



EXECUTIVE OFFICER’S REPORT
September 1, 2024 – September 30, 2024

Contents

1. Personnel Report – Sandra Lopez..... 1
2. Eastern California Cannabis Regulatory Unit: Lahontan Regional Water Quality Control Board Executive Officer Report – Ed Hancock..... 2

1. Personnel Report – Sandra Lopez

Vacancies

- Staff Services Analyst, South Lake Tahoe. This position will provide support to technical and administrative staff, ensure documents comply with accessibility standards, assist with process improvements, prepare agenda items and staff documents for distribution, and provide administrative support at regional board meetings held throughout the region. Due to budgetary constraints, Water Boards hiring is on pause.
- Environmental Scientist, Forestry-Dredge & Fill Unit. The position will apply scientific methods and principles necessary for the protection of water quality within the Lahontan Region. Responsibilities will include such activities as field work, drafting permits, providing technical expertise, evaluating and assisting in the drafting of environmental documents, making policy recommendations, and performing sensitive assignments throughout the Lahontan Region.
- Water Resource Control Engineer, Forestry-Dredge & Fill Unit. This position will coordinate with the federal land management agencies and the California Department of Forestry and Fire Protection in reviewing timber harvest plans (THPs), Working Forest Management Plans (WFMPs), Non-industrial Timber Management Plans (NTMPs), utility corridor vegetation management plans, and timber harvest exemptions to evaluate the impact of logging operations and other forest practices on the quality and beneficial uses of water. Review projects that may affect waters of the US and state to ensure compliance with the requirements of the Water Quality Control Plan for the Lahontan Region (Basin Plan). Prepare Clean Water Action Section 401 water quality certifications and/or waste discharge requirements (WDRs) for project compliance with all regulatory

requirements. Due to budgetary constraints, this vacancy will not be posted at this time.

- Environmental Scientist, Cannabis Unit. This position provides regulatory oversight of cannabis cultivation projects under the statewide Cannabis General Order. Due to budgetary constraints, this vacancy will not be posted at this time.
- Scientific Aid, Regulatory and Enforcement Unit. This position will be reviewing Self-Monitoring Reports submitted from facilities under permit. The reports will be associated with discharges to land, and surface water. The facilities vary from construction sites to wastewater treatment plants. Due to budgetary constraints, Water Boards hiring is on pause.
- Scientific Aid, Non-Point Source and Forestry/Dredge & Fill Units, South Lake Tahoe. This position will evaluate water quality data, assist with harmful algal bloom response, and assess compliance with water quality orders and permits associated with grazing, restoration, timber, and forestry activities. Due to budgetary constraints, this vacancy will not be posted at this time.

2. Eastern California Cannabis Regulatory Unit: Lahontan Regional Water Quality Control Board Executive Officer Report – *Ed Hancock*

The Eastern California Cannabis Regulatory Unit (Cannabis Unit) operates in the California Water Board's Lahontan Region (Region 6) and Colorado River Basin Region (Region 7), covering approximately 60,000 square miles (38.4 million acres) of eastern California from Oregon to Mexico. Cannabis Unit staff are responsible for two broad areas of program implementation: regulating licensed cannabis cultivation operations and working with law enforcement partners to tackle the proliferation of illicit cannabis grows pervasive in portions of Region 6 and Region 7.

At State licensed cannabis cultivation facilities, Cannabis Unit staff implement the State Water Resources Control Board's (State Water Board) General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order). The Cannabis General Order provides a statewide, tiered approach for regulating discharges of wastes associated with cannabis cultivation and provides conditional exemption criteria for cannabis cultivation activities that pose a low threat to water quality.

At illicit cannabis grows, Cannabis Unit staff complete environmental assessments (inspections) in conjunction with law enforcement warrant searches. Staff issue enforcement actions to offending landowners to facilitate site cleanup and, in egregious cases, pursue administrative liabilities under the Basin Plan and California Water Code. Cannabis Unit staff also provide technical expertise to sheriff's departments and district attorneys related to criminal cannabis cases, including providing expert testimony in criminal court settings and reviewing case evidence for Water Code violations.

Staffing

Kathleen Bindl, who has been part of the Cannabis Unit since its inception in 2018 and at one time was the sole unit staff member, left the unit in January 2024. Presently there are two technical level staff, Jairo Luque and Ed Hancock, and a supervisor, Abby Cazier, who shares her time between the Cannabis Unit and the Leviathan Mine Unit.

Illicit Cannabis Cultivation

A high priority task of the Cannabis Unit is to address illicit cannabis cultivation. Unauthorized discharges of wastes from illicit cannabis cultivation pose a significant threat to surface and ground water quality. Staff provide technical expertise and assistance to law enforcement, document Water Code and Basin Plan violations observed during inspections of illicit sites, and issue enforcement actions to prompt site cleanup and protect water quality.

Successfully addressing illicit cultivation depends on interagency collaboration. Cannabis Unit staff develop and cultivate relationships with other agencies working on unpermitted cultivation issues, such as sheriff's departments, county code and environmental health offices, the California Department of Fish and Wildlife (CDFW), California State Parks, and county district attorneys' offices.

San Bernardino County is greatly impacted by illicit cannabis cultivation. Since the start of 2024, Cannabis Unit staff have assisted the district attorney by identifying Water Code violations in approximately 80 cases and have been called as pre-trial expert witnesses on 17 occasions. Unit staff have also provided the San Bernardino County Sheriff's Department with 207 enrollment checks in the Water Boards Cannabis Program over the same timeframe.

Other counties with known illicit cannabis operations in the Cannabis Unit's jurisdiction include Los Angeles, Kern, Riverside, Imperial, and Lassen. Unit staff responded to over 140 cases in these counties since the start of 2024, including inspections, determination of Water Code violations, property enrollment checks, and provision of expert testimony.

A recent case near Baker in Kern County involved a subterranean cultivation operation where multiple shipping containers used as cultivation structures were buried underground to evade law enforcement detection. During the warrant inspection of this property, over 17,000 cannabis plants were eradicated, with actual discharges of wastes including pesticides, fertilizers, petroleum products, sediment and fill materials, trash and debris, and human sewage. While the subterranean component of this case is unique, the types of wastes and environmental damage recorded at this location are common factors in all illicit cannabis operations Cannabis Unit staff respond to.

To focus the 2024 illicit site response, Cannabis Unit Staff identified several priority sub-watersheds within the Mojave, Antelope-Fremont Valleys, Southern Mojave, and San Felipe Creek watersheds. Watershed prioritization is primarily based on the identification of illicit operations during the previous year, which found nearly 400 new

illicit cannabis operations in these watersheds. Cannabis Unit staff worked with CDFW to ensure priority watersheds were co-aligned, sharing resources such as satellite imagery, site location data, and presence of waters of the State. Streamlining agency priority watersheds helps maximize the impact of the States' response to illicit cannabis cultivation and has helped Cannabis Unit Staff prioritize field operations in a resource limited landscape.

Approximately 2,600 illicit cannabis grows have been identified in Regions 6 and 7 identified since the Cannabis Unit's inception in 2018. Figure 2.1 depicts locations of illicit cannabis grows in the southern portion of Region 6 and northern portion of Region 7, where much of the illicit activity in the Cannabis Units' jurisdiction occurs. The locations shown in red in Figure 2.1 represent the approximately 360 sites identified since January 1, 2024, which is an increase in site identification of nine percent over the same 2023 reporting period. Priority watersheds for 2024 are depicted by the blue bordered polygons. The locations shown in purple represent the sites identified since 2018.

State Licensed Cultivation

State licensed cannabis cultivation facilities represent continued workload for the Cannabis Unit. Staff time is spent performing inspections, offering compliance assistance, maintaining permit information, and responding to complaints. So far in 2024 the Cannabis Unit has experienced a marked increase in citizen and government agency complaints regarding permitted cultivation operations, including from unauthorized discharges of industrial wastewaters and hazardous materials. Unit staff respond to each complaint with a targeted inspection coordinated with other regulatory agencies and organizations, such as the Department of Cannabis Control (DCC), Department of Toxic Substances Control (DTSC), and county environmental health departments.

Since January 1, 2024, staff have conducted 15 compliance inspections. Seven of the inspections were related to complaints received from external parties. Staff issued nine staff enforcement letters and three Notices of Violation (NOVs) to noncompliant facilities. Seven facilities returned to full compliance and five facilities are implementing Corrective Actions Plans (CAPs).

Type of Facility	Number in Region 6 ¹	Number in Region 7
Indoor (Sewer)	119 (-6)	52 (-8)
Indoor (Waste Hauler)	42 (-7)	106 (-6)
Outdoor	9 (-2)	2 (+1)
Total	170 (-15)	160 (-13)

Table 2.1 contains distribution data for the 330 active permits within Regions 6 and 7. There are 28 fewer enrollments compared to 2023 because 25 inactive facilities were administratively terminated from the Cannabis Program in December 2023. Figure 2.2 shows the geographical distribution of permitted cannabis cultivation facilities.

¹ Change in enrollment compared to 2023 contained within parenthesis

Illegal Cannabis Sites in Southern Region 6 and Northern Region 7

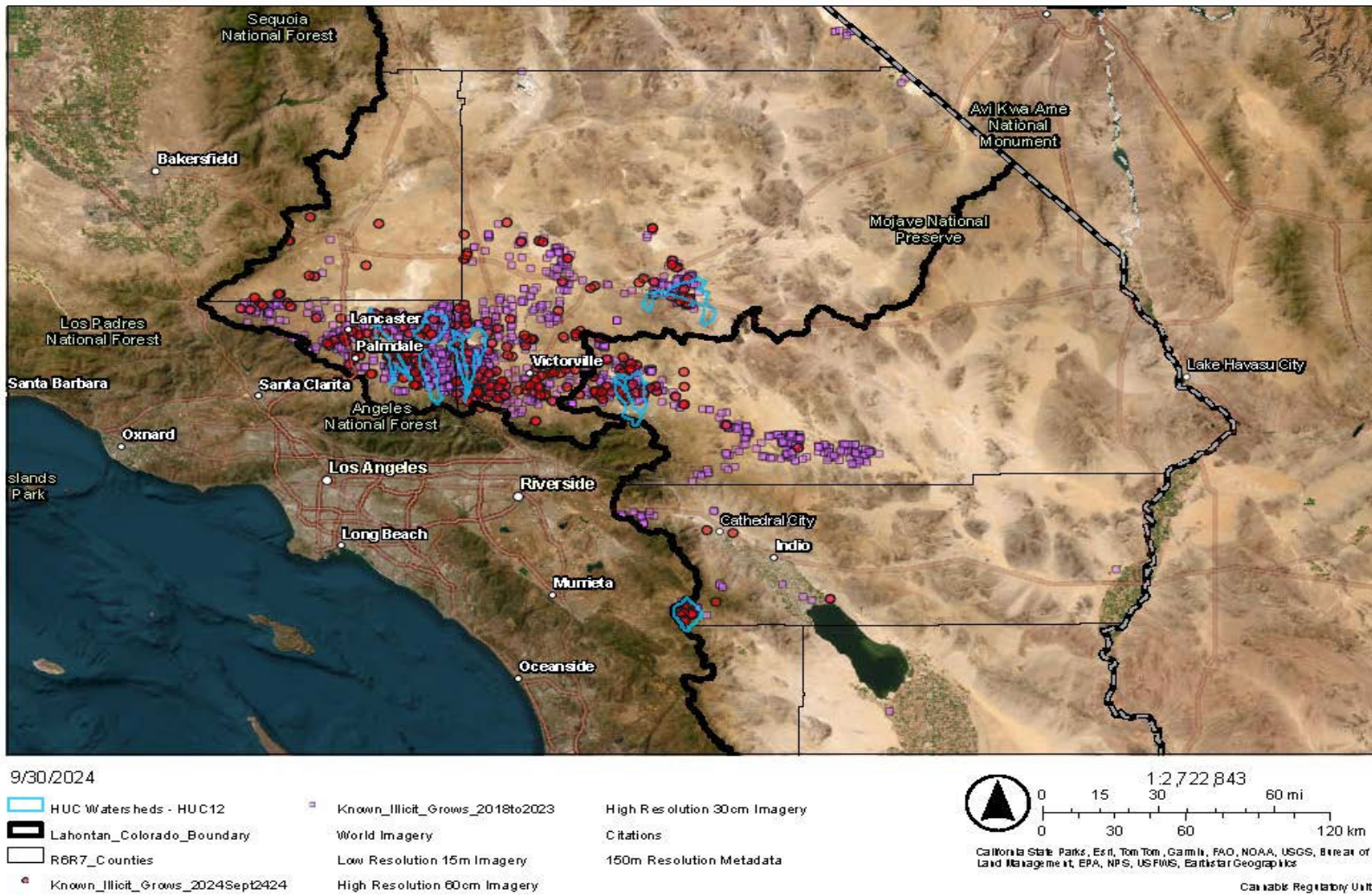


Figure 2.1: Known illicit cannabis sites in Southern Region 6 and Northern Region 7. Red points show sites identified in 2024; purple points show sites identified 2018-2023. Blue polygons indicate priority watersheds for 2024, identified in late-2023.

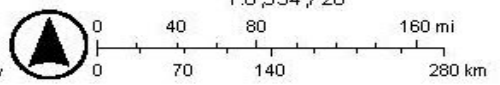
Permitted Facilities in Region's 6 & 7



9/30/2024

- County Boundaries
- RegulatedFacilities_08062024_PermitStatus
- Active
- Draft
- World Imagery

Low Resolution 15m Imagery
 High Resolution 60cm Imagery
 High Resolution 30cm Imagery
 Citations
 150m Resolution Metadata



California State Parks, Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS, Earthstar Geographics

California Regulatory Unit

Figure 2.2: Distribution of permitted cannabis cultivation facilities in Regions 6 & Region 7. No permitted cannabis cultivation facilities exist north of Lake Tahoe.