



# Fact Sheet

## Indoor Cannabis Cultivation

### **Cannabis Policy and General Order Information for Indoor Commercial Cannabis Cultivation**

On October 17, 2017, the State Water Resources Control Board (State Water Board) adopted the Cannabis Policy and General Order.<sup>1</sup> The Cannabis Policy and General Order apply to commercial cannabis cultivation activities. This fact sheet addresses indoor commercial cannabis cultivation regulatory requirements.

#### **What is commercial cultivation of cannabis?**

Cannabis cultivation is any activity related to planting, growing, pruning, harvesting, curing, or trimming of cannabis (see full definition in [General Order Attachment A](#)). Commercial cultivation means the cannabis will be sold in the medical or recreational marketplace. Commercial cannabis cultivators are required to obtain a cannabis cultivation license from the California Department of Food and Agriculture ([CDFA](#)). Some very small-scale, non-commercial activities performed for personal use are exempt from the CDFA licensing and General Order requirements (see “Exemptions for Certain Cultivation Activities” section of the General Order for more information).

#### **Are indoor cultivators required to apply for coverage under the General Order?**

Yes, indoor cultivators are required to apply for coverage under the General Order. Indoor cultivators qualify for coverage under the General Order’s conditional waiver.

#### **Who can apply for coverage under the General Order?**

A wide variety of entities may apply for coverage. They include employees, contractors, third-party representatives, landowners, cultivators, lessees, or tenants. If the applicant is not the property owner, the property owner will be notified of the application.

#### **How much is the application fee?**

Indoor cultivators pay a \$600 application fee. The fee is paid at the time of application. By law, waivers expire five years after adoption. Cultivators will be required to re-enroll and pay the application fee when the General Order Waiver is updated (approximately October 2022). Note that the fee amount may change in the future.

<sup>1</sup> 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 (General Order).





**What defines indoor cultivation?**

Indoor cultivation is performed within a structure with a permanent roof and a permanent, relatively impermeable floor (e.g., concrete or asphalt paved). Cultivation activities within temporary structures such as hoop greenhouses are not classified as indoor cultivation and must apply for coverage as an outdoor activity.

**Why is General Order coverage needed for indoor cultivation?**

Indoor cultivation activities will generate wastewater such as hydroponic solutions, irrigation tail water, sanitation activities, etc. The wastewater may contain elevated concentrations of nutrients; salinity; metals; or sanitation chemicals containing biocides, bleach mixtures, or other chemical waste streams. That wastewater will be discharged into a community collection system (sanitary sewer) or to an onsite wastewater treatment system.

- Wastewater discharges to a community collection system must obtain authorization from the system operator for the discharge (typically an industrial waste discharge permit).
- Wastewater discharges to an onsite wastewater treatment system (e.g., a septic tank and leach field system, or land application system) must contact the Regional Water Quality Control Board ([Regional Water Board](#)) for guidance.

**How do I apply for coverage under the General Order?**

Coverage can be obtained by applying through the online application portal. After the application is submitted and the application fee is paid, the Regional Water Board will issue a notice of applicability (NOA). The NOA can be presented to the CDFA to obtain a commercial cannabis cultivation license. The application portal is located at:

[www.waterboards.ca.gov/cannabis](http://www.waterboards.ca.gov/cannabis)

**Is a water right needed for indoor cultivation activities?**

Any cannabis cultivation activity requires a valid basis of right for the diversion and use of water. Therefore, in some situations a water right may be needed. The online application portal will guide applicants through the process to determine when a water right is required.

**Are there monitoring or reporting requirements for indoor cultivation activities?**

The General Order does not require monitoring or reporting for indoor cultivation activities. However, Regional Water Board Executive Officers can impose monitoring requirements when appropriate on a site-specific basis if site conditions indicate the need. In addition, cultivators that discharge to a community collection system are likely to have monitoring and reporting requirements as part of their industrial waste permit. Cultivators that discharge to an onsite wastewater system or land application system may have monitoring and reporting requirements imposed as requirements of the discharge permit (typically waste discharge requirements).

**How can coverage under the General Order be terminated?**

At least 90 days prior to ending cannabis cultivation activities, a Site Closure Report shall be submitted to the Regional Water Board. Refer to the "Provisions" section of the General Order for guidance on the report contents and forms to submit. The Regional Water Board reserves the right to inspect the site before approving a Site Closure Report and/or notice of termination form.

For more information on how the State Water Board and Regional Water Boards address cannabis cultivation activities visit: [www.waterboards.ca.gov/cannabis](http://www.waterboards.ca.gov/cannabis)

Subscribe to the Cannabis Cultivators Email List (Under Water Quality)

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)

*(This fact sheet was last updated December 1, 2017.)*





# Fact Sheet

The proposed General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order (General Order) implements the requirements of the State Water Resources Control Board (State Water Board) Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation (Cannabis Policy). The Cannabis Policy establishes requirements for the diversion of water and discharge of waste associated with cannabis cultivation activities. Dischargers engaged in cannabis cultivation or associated activities are subject to the requirements of the Cannabis Policy and may be required to obtain coverage under the General Order.

## **General Information**

### **1. What discharge activities does the General Order cover?**

The General Order addresses activities related to cannabis cultivation or associated land development. "Discharger" is defined as any person or entity engaged in developing land for cannabis cultivation, providing access to land for cultivation activities, or any person or entity engaged in the legal cultivation of cannabis that discharges or threatens to discharge waste. The requirements also apply to growers and land developers that prepare sites to allow cannabis cultivation activities to occur.

### **2. Are the Regional Water Quality Control Boards (Regional Water Boards) required to use the General Order?**

The General Order is the primary method for Regional Water Boards to permit waste discharges from cannabis cultivation activities; however, the General Order is not the only way to permit discharges from cannabis cultivation sites. In the future, some Regional Water Boards may regulate cannabis waste discharges in their Irrigated Lands Regulatory Program (ILRP). Those Regional Water Boards will have to develop ILRP waste discharge requirements (WDRs); other alternatives include site-specific WDRs issued for an individual discharger. Any WDR or waiver of WDRs issued must comply with the requirements of the Cannabis Policy, as well as address water rights for any irrigation water diversion.

### **3. How will the General Order affect dischargers enrolled under the existing North Coast Regional Water Board waiver of WDRs (R1-2015-0023) or Central Valley Regional Water Board general WDRs (R5-2015-0113)?**

All existing dischargers enrolled under either order are required to transition to the statewide General Order by July 1, 2019, a site-specific WDR, or an ILRP WDR (if available).

## **General Order Coverage and Requirements**

### **4. What does the General Order authorize?**

The General Order provides authorization to discharge waste generated by cannabis cultivation and associated activities. Cultivation activities may occur indoor or outdoor. Some activities that require a water quality certification (e.g., construction of a surface water diversion structure) may be covered by the General Order at the discretion of the Regional Water Board Executive Officer. The General Order does not provide a water right.





## 5. What types of General Order coverage is available?

The General Order provides an exemption for personal non-commercial activities, conditional exemption for small commercial outdoor cultivation activities or indoor commercial cultivation activities, and enrollment under the General Order for larger commercial cultivation activities. In addition, site conditions (slope and/or proximity to water bodies) are considered in determining the risk to water quality. (Described in Question 7 below.)

Type	Disturbed Area	Commercial	Coverage
Personal Use Exemption	<1,000 ft <sup>2</sup>	No	Exempt
Conditional Exemption (outdoor)	<2,000 ft <sup>2</sup>	Yes	Conditionally Waived
Conditional Exemption (indoor)	Not Applicable	Yes	Conditionally Waived
Tier 1	≥2,000 ft <sup>2</sup> and <1 acre	Yes	Enrollment
Tier 2	≥1 acre	Yes	Enrollment

## 6. What is disturbed area and how is it calculated?

Disturbed area is defined as land area where natural conditions have been modified in a way that may result in an increase in turbidity in storm water discharged from the site, such as by removal of natural plant growth or modification of natural grade. Land disturbed for construction of roads, buildings, water storage areas, soil amendment storage areas, excavation, grading, or site clearing are included in the total disturbed area calculation.

Existing access roads that were constructed and are maintained in accordance with the [Handbook for Forest, Ranch, and Rural Roads](#), or areas where plant materials have been removed for wildfire suppression (but will regrow with seasonal precipitation) are not considered disturbed and are not included in the total disturbed area calculation.

## 7. How is risk defined for Tier 1 or Tier 2 sites?

Low-risk sites are those where no portion of the disturbed area is located on a slope greater than 30 percent and all of the disturbed area complies with the setback requirements.

Moderate-risk sites are those where any portion of the disturbed area is located on a slope greater than 30 percent and all of the disturbed area complies with the setback requirements. No portion of the disturbed area may exist on a slope greater than 50 percent.

High-risk sites are those where any portion of the disturbed area is located within the setbacks contained in Attachment A. The high-risk designation is a temporary designation until the site can comply with the setback requirements and can be reclassified as a low- or moderate-risk site. The enrollee must request reclassification from the Regional Water Board when the disturbed area within the setback is stabilized.

## 8. What are the General Order's setback requirements?

The General Order's setback requirements are based on proximities to a surface water body per the requirement of the Cannabis Policy. A summary table is provided below. Please refer to the detailed table containing the setback requirements in the Cannabis Policy. The site is classified as high-risk if any of the setbacks are not met.



Water Body	Watercourse Class	Distance (Low Risk)
Perennial watercourses, springs, or seeps	I	150 ft.
Intermittent watercourses or wetlands	II	100 ft.
Ephemeral watercourses	III	50 ft.
Man-made irrigation/water supply, etc.	IV	Riparian Zone

## 9. How do I qualify for the personal use exemption under the General Order?

To qualify for the personal use exemption, the cultivation must be a non-commercial activity. Personal use exempt cultivators are not required to apply for the exemption; however, the activity must be consistent with the statutory exemptions for personal medical use (Health and Safety Code section 11362.77) or non-medical use (Health and Safety Code section 11362.2), and comply with the following requirements:

- Disturb less than 1,000 square feet
- The cultivation area is contiguous (all located in one area)
- Comply with the General Order setback requirements
- No part of the disturbed area is located on land with a slope greater than 20 percent
- Implement all applicable best practicable treatment or control (BPTC) measures listed in Attachment A of the General Order.

## 10. How do small commercial outdoor cultivators apply for the conditional exemption?

Small commercial outdoor cultivators apply for coverage through the Internet as described in the General Order. Only one exemption can be claimed per parcel. Growers that participate in coalitions, cooperatives, or other combinations of cultivation activities cannot claim the conditional exemption for activities on the same parcel. The cultivation activity must also meet the following criteria:

- Disturb less than 2,000 square feet
- The cultivation area is contiguous (all located in one area)
- Comply with the General Order setback requirements
- No part of the disturbed area is located on land with a slope greater than 20-percent
- Implement all applicable best practicable treatment or control (BPTC) measures listed in Attachment A of the General Order.

## 11. Do commercial indoor cultivators apply for coverage?

To be considered an indoor cultivation activity, the activity must be located entirely within a structure with a permanent roof and a permanent relatively impermeable floor (e.g., concrete or asphalt paved). Commercial indoor cultivators apply for coverage under the waiver through the Internet as described in the General Order.

Indoor cannabis cultivators either will have access to a community sewage collection system, or will discharge their wastewater to an onsite wastewater treatment system (e.g., a septic tank and leach field system). Those dischargers with access to a community sewage collection system shall obtain authorization from the wastewater operator for the discharge (typically an industrial waste discharge permit). Those dischargers that will discharge to an onsite system are required to obtain authorization from the Regional Water Board. Local agencies (e.g., environmental health departments) cannot permit cultivation wastewater discharges because cultivation wastewater discharges are not considered domestic wastewater as defined by the statewide Onsite Wastewater Treatment Systems (OWTS) Policy.



## **12. How do Tier 1 or Tier 2 outdoor cultivators apply for coverage?**

Tier 1 or Tier 2 outdoor cultivators apply for coverage through the Internet as described in the General Order. The application process will prompt the applicant to enter information that will classify the activity as either Tier 1 or Tier 2, determine the risk level, and identify what technical reports are required.

## **Application Process**

### **13. Who can apply for coverage under the General Order?**

Business entities, employees, contractors, third party representatives, landowners, cultivators, lessees, and tenants may apply for coverage under the General Order.

### **14. How can I be covered by the General Order?**

The State Water Board has created an online application portal that allows an applicant to apply through the Internet. The application addresses both the General Order and the water right program. Upon submittal of an application for coverage under the General Order, a Notice of Receipt will be issued via e-mail. The Notice of Receipt will indicate if an application fee is assessed, and where to pay the fee (within 30 days). Upon payment of the fee, the Regional Water Board will issue a Notice of Applicability (NOA). The NOA can be used to apply to the California Department of Food and Agriculture to obtain a cannabis cultivation license.

### **15. Is there a fee? How much?**

Yes. All entities that produce commercial cannabis are required to obtain coverage under the General Order and are required to pay a fee. Fees are based on the site complexity and threat to water quality.

- Applicants that qualify for the personal use exemption are not producing commercial cannabis and are not required to obtain coverage; therefore, they do not pay a fee.
- Dischargers that qualify for conditional exempt status (indoor or outdoor) pay an application fee for initial coverage under the waiver (and renewals of coverage every five years). Conditionally exempt dischargers do not pay an annual fee.
- Dischargers that are enrolled under the General Order (Tier 1 or Tier 2) pay an application fee and an annual fee. The application fee serves as the first year's annual fee.
- Dischargers enrolled under the North Coast Regional Water Board waiver of WDRs (R1-2015-0023) or Central Valley Regional Water Board general WDRs (R5-2015-0113) have already paid a fee; therefore, they are not required to pay a fee at the time of transitioning to the statewide General Order. They must continue to pay applicable fees until they transition to the statewide General Order.

The water quality fee schedule is available at: [http://www.waterboards.ca.gov/resources/fees/water\\_quality/](http://www.waterboards.ca.gov/resources/fees/water_quality/)

### **16. How do I terminate coverage under the General Order?**

Except for cannabis cultivators that qualify for the personal use exemption, all cultivators enrolled or conditionally exempt are required to submit a Site Closure Report and a Notice of Termination form when ending cannabis cultivation activities. The Notice of Termination is included in the General Order as Attachment C. Guidance on how to prepare a Site Closure Report is available in General Order Attachment D.

## **Monitoring and Reporting**

### **17. What monitoring and reporting requirements exist in the General Order?**

Tier 1 and Tier 2 dischargers are required to monitor and submit an annual monitoring report to the Regional Water Board. General Order Attachment B presents the monitoring and reporting program (MRP). The Regional Water Board Executive Officer may revise an MRP if site conditions warrant additional monitoring and reporting to protect water quality.

For more information on how the State and Regional Water Boards address cannabis cultivation activities through its cannabis regulatory program, please visit: <http://www.waterboards.ca.gov/cannabis>

*(This fact sheet was last updated October 16, 2017.)*

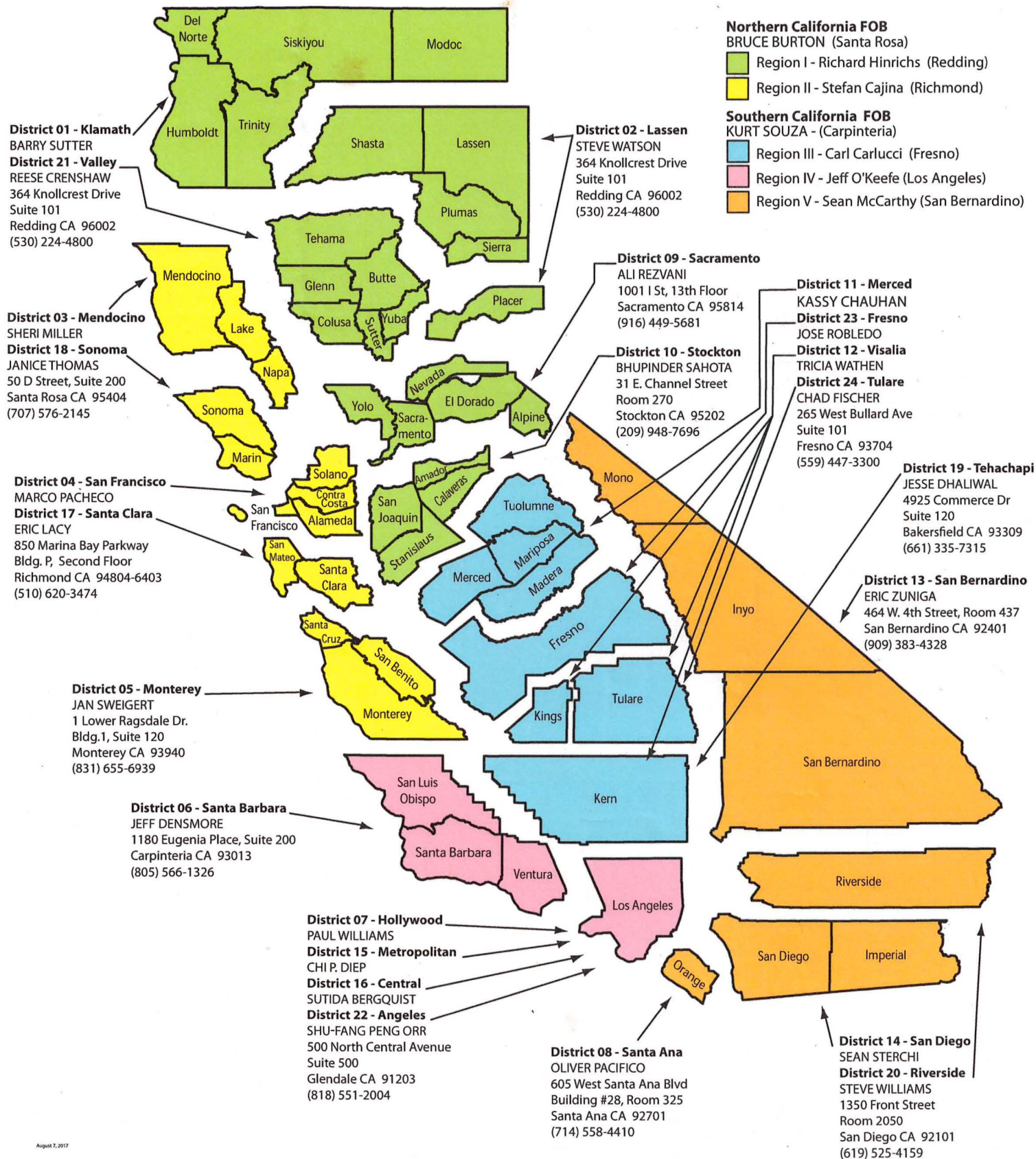


STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**Division of Drinking Water - District Offices**

**Headquarters Office**  
(916) 449-5577  
1001 I St, 24th Floor  
Sacramento CA 95814



Edmund G. Brown Jr.  
Governor





## What is a Public Water System?

A public water system is defined as a system that provides water for human consumption<sup>1</sup> to 15 or more connections or regularly serves 25 or more people daily for at least 60 days out of the year.



### *What types of Public Water Systems are there?*

Many people think of public water systems as large city or regional water suppliers, but they also include small housing communities, businesses and even schools and restaurants that provide water. A public water system is not necessarily a public entity, and most public water systems are privately owned. There are three legal distinctions between the types of public water systems: community, non-transient non-community, and transient. The type of water system is based on how often people consume the water. Drinking water regulations impose the most stringent monitoring requirements on community and non-transient non-community water systems because the people they serve obtain all or much of their water from that system each day.



**Community Water Systems** are city, county, regulated utilities, regional water systems and even small water companies and districts where people live.



**Non-community non-transient water systems** are places like schools and businesses that provide their own water. The same people have a regular opportunity to consume the water, but they do not reside there.



**Transient water systems** include entities like rural gas stations, restaurants and State and National parks that provide their own potable water source. Most people that consume the water neither reside nor regularly spend time there.

### *What does it take to be a public water system?*

Being a public water system means providing affordable, safe drinking water to your customers 24 hours a day, 7 days a week, 365 day a year. This includes the associated legal, fiscal, and operational responsibilities, and future planning. Public water systems typically are run more efficiently when costs can be spread out over a large group of people to obtain good economies of scale. Small public water systems without a very high level of managerial, technical and financial capacity tend to be unsustainable.

**Public water systems are required to have domestic water supply permits.** The first step of the process to obtain a permit for a new public water system is to complete a preliminary technical report. The report involves contacting other existing public water systems to see if the service area of the proposed system could, instead, be served by an existing system. It also evaluates the long-term costs of creating a new public water system. **The preliminary technical report must be submitted at least 6-months prior to any water related construction.** A copy of the preliminary technical report template and the subsequent permit application materials can be obtained by contacting the State Water Resources Control Board, Division of Drinking Water's District Office. A map with District Offices can be found at the following website:

[http://www.waterboards.ca.gov/drinking\\_water/programs/documents/ddwem/DDWdistrictofficesmap.pdf](http://www.waterboards.ca.gov/drinking_water/programs/documents/ddwem/DDWdistrictofficesmap.pdf)

<sup>1</sup> Human consumption means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including but not limited to, preparing food and washing dishes per Section §116275(e) of the Health and Safety Code.



or lake and (2) may substantially adversely affect existing fish or wildlife resources, as specified in section 1602 of the Fish and Game Code. An LSA Agreement identifies approved activities and measures necessary to protect fish and wildlife resources, which may limit the work period. Consider designing your project to avoid activities that require an LSA Agreement.

- **An LSA Agreement** may be issued in the form of a standard LSA Agreement or an LSA General Agreement for Cannabis Cultivation.
- **Written verification that an LSA Agreement is not required** may be issued in the form of a letter when (a) CDFW determines an LSA Notification and/or an LSA Agreement is not required pursuant to Fish and Game Code section 1602, or (b) CDFW has not issued a draft standard agreement within 60 days from the date LSA Notification is deemed complete.
- **An LSA General Agreement for Cannabis Cultivation and online LSA Notification** are anticipated in January 2018. Issuance of the LSA General Agreement for Cannabis Cultivation will be an *expedited process* for activities that meet specific eligibility criteria. Eligibility criteria include all of the following:
  - Activity is in conjunction with cannabis cultivation;
  - Activity is limited to construction or reconstruction of a bridge, culvert, rock ford, or a water diversion that meets specified design criteria;
  - Activity is not on a stream or lake that contains finfish or finfish habitat;
  - Activity shall not result in take of a state listed or fully protected species;
  - Entity has not been subject to (a) fines, penalties, or other sanctions for cultivation or production of controlled substance or (b) notice of violation pursuant to section 12025 or 12025.1 of the Fish and Game Code.

To take advantage of the streamlined LSA General Agreement for Cannabis Cultivation, consider designing your activities to meet the design criteria specified in the LSA General Agreement. Entities with activities that do not meet eligibility criteria for the LSA General Agreement for Cannabis Cultivation will need a standard LSA Agreement.

- **If you have an existing LSA Agreement**, be sure that it covers all of the activities subject to Fish and Game Code section 1602 and that it has not expired. If all activities are not included in the LSA Agreement, you will need to submit a new LSA Notification to receive an LSA Agreement for the additional activities. If the LSA Agreement has expired before the work has been completed, you will need to submit a new notification to obtain a new LSA Agreement.
- **For more information and updates**, please visit CDFW's websites or contact the regional office that serves the location of your cannabis cultivation (see attached map):

LSA at <http://www.wildlife.ca.gov/Conservation/LSA>

Cannabis at: <https://www.wildlife.ca.gov/Conservation/Cannabis>



- \$ Records of the estimated life of all pumps, treatment, storage, and distribution system and an annual capital improvement plan to fund infrastructure replacement (CHSC §116540)
- \$ Metering and billing staff (CHSC §116540)
- \$ Emergency reserves for drought, regulatory changes, public notice of bacteriological or chemical failures, etc. (CHSC §116540)
- \$ Maintaining of business licenses, annual drinking water permit fees (CHSC §116565) and payment of any State enforcement fees for actions resulting from water system non-compliance (CHSC §116577)
- \$ Appropriate working area for staff, chemicals, and records (§64470, §64423.1)
- \$ Insurance and liability for staff, with duties including climbing tanks, handling hazardous chemicals, etc.
- \$ Management staff that is knowledgeable about drinking water. Staff coordinate the above and maintain financial controls (per Corporation Code and Government Code requirements and CHSC §116540 )
- \$ If the source is surface water, there may be additional requirements:
  - A water treatment plant meeting all Surface Water Treatment Rule requirements (§64650-64666),
  - Continuous operator supervision of the water treatment plant when in service (§64660)
  - Chemical monitoring equipment, at minimum turbidity and chlorine (§64655-64656.5, §64659)
  - Operations Plan (§64661) and Alarms (§64659)
  - Monthly monitoring reports to the Division of Drinking Water (§64662-64664.2)
  - Additional raw water sampling requirements (§64654.8)
  - Watershed Sanitary Survey, every five years (§64665)



### *Is there any flexibility on these requirements?*

All public water systems are subject to the same health based standards and laws whether they are a big city, a small community, or a rural restaurant. However, there are some minor adjustments that are made to monitoring frequencies based on population and water system type. Each public water system is expected to continuously supply high quality water meeting all the applicable requirements.

### *How do I find an existing public water system to serve my project area?*

**California Environmental Health Tracking Program:** [http://cehtp.org/page/water/water\\_system\\_map\\_viewer](http://cehtp.org/page/water/water_system_map_viewer)

This website provides a map of the boundaries of public water systems. It is currently under development and does not include all public water systems, but is searchable by address or county.

**Drinking Water Watch:** <https://sdwis.waterboards.ca.gov/PDWW/>

All active and inactive public water systems in California are provided on this website as well as a contact phone number or address for the public water system. The listing can be filtered by county, but no map is provided.

**Contact the Division of Drinking Water District Office Serving Your Area and Ask:** If you are unable to find a public water system nearby, contact the District Engineer for additional support. A webpage link of Division District offices and contacts is provided on the first page of this document.



## *What are the requirements to create and maintain a public water system?*

A new water system applicant should consider all requirements for a public water system that are listed below and on the following page. **Typically, a public water system will incur costs associated with most or all of the required elements.** Other requirements may also be applicable, depending on whether the system is a public or private entity, such as requirements imposed by other programs with the State Water Board, such as Division of Water Rights, and other regulatory agencies, such as Local Area Formation Commissions, Public Utilities Commission, city and county governments. The section from the California Code of Regulations (CCR) Title 22, discussing the specific requirements or the section of the California Health and Safety Code (CHSC) is identified in parentheses. If the requirement comes from another regulatory section, the location is noted. Note that this is a partial list of regulatory requirements.

- \$ Permitting engineering and technical reports (§64552), including pump tests (§64554), at least two water supply well sources for communities (§64554c and §64561), a 50-foot radius source protection zone around all new wells (§64560), a minimum of a 50-foot annual seal on new wells (§64560), a well flow meter (§64561) and initial monitoring
- \$ Construction, including elevated storage or backup electricity for pumps to maintain 40 pounds per square foot (psi) minimum pressure at all times (§64602), proper construction of distribution systems (§64570-64580), adequate storage capacity (§64554 and 64585) and fire capacity (contact local fire official)
- \$ As-built maps (§64604)
- \$ Annual water-treatment chemicals (§64590) and equipment for distribution monitoring of any added chemical treatment (dependent on the type of needed treatment)
- \$ Ongoing raw water chemical monitoring sampling and analysis (§64431-64445.2)
- \$ Ongoing raw water bacteriological monitoring sampling and analysis (§64430)
- \$ Ongoing treated water bacteriological monitoring sampling and analysis (§64421-64430)
- \$ Maintenance of bacteriological plans (§64422) and emergency notification plans for water quality emergencies (§64463-64466)
- \$ Ongoing lead and copper monitoring including sampling and analysis and maintenance of a lead and copper plan (§64670-64690.80)
- \$ Ongoing disinfection byproducts monitoring and maintenance of an associated plan (§64530-64537.6);
- \$ Maintaining a customer water quality complaint program (§64470)
- \$ Main flushing (§64575), valve and meter maintenance (§64600), and maintaining system maps (§64604)
- \$ Cross connection program and annual backflow device testing (from Title 17, §7583-7605)
- \$ Licensed water treatment operator and distribution staff (§64413.1-64413.7)
- \$ Written procedures for system maintenance, for example pipeline break procedures, etc. (§64580, 64582, & 64583)
- \$ Source capacity planning studies and permit amendments for any additional growth (§64558 and §64556)
- \$ Annual Consumer Confidence Report preparation and distribution (§64480-64483)
- \$ Annual Electronic Report submittal to State Water Resource Control Board-Division of Drinking Water (CHSC §116530)





## Commercial Cannabis Cultivation Licensing Guidance for Compliance with Fish and Game Code Section 1602

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### Prospective Cannabis Cultivation Licensee,

- **Fish and Game Code section 1602** requires an entity to notify California Department of Fish and Wildlife (CDFW) before commencing an activity that will:
  - Substantially divert or obstruct the natural flow, or substantially change or use any material from the bed, channel or bank of any river, stream, or lake.
  - Deposit or dispose of debris, waste or other material where it may pass into any river, stream, or lake.

Please note that “any river, stream or lake” includes those that are dry for periods of time as well as those that flow year round.

- **Annual licenses for cannabis cultivation** issued by California Department of Food and Agriculture (CDFA) beginning January 2018 will require the applicant to demonstrate compliance with Fish and Game Code section 1602. Compliance must be demonstrated with a CDFW Lake or Streambed Alteration (LSA) Agreement or written verification that an LSA Agreement is not required.
- **Temporary licenses for cannabis cultivation** issued by CDFA do not require an applicant to demonstrate compliance with Fish and Game Code section 1602. However, some counties currently require an LSA Agreement or statement from CDFW that no LSA Agreement is needed. Check with the county where your activity will occur. Fish and Game Code section 1602 requires an entity to notify CDFW if their activity will alter a river, stream, or lake as specified above.
- **To comply with Fish and Game Code section 1602**, submit an LSA Notification and appropriate fee to CDFW and enter into an LSA Agreement if required. The LSA Notification application, fee schedule, instructions, and locations of CDFW regional offices are available at <http://www.wildlife.ca.gov/Conservation/LSA>.

Ensure that your LSA Notification is complete and identify all existing and proposed activities and infrastructure associated with cannabis cultivation and site access. Activities include but are not limited to water diversion and storage, stream crossings (i.e., bridges, culverts, rock fords), road construction near streams and lakes, and riparian vegetation removal. Upon receipt of a complete LSA Notification, CDFW will begin review and may conduct a site visit.

An LSA Notification with associated unresolved violations or fines will not be processed until these issues are addressed.

- **Issuance of an LSA Agreement, or written verification that one is not required**, will be based on CDFW findings. An LSA Agreement is required when CDFW determines that the activity, as described in a complete LSA Notification, will (1) substantially alter a river, stream,



# California Department of Fish and Wildlife

## ★ Regional Headquarters

- 1 Northern Region Eureka**  
601 Locust Street Redding, CA 96001 (530) 225-2300  
619 Second Street Eureka, CA 95501 (707) 445-6493
- 2 North Central Region**  
1701 Nimbus Road Rancho Cordova, CA 95670 (916) 358-2900
- 3 Bay Delta Region Stockton**  
7329 Silverado Trail Napa, CA 94558 (707) 944-5500  
2109 Arch Airport Road Ste 100 Stockton, CA 95206 (209) 234-3420
- 4 Central Region**  
1234 E. Shaw Avenue Fresno, CA 93710 (559) 243-4005 ext. 151
- 5 South Coast Region Los Alamitos**  
3883 Ruffin Road San Diego, CA 92123 (858) 467-4201  
4665 Lampson Ave, Ste C Los Alamitos, CA 90720 (562) 342-7100
- 6 Inland Deserts Region**  
3602 Inland Empire Boulevard, Suite C-220 Ontario, CA 91764 (909) 484-0167
- 7 Marine Region (along entire coast 3 nautical miles offshore)**  
20 Lower Ragsdale Drive, Suite 100 Monterey, CA 93940 (831) 649-2870

