordinates shall be at the approximate center of the cultivation area. Click the "Map" button to open the map. The map will open in a new window and will include instructions for selecting a site location.

Cannabis Cultivation Site Map

 Map

★ County

★ Lat/Long

If this screen does not show any coordinates or you receive an error upon closing the map window, click "Map" again and then close the map window without making changes. If you are still having problems with the map, click on the "Email for help on this page" link at the bottom of this page to request assistance.

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Section D

Cannabis General Order Questions

Section D - Water Quality Questions

Certification of Compliance with BPTC Measures for Tier 1 and Tier 2

Certification of Compliance with BPTC Measures



- ☐ I comply with the BPTC measures in Attachment A of the Cannabis General Order.
- ☐ I currently do not comply with the BPTC measures in Attachment A of the Cannabis General Order but I will complete improvements by the onset of the winter period, following submittal of this application, to achieve compliance.
- ☐ I currently do not comply with the BPTC measures in Attachment A of the Cannabis General Order and I will not complete improvements by the onset of the winter period, following submittal of this application. I will contact the Regional Water Board to establish a compliance schedule.

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Section D Cannabis General Order Questions

Section D - Discharge Information

1 acre = 43,560 square feet (ft²)

Square feet to acres calculator

To convert from square feet to acres, enter square feet:

Square feet	=	Acres
<input type="text"/>		<input type="text"/>

Acres to square feet calculator

To convert from acres to square feet, enter acres:

Acres	=	Square feet
<input type="text"/>		<input type="text"/>

Select one of the following: ★

- ☐ Conditionally exempt: disturbed area less than 2,000 square feet and meets conditions listed in the Cannabis General Order.
- ☐ Tier 1 – Low Risk: • Disturbed area greater than 2,000 square feet and less than one acre (43,560 square feet); • No portion of the disturbed area is located on a slope greater than 30 percent; and • No portion of the disturbed area is located within the setback requirements.
- ☐ Tier 1 – Moderate Risk: • Disturbed area greater than 2,000 square feet and less than one acre (43,560 square feet); • Some portion of the disturbed area is located on a slope greater than 30 percent but less than 50%; and • No portion of the disturbed area is located within the setback requirements.
- ☐ Tier 1 – High Risk: • Disturbed area greater than 2,000 square feet and less than one acre (43,560 square feet); and • Some portion of the disturbed area is located within the setback requirements.
- ☐ Tier 2 – Low Risk: • Disturbed area greater than or equal to one acre (43,560 square feet); • No portion of the disturbed area is located on a slope greater than 30 percent; and • No portion of the disturbed area is located within the setback requirements.
- ☐ Tier 2 – Moderate Risk: • Disturbed area greater than or equal to one acre (43,560 square feet); • Some portion of the disturbed area is located on a slope greater than 30 percent but less than 50%; and • No portion of the disturbed area is located within the setback requirements.
- ☐ Tier 2 – High Risk: • Disturbed area greater than or equal to one acre (43,560 square feet); and • Some portion of the disturbed area is located within the setback requirements.

Enter the size of your cultivation area (in square feet)

★

Enter the size of your disturbed area (in square feet):

★

Disturbed area, slope of disturbed area, setback requirements, and cultivation area are defined in the Cannabis General Order.

Close

Section E

Cannabis Cultivation Water Use Estimator



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Section E - Water Rights Questions

Cannabis Cultivation Water Use Estimator

Use the following navigation buttons to return to the previous sections:

[Introduction](#)
[Section A - Cannabis General Order Eligibility Questions](#)
[Section B - Water Rights Eligibility Questions](#)
[Section C - Cannabis Cultivation Site Information](#)

Section E includes a series of questions to help complete filing for your Cannabis Small Irrigation Use water right registration. The first step in the process is to estimate the amount of water that will be required for your cannabis cultivation. This water use estimator will help you, or if you have a separate calculation of your water use estimate, you may provide an attachment on the following page. The water storage calculations are informational only, and assume that you will be storing water during the Cannabis Policy "Surface Water Diversion Period" as indicated below. You are responsible for determining the specific amount of storage that is necessary for your facility. Local conditions, the Cannabis Policy, fully appropriate stream limitations or other permits may require a different diversion period which could impact your ability to divert water and storage needs.

INSTRUCTIONS

1. Begin using the Cannabis Cultivation Water Use Estimator by entering an estimate of how much **water is used per plant per day** for your cultivation in the Cannabis Water Rate table below. Rates vary depending on the type of grow (indoor vs. outdoor) and hydrologic conditions.
2. Refer to the tables below for all abbreviations and conversion factors
3. Utilize the **Conversion Calculators** as needed and complete the Cannabis Irrigation Calculations and the Incidental Uses sections
4. Review the Estimated Annual Water Use and Storage Need

ABBREVIATIONS	
AF	Acre-Feet
AFD	Acre-Feet per Day
AFY	Acre-Feet per Year
FT	Feet
GPM	Gallons per Minute
GPD	Gallons per Day
GPY	Gallons per Year
GAL	Gallons

CONVERSION FACTORS	
Volume	
AF	1
Gallons	325,851
Flowrate	
AFD	1
GPM	226.29
GPD	325,851
GPY	171,267,285,600

Section E Cannabis Cultivation Water Use Estimator Cont.

SURFACE WATER DIVERSION PERIOD	
Surface Water Diversion Period	1/1/2018 to 12/31/2018 If the POD is not on a Fully Appropriated Stream
Start Date	1/1/2018
End Date	12/31/2018
Total Days	365

CANNABIS WATER RATE	
Gallons per Plant per Day (GPD/plant)	100
Maximum Diversion Rate During Diversion Period	10 GPM

CANNABIS IRRIGATION CALCULATIONS

In the table below, for each month, state the number of cannabis plants that you will be cultivating and the number of days that you will be irrigating these plants. Include the amount of water projected to be required for your completed facility. Irrigation water will be water supply that you are withdrawing from storage that you have installed.

Parameter	January	February	March	April	May	June	July	August	September	October	November	December	GPY	AFY
Plants	0	100	100	100	100	100	100	100	100	100	50	0		
Irrigation Days	0	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	0	289750	8.89
Irrigation Rate (Gal/Month)	0	305000	305000	305000	305000	305000	305000	305000	305000	305000	152500	0		

INCIDENTAL USES

Small Irrigation Use Registrations all for certain additional water uses if they are incidental to the primary use (irrigation). In the table below, state the purpose of use and the associated amount of water required (in gallons per year). The following purposes of use are considered incidental uses: *aesthetic, fire protection, recreational, and fish and wildlife*. Please justify why you need the amount(s) that you requested.

PURPOSE OF USE	GPY	JUSTIFICATION
Aesthetic	0	
Fire Protection	0	
Recreational	0	
Fish and Wildlife	0	

ESTIMATED ANNUAL WATER DIVERSION AND STORAGE

ESTIMATED ANNUAL WATER USE	Based on your incidental uses, the number of plants you are cultivating, and the length of your irrigation season(s), your estimated annual diversion requirement is:	8.89	Gallons Per Year	This amount is your estimated annual water diversion . If you choose to divert more water, you must provide justification of beneficial and reasonable use on the following page.
ESTIMATED ANNUAL WATER STORAGE	Based on your irrigation season, your estimated annual storage is:	8.19	Acre-Feet Per Year	
			Gallons Per Year	
			Acre-Feet Per Year	

To account for leaks, spills, and other losses, a 1.25 safety factor was applied to the calculated storage.

Have you determined whether you need to divert a different amount of water than the Estimated Annual Water Diversion and Storage amounts presented in the above table?

☒ Yes ☐ No

1. Gallons per Plant per Day

2. Number Qty of Plants

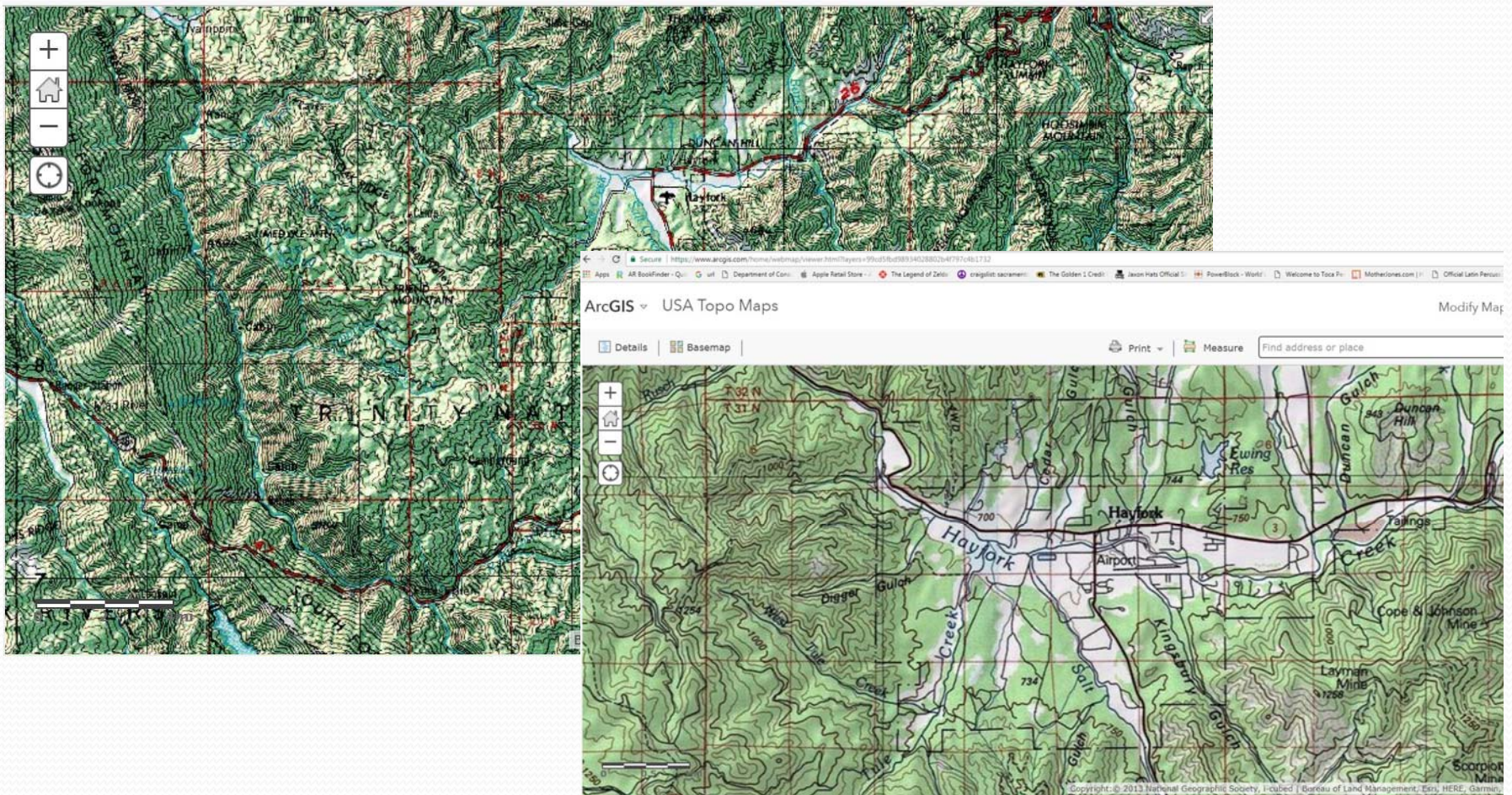
3. Irrigations Days

4. Incidental Uses Amount (Gallons per Year)

5. Automatically calculates for annual water use

Section E Cannabis Cultivation Water Use Estimator Cont.

How do you find Stream Name and Tributaries?



Section E

Project Description



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Section E - Water Rights Questions

Project Description

The next series of questions will collect information on your offstream storage facilities (tanks, bladders, ponds, and reservoirs).

Utilize the **Conversion Calculators** to ensure the unit conversions, if any, are performed correctly

Do you need to install additional tanks or bladders to meet your storage needs? ★

☐ Yes | ☐ No

How many tanks and/or bladders will you need to meet your future cannabis cultivation irrigation requirements?

**Number of
Existing Tanks** ★

**Number of
Proposed Tanks** ★

What is the capacity (in gallons) of your tanks?

Existing Tank Capacity

Proposed Tank Capacity

Does your project include storage of water in one or more off-stream ponds? ★

☐ Yes | ☐ No

Enter the capacity of each offstream reservoir in acre-feet. Onstream storage is prohibited unless the cannabis cultivator has an existing water right issued prior to October 17, 2017.

Section E

Project Description Cont.

Reservoir Name	Approximate Capacity (Acre-Feet)	Construction Material	Vertical Height from Dam Toe to Spillway (ft)	Length of Dam (ft)	Vertical Distance from Spillway Crest to Dam Crest (ft)	Assessor's Parcel Number (APN)

Reservoir Information if Applicable

*Capacity (in acre-feet) = 0.7 x (maximum depth of water in feet) x (surface area in acres when full), or other available survey information.

If you have more than 5 ponds or reservoirs, please download [this spreadsheet](#), fill it out, and then upload it.

Choose Files No file chosen

Upload

How large is the area (in acres) to be graded or excavated for cannabis cultivation?

Describe how the project facilities (water diversion, storage, and irrigation) will be operated.

Describe complete, partially complete, or proposed features of the project.

Mandatory Field

Section E

Diversion Works & Completion Schedule



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Section E - Water Rights Questions

Diversion Works

Method of Diversion



- ☐ Gravity
- ☐ Pump

Specify the method of diversion (gravity)--check

- ☐ Dam
- ☐ Pipe in unobstructed channel
- ☐ Pipe through dam
- ☐ Siphon
- ☐ Weir
- ☐ Gate
- ☐ Other (describe)

Specify the method of diversion (pumping)--check

- ☐ Sump
- ☐ Offset Well
- ☐ Channel
- ☐ Reservoir
- ☐ Other (describe)

How is water conveyed from the point of diversion to offstream storage (check all that apply)?

- ☐ PVC or HDPE Pipe
- ☐ Concrete Pipe
- ☐ Metal Pipe
- ☐ Concrete lined channel
- ☐ Rock lined channel
- ☐ Unlined Channel
- ☐ Other (describe)

What is the **length (ft)** of conduit from the point of diversion to offstream storage?

What is the **diameter (inches)** of the conveyance pipe?

What is the **depth (ft)** of the conveyance ditch?

What is the **width (ft)** of the **top** of the ditch?

What is the **width (ft)** of the **bottom** of the ditch?

[Prev](#)[Next](#)

Section E - Water Rights Questions

Completion Schedule

Indicate the completion status of your project:

- ☐ Complete
- ☐ Partially Complete
- ☐ Proposed

If your project is **partially complete** or **proposed**, provide the following:

Year work will start


Year work will be completed

Year water will be used to the full intended extent.

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Section E

GIS Place of Use Map



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 Map Count

0

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Email

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Editable point features

 Pump

 Tank / Bladder

 Well

 Additional Diversion Point

 Indoor grow area

 Greenhouse

 Outdoor grow area

Non-editable features

Point of Diversion



Parcel boundaries



Cannabis Grow Site plot map (test 102517)

107 ft

157 ft

Editable point features

SURVEY_ID

DATE_MODIFIED

TYPE

Tank / Bladder

LABEL

1

Delete



Section E

Point of Diversion Confirmation



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Section E - Water Rights Questions

Point of Diversion Confirmation

- Indicate the name of your diversion works--for example, "Joe's Pump", "Jill's Ditch," or "Point of Diversion 1."
- Select the name of the water source for your project. If the source is unnamed, select "unnamed stream" or "unnamed spring," etc.
- Select the larger body of water (*tributary*) into which your water source flows. For example, the Middle River flows into or is a tributary to the San Joaquin River.
- If the tributary is unnamed, then select the first named tributary into which the tributary of your water source flows. Otherwise, you may leave this field blank.
- In a normal year, does the stream dry up at any point downstream from your project?
- Provide the APN on which the POD is located.
- Latitude will be automatically filled based on your input of POD(s) on the GIS map in Section B.
- Longitude will be automatically filled based on your input of POD(s) on the GIS map in Section B.

POD	Diversion Name	Stream	Tributary	Named Tributary	Does the Stream Dry Up?	APN	Latitude	Longitude
	A	B	C	D	E	F	G	H
1		**Select**	Mandatory Field	**Select**	-Select-		39.0778	-122.168
2		**Select**	**Select**	**Select**	-Select-			
3		**Select**	**Select**	**Select**	-Select-			
4		**Select**	**Select**	**Select**	-Select-			
5		**Select**	**Select**	**Select**	-Select-			

Automatically Fills
according to
Mapped
coordinates in the
previous page.

If you have more than 5 PODs, please download [this spreadsheet](#), fill it out, and then upload it.


[Choose Files](#) No file chosen

Attach photographs of point(s) of diversion and water source (both upstream and downstream of the POD(s)).

[Choose Files](#) No file chosen

Upload

Section E Place of Use Information


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Section E - Water Rights Questions


Place of Use Information 1


For each separate parcel involved with a unique Assessor's Parcel Number (APN), identify if you own the parcel, list the parcel acreage, cultivated acreage, number of plants per parcel, and acreage irrigated per parcel. Identify separately, the other areas of use of water by each parcel, including residential or irrigation of non-cannabis crops.

APN 


Do you own this APN? 
☐ Yes | ☐ No

APN Acreage 

Cultivation Acreage 

Non-Cannabis Irrigation Acreage 

If you have an amount in square-feet, use the [Conversion Calculators](#) to convert square-feet to acres

If you are also diverting water for an incidental purpose of use  , please specify by selecting one or more of the checkboxes below:

☐ Aesthetic
☐ Fire Protection
☐ Recreational
☐ Fish and Wildlife Preservation and Enhancement

If you are not the owner of the property, list the owner of each APN, as shown on current County Assessor's Records with that owner's address.

CA County


APN

Property Owner First Name

Property Owner Last Name

Country

Foreign Postal Code

Street 
Number

Suite/Apt

Street Direction

Street Name

City


State/Prov

☐ Attach photos of the place of use and cultivation area.

Choose Files No file chosen

Upload

(Uploaded files:) ----- No files uploaded -----

 Does the place of use consist of any other APNs?
☐ Yes
☐ No

Section E

California Department of Fish & Wildlife Confirmation

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Section E - Water Rights Questions

California Department of Fish and Wildlife Confirmation

Use the following navigation buttons to return to the previous sections:

[Introduction](#)[Section A - Cannabis General Order Eligibility Questions](#)[Section B - Water Rights Eligibility Questions](#)[Section C - Cannabis Cultivation Site Information](#)[Section E - Water Use Estimator](#)

The California Department of Fish and Wildlife may either add to your water right registration (1) conditions under which you may divert water or (2) clearance advising that they have had an opportunity to review the proposed project and have determined that additional conditions are not required.

The Division of Water Rights will notify CDFW on your behalf to obtain conditions, which may be added to your water right registration after issuance. Alternatively, you may choose to contact the California Department of Fish and Wildlife (CDFW) representative prior to final filing of your Small Irrigation Use Registration. The CDFW representative will collect information about your diversion and provide any conditions to you in writing.

Review the following conditions and check the checkboxes to confirm that you agreed to the statements:

OPTION 1- DIVERTER AGREES TO ALLOW STATE WATER BOARD TO CONTACT CDWF TO OBTAIN CONDITIONS

☐ I agree to allow the State Water Board to contact CDFW on my behalf.

OPTION 2- DIVERTER CHOOSES TO OBTAIN CONDITIONS FROM CDFW PRIOR TO FILING REGISTRATION.

☐ I (we) have contacted the CDFW representative for the region in which my (our) project is located;

☐ I (we) have furnished a copy of this registration form to said representative;

CDFW ACKNOWLEDGEMENT ★

☐ I (we) will comply with all lawful terms and conditions, including terms and conditions identified in the General Conditions and as required by the CDFW.

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**Option 1 is the
fastest method**

Section E

Water Rights Self-Confirmation



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Section F - Water Rights Self-Certification

Use the following navigation buttons to return to the previous sections:

[Introduction](#)[Section A - Cannabis General Order Eligibility Questions](#)[Section B - Water Rights Eligibility Questions](#)[Section C - Cannabis Cultivation Site Information](#)[Section E - Water Use Estimator](#)

Thank you for completing sections this portal. Please review the following Water Rights Self-Certification statements and check the checkboxes next to them to certify that you will comply with your water right registration and the [Principles and Guidelines of Cannabis Cultivation Policy](#).



- ☐ I certify that my cannabis cultivation is for commercial purposes and my use of water is less than 42,000 gallons per day, less than 20 acre-feet of storage, and less than 20 acre-feet total diversion in any one year.



- ☐ I understand that this form and general conditions authorized by any registration issued only covers diversion to offstream storage. Once issued, this registration may not be modified to add on-stream pond(s).



- ☐ I understand that if I file this registration for cannabis, and at a later date indicate cannabis either was not grown or ceased to be grown, the public trust conditioning on the registration for cannabis remain applicable.



- ☐ I acknowledge that the State Water Resources Control Board has the continuing authority to modify these terms and conditions.



- ☐ I understand that the Division of Water Rights will, on my behalf, provide the information set forth in this registration from the California Department of Fish and Wildlife for the region in which my project is located.



- ☐ I agree to allow representatives of the State Water Board to access the property defined on this form to confirm my overall compliance with the law and conditions attached herein.



- ☐ I understand that my certificate will be subject to revocation if I fail to comply with all conditions, fail to divert and use water, fail to renew my certificate, or if I have been found to make a false statement, or knowingly concealed a material fact when completing this form.



- ☐ I declare under penalty of perjury that the information provided in this form and attachments is true and correct to the best of my knowledge and belief.

Section E

Information Practices Act



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Section F - Information Practices Act

NOTICE PURSUANT TO INFORMATION PRACTICES ACT OF 1977 (CIV. CODE, § 1798.17) The State Water Resources Control Board is requesting personal identifying information about the diverter/discharger and the person filing for this Small Irrigation Use Registration (SIUR) and coverage under the statewide General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). The agency official responsible for this system of records are Robert Cervantes, Senior Engineer, whose business address is 1001 I Street, 14th Floor, Sacramento, CA 95814 and whose business telephone is (916) 341-5300, and Timothy O'Brien, Senior Engineering Geologist, whose business address is 1001 I Street, 15th Floor, Sacramento, CA 95814 and whose business telephone is (916) 341-6904. Upon request, the agency official(s) shall inform an individual regarding the location of his or her records and the categories of any persons who use the information in these records.

The State Water Resources Control Board is empowered to require the submission of personal identifying information by California Water Code sections 1228 and 13260. The submission of the name and address of the diverter/discharger and person filing for SIUR and General Order coverage is mandatory. The submission of the phone number and e-mail address of the diverter/discharger and person filing for SIUR and General Order coverage is voluntary. Failure to provide the mandatory information can result in the imposition of administrative civil liability in the amount of \$500 and an additional \$250 per day for each additional day on which the violation continues if the person fails to cure the violation within 30 days after the State Water Resources Control Board has called the violation to the attention of the person.

This personal identifying information is collected to facilitate better water management and waste discharge management by the State Water Resources Control Board. The State Water Resources Control Board will not automatically post personal identifying information to public databases. However, the State Water Resources Control Board may be legally required to disclose personal identifying information under any of the circumstances described in Civil Code, section 1798.24. Such circumstances may include, but are not limited to, responding to a request pursuant to the California Public Records Act or responding to a subpoena from a federal agency.



☐ I acknowledge and accept these conditions.

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Submission Page



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Submission Page

Use the following navigation buttons to return to the previous sections:

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SUBMISSION PAGE

You have provided the information needed to complete this application. After you click on "Submit" you will see a summary of the information you have provided and will have the ability to save a pdf copy of your information.

The next step for completing your application is to pay any fees associated with this application and submit authorization from a Native American tribe (if needed).

Cannabis General Order Applicants: should you have any fees due, you will be notified in the Notice of Receipt for Cannabis General Order, which you can access upon submittal. To access your Notice of Receipt for the Cannabis General Order, click on "Show Notice of Receipt for Cannabis General Order as PDF" on the next page. The Notice of Receipt for Cannabis General Order includes instructions for determining the fee amount due as well as instructions on how and where to pay the fee.

Water Rights Applicants: should you have any fees due, you will be notified in the Notice of Receipt, which you can access upon submittal and will receive via email. To access your Notice of Receipt and Invoice for Cannabis Small Irrigation Use Registration, click on "Show Notice of Receipt and Invoice for Cannabis Small Irrigation Use Registration as PDF" on the next page. The Notice of Receipt includes fee amount due as well as instructions on how and where to pay the fee.

You can view a summary of your application before submitting by clicking [here](#). The summary will open in a new tab. To return to this screen, simply close the tab with the application summary. If you need to make changes to your application, you may use the navigation buttons at the top of this page, or the "Prev" button below to navigate to previous pages. You will not be able to edit your application after you submit.

[Prev](#)[Submit](#)

Click to Preview Application

Notice of Receipt – General Order

Notice of Receipt for Cannabis General Order



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Cannabis General Order Application Number: 4953
Fee Payment Application Number: BAN0004953

NOTICE OF RECEIPT

STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2017-0023-DWQ
GENERAL WASTE DISCHARGE REQUIREMENTS AND WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF WASTE ASSOCIATED WITH CANNABIS
CULTIVATION ACTIVITIES

###Your application produced an error. Please contact the State Water Board at (916) 341-5580 or at DWQ.Cannabis@waterboards.ca.gov for assistance.###

CDFA License

For dischargers seeking a cultivation license from CDFA, this Notice of Receipt is insufficient. Upon payment of your application fee (see Fee Payment section) and submittal of Native American tribal authorization (if needed; see Native American Tribe Authorization section below), you will receive a separate Notice to be used for obtaining a CDFA license.

Fee Payment

##Your application produced an error. Please contact the State Water Board at (916) 341-5580 or at DWQ.Cannabis@waterboards.ca.gov for assistance.##

Notice of Receipt – Small Irrigation Use Registration

Hello payman.alemi@waterboards.ca.gov

Log off

REGISTRATION ID: H103708

Applicant Name: Payman Alemi

Mailing Address: 1112 Salamanca Court

Phone Number: (530) 312-2385

Email Address:

Dear Payman Alemi:

The State Water Resources Control Board (State Water Board), Division of Water Rights has received your registration on 09/26/2017 07:33:31 and it was assigned registration number H103708. Your Cannabis Small Irrigation Use Registration for PAYMAN ALEMI will be processed once the filing fee is received.

Print out this confirmation page. You cannot retrieve this confirmation page if you close the window. You need to include a copy of the perforated portion of this page with your check, money order or cashier's check.

Amount Due: \$750

Your payment must be postmarked within 30 calendar days from 09/26/2017 07:33:31.

REGISTRATION FILING FEE PAYMENT OPTIONS

The application registration filing fee can be paid with electronic fund transfers, checks, money orders, or cashier's checks.

ELECTRONIC PAYMENT/AUTOMATIC CLEARINGHOUSE (ACH)

If you are paying electronically, include your registration number when submitting your payment. Visit the [SWRCB Make A Payment webpage](#). Scroll to the bottom of the page and enter your application number .

CASH AND CREDIT CARDS

Cash and credit cards are NOT accepted forms of payment for your Cannabis Small Irrigation Use Registration at this time.

CHECK, MONEY ORDER, AND CASHIER'S CHECK

Please mail a check, money order, or cashier's check for the \$750 filing fee payable to the State Water Resources Control Board. Include the perforated portion of notice of this Receipt and Invoice when you submit your payment. Make sure your check, money order, or cashier's check includes your application number **UAH103708** , registration number **H103708** , name, and address. Along with your check, please include the perforated portion of this page and mail to:

State Water Resources Control Board
Division of Water Rights
Cannabis Registration Unit
P.O. Box 2000
Sacramento, CA 95812

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Fees

- A separate fee is required for Cannabis General Order (WDR/Waiver/Conditionally Exempt) and Small Irrigation Use Registrations (SIURs)
- Payment must be received by State Water Board within 30 days of issuance of Notice of Receipt(s) – submittal of application(s) via online cannabis portal
 - Issuance of WDR/Waiver WDR notice of applicability and SIUR certificate is contingent on receipt of fee payment and annual payments
- Make sure all mailed fee payments include Notice of Receipt pay stub and write the invoice number on the payment



Fee Payment Options

- Initial fee payments are currently accepted by:
 - Cashier's check or money order
 - Check
 - Online ACH payment via checking or savings account
- State Water Board is evaluating fee payment options via:
 - Cash
 - Credit Cards

Current WDR/Waiver/Conditionally Exempt Fees

- Application and annual fees are same; both paid to State Water Board
- Tier 1 – Dischargers with disturbed area greater than 2,000 square feet and less than one acre
 - Low Risk: \$600
 - Moderate Risk: \$1,800
 - High Risk: \$4,800
- Tier 2 – Dischargers with disturbed area equal to or greater than one acre
 - Low Risk: \$1,000
 - Moderate Risk: \$3,000
 - High Risk: \$8,000
- Waiver of WDR – indoor or conditionally exempt sites
 - \$600 (paid each time an application for coverage is submitted, initial coverage and annual renewals)

Current Cannabis SIUR and Statement Fees

- SIUR Application (Filing) Fee: \$750
 - Covers first year
 - Paid to State Water Board
- SIUR Annual Fee: \$750
 - Billed by and paid to California Department of Tax and Fee Administration
- Cannabis Statement (including supplemental Statements): \$200



Current (Fiscal Year 17-18) Fee Webpages

- Water Quality:

https://www.waterboards.ca.gov/resources/fees/docs/fy1718_fee_schedule.pdf

- Page 13, Item (b) – Statewide General WDR for Discharges of Waste Associated with Cannabis Cultivation

- Water Rights:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/docs/fy1718_finalfeeschedulesummary.pdf

- Small Irrigation Use Registration for Cannabis
- Cannabis Statement Filing Fee



Fee Branch Contact Info

- General questions or if you would like information regarding stakeholder outreach (please include your contact information) can be sent to the following email address: cannabisfees@waterboards.ca.gov
- Sign up to receive email updates regarding fees:
https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html
 - For Water Quality - Check the box next to “Fee Regulations - Water Quality” under “General Interests”
 - For Water Rights – Check the box next to “Water Rights Fees” under “Water Rights”

Water Right Certificate issued

Certificate



STATE OF CALIFORNIA CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H032349

CERTIFICATE H007

Right Holder:

V. Sattui Winery Inc.
1111 White Lane
St. Helena, CA 94574

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from **February 19, 2015**. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights re-delegation of authority dated July 6, 2012. The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

- Source of water: **Anderson Creek**
tributary to: **Navarro River**
within the County of **Mendocino**.

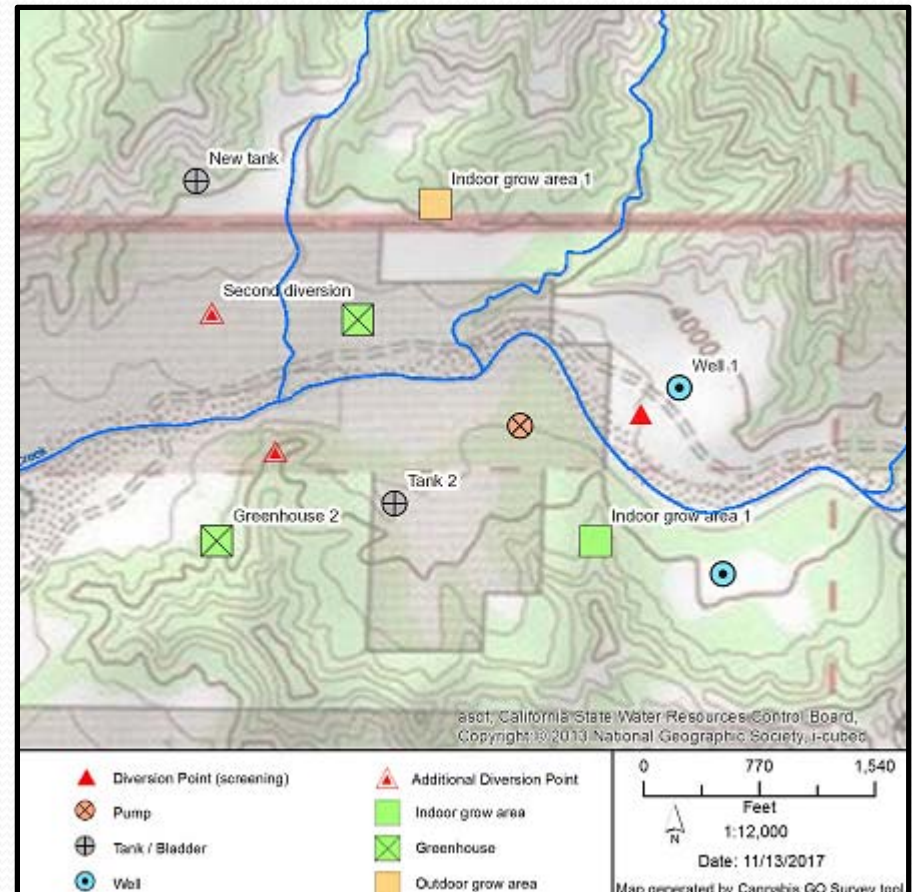
- Location of point of diversion

By California Coordinate System of 1983 in Zone 2	40-acre subdivision of public land survey or projection thereof	Section (Projected)*	Township	Range	Base and Meridian
North 2,130,616 feet and East 6,177,133 feet	NW ¼ of NE ¼	12	13N	14W	MD

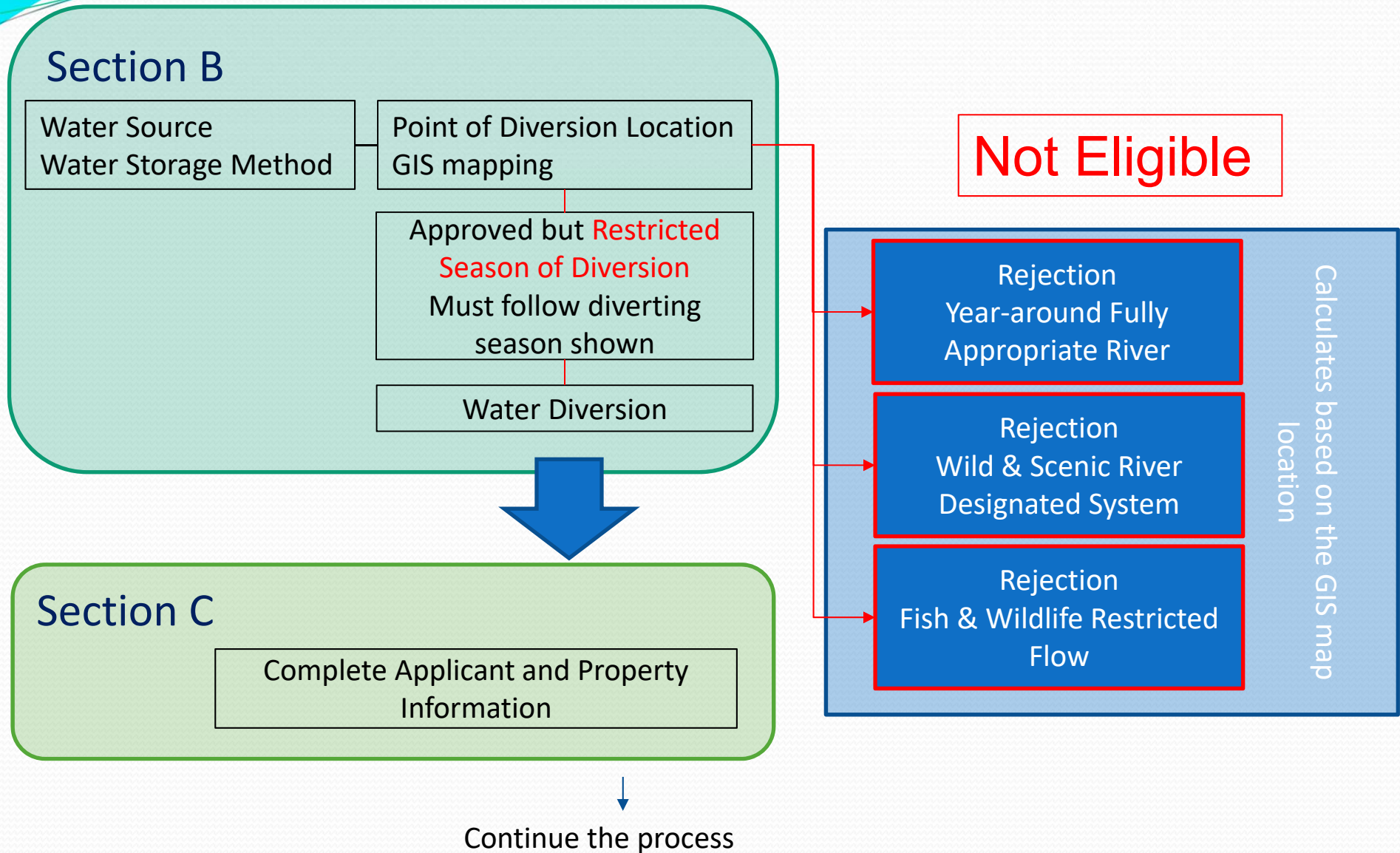
Location of place of storage

By California Coordinate System of 1983 in Zone 2	40-acre subdivision of public land survey or projection thereof	Section (Projected)*	Township	Range	Base and Meridian
North 2,130,170 feet and East 6,176,760 feet	NE ¼ of NW ¼ SE ¼ of NW ¼	12	13N	14W	MD

GIS Map



Flow Chart - Rejection on Fully Appropriate System and Wild and Scenic River



Section B

Approved but **Restricted Season of Diversion**
Must follow diverting season shown

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Section B - Water Rights Eligibility

Point of Diversion Location

Point of Diversion
The point of diversion is the point (or points) where water diverted under this diversion where the pump withdraws water is the point of diversion.

Click on the map button to select the location of your primary Point of Diversion. Add a marker on the map as close to the actual water source as possible. If you have multiple points of diversion, select the largest stream from which you will be diverting water (you will have a chance to mark additional points of diversion later). This step is important to determine whether your water source is eligible for the Small Irrigation Use Registration Program.

Map

★ Point of Diversion APN

★ County

★ Lat/Long

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Not
Eligible
Screens

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Section B – Water Right Registration Not Eligible Due to Diversion from Wild & Scenic Designated Stream

Use the following navigation buttons to return to the previous sections:

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From the data you provided, it appears that your water source is not eligible for a Small Irrigation Use Registration because you are proposing to divert from a designated reach of a California Wild & Scenic River. Water right issuance and construction of diversions from designated reaches of California Wild and Scenic Rivers are not permitted pursuant to California Code of Regulations Section 734 and Public Resources Code Section 5093.54, respectively. For more information, please contact the Cannabis Registration Unit at 916-319-9427 or cannabisreg@waterboards.ca.gov.

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Section B - Water Rights Eligibility

Water Right Registration Not Eligible Due to Diversion from California Department of Fish and Wildlife Restricted Flow

Use the following navigation buttons to return to the previous sections:

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From the data you provided, it appears that you are ineligible for a Small Irrigation Use Registration because you are proposing to divert water from a California Department of Fish and Wildlife (CDFW) stream where final stream flow recommendations have been issued pursuant to Public Resources Code Section 10002. Water Code Section 1229.1 prohibits issuance of new registrations on streams where CDFW has issued final stream flow recommendations. For more information, please contact the Cannabis Registration Unit at 916-319-9427.

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Section B - Water Rights Eligibility

Water Right Registration Not Eligible Due to Proposed Diversion from Year-Round Fully Appropriated Stream

Use the following navigation buttons to return to the previous sections:

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From the information you provided, it appears that your water source is not eligible for a Small Irrigation Use Registration because you are proposing diversion from a watershed of a Fully Appropriated Stream (FAS) during the restricted season in accordance with the State Water Board's Declaration of Fully Appropriated Stream Systems (Water Right Order 98-08). For more information about Fully Appropriated Streams, please click [here](#), or contact the Cannabis Registration Unit at 916-319-9427 or email cannabisreg@waterboards.ca.gov.



Checklist for Completing Application

- Reliable high speed internet connection
- Contact information for cultivators, diverters, property/landowners, and agents;

Water Rights Items

- All existing water right numbers (Small Domestic Registration, Initial Statement, Permit, License, etc.) or other water right information;
- Point of Diversion (POD) and Water source information (Name, Location, stream characteristics, etc.);
- Place of Use (POU) information (APN, parcel acreage, cultivation acreage, non-cannabis irrigation acreage, number of plants);
- Diversion Works information (method and conveyance specifics);
- Information on water use for cannabis plants (gallons or acre feet), the planned number of irrigation days, and irrigation rate;
- Planned water use amounts for any incidental uses (aesthetic, fire protection, recreational, or fish and wildlife) in gallons per year and a justification for the amount;
- Offstream storage information such as number of existing tanks/bladders, number of proposed tanks/bladders, existing capacity, and proposed capacity;
- Project description (area to be graded, diversion operation, and complete or proposed project features);
- Project Completion Schedule

Cannabis General Order Items

- Waste Discharge Identification Number (WDID) if currently enrolled in General Waiver R1-2015-0023 or General Order R5-2015-0113;
- Size of cultivation area and disturbed area (in square feet);
- Site information, including slope of disturbed area and setback distances;
- Native American tribe authorization if your cannabis cultivation site is or will be on or within 600 feet of tribal lands.



Contact Information

- **Cannabis Policy Questions**
 - **CannabisWR@waterboards.ca.gov**
- **Cannabis Small Irrigation Use Registration Questions**
 - **CannabisReg@waterboards.ca.gov**
 - **916.319.9427**
- **Cannabis General Order (WDRs/Waiver) Questions**
 - **DWQ.Cannabis@waterboards.ca.gov**
 - **916.341.5580**

The background is a solid blue gradient. At the top, there are several wavy, horizontal lines in shades of blue and cyan, creating a sense of movement or a horizon line. The text "Begin the Journey..." is centered in the lower half of the image.

Begin the Journey...