

**Excerpt from the North Coast Region's Fiscal Year 2019-2020  
Annual Report on the 2014-2020 Nonpoint Source Program Implementation Plan  
(NPS Plan):**

**Initiative RB1.2.08 – Cannabis Discharge Control Efforts**

The 2019-2020 fiscal year was the sixth year of the Cannabis Cultivation Regulatory Program (Cannabis Program) in the North Coast Region, including the fourth full year of implementing active and enforceable enrollment requirements and the third year of implementing the statewide Cannabis Cultivation Policy and General Order. All enrollments under the North Coast Regional Cannabis Order ceased as of June 30, 2019. Subsequently, North Coast Water Board staff completed the process of issuing Notices of Applicability for approximately two-thirds of the former Regional Cannabis Order enrollees who successfully completed the transition of their coverage to the statewide Cannabis General Order. The remaining Regional Cannabis Order enrollments were terminated, effective July 1, 2019. As of the end of the 2019-2020 fiscal year, there are 2,963 enrollments under the statewide Cannabis General Order within the North Coast Region out of a total of 5,089 enrollments statewide.

Although Cannabis General Order enrollments in the North Coast Region represent approximately 58% of total enrollments statewide, these enrollments represent (conservatively) only 14% of known cannabis cultivation sites in the region. In fact, based on data available from the State Water Board's Cannabis Identification and Prioritization System (CIPS), the 17,226 unpermitted cannabis cultivation sites identified in the North Coast Region represent approximately 66% of such sites statewide. These sites represent not only the greatest potential threat to beneficial uses of water in the state, but also the greatest potential for enrollment enforcement. Nevertheless, due to a statewide Cannabis Program hiring freeze in fiscal year 2019-2020 the North Coast Water Board was prevented from backfilling a total of 6 vacant positions (out of 17) in its Cannabis Program, substantially impacting the program's ability to complete Activities and to meet Performance Measures listed in the 2014-2020 NPS Program Implementation Plan.

Principal implementation efforts in fiscal year 2019-2020 included providing services to cultivators enrolled under the Cannabis General Order, assisting new applicants with the enrollment process, issuing Water Quality Certifications for instream work associated with cannabis cultivation operations, collaborating with the State Water Board in the implementation of the Cannabis Cultivation Policy and General Order, and continuing coordination with all agencies involved in the regulation of cannabis cultivation. North Coast Water Board staff attended outreach events hosted by the State Water Board and attended environmental crimes taskforce meetings with agency partners in Sonoma, Mendocino, Humboldt and Trinity Counties. Additionally, staff participated in statewide interagency coordination meetings with the California Department of Fish and Wildlife (CDFW) and California Department of Food and Agriculture (CDFA) to prioritize regulatory actions and to assess the effectiveness of the agencies' combined program implementation efforts.

Based in part on the results of these coordination efforts, staff identified priority target areas for compliance and enforcement actions. Staff participated in 137 total site inspections in fiscal year 2019-2020. On many of the inspections, staff identified water quality issues and recommended corrective actions and/or carried out appropriate enforcement actions.

Almost all Water Quality Certifications issued to date under the statewide Cannabis General Order have been issued in the North Coast Region. In fiscal year 2019-2020, staff issued 34 Water Quality Certifications to Cannabis General Order enrollees.

The North Coast Regional Board received 1,339 annual monitoring reports from Cannabis General Order enrollees for the 2019 calendar year, which represents a 51% reporting compliance rate, down from the previous year's reporting compliance rate of 68%. Staff is in the process of analyzing enrollees' self-reported implementation data to assess rates of compliance with Cannabis General Order provisions. Further analysis of self-reported site characterization and water use data will be conducted to assess ongoing trends in cropping, water storage, and irrigation practices in the North Coast Region, and to evaluate and prioritize sites for inspection that may pose a greater risk to water quality.

Another key aspect of the Cannabis Program is education and outreach. Due to limited staffing in fiscal year 2019-2020, the North Coast Regional Board's participation in education and outreach activities was extremely limited, as compared to previous years.

Based on recent guidance and direction from executive managers at the State Water Board, Cannabis Program activities in the North Coast Region will be evenly split in the coming year between enrollment and compliance assurance on legal cultivation sites, and enforcement on illegal cultivation sites. Due to limited staffing, the North Coast Region's cannabis regulatory staff are increasingly relying upon enrollee self-certification, self-reporting, and remote sensing to assess compliance and to identify and prioritize sites that warrant additional review and inspection. Meanwhile, the North Coast Region's cannabis enforcement staff are currently focused on enrollment enforcement and on participating in interagency enforcement inspections with CDFW and local regulatory and law enforcement agencies.