

State Water Resources Control Board

NOTICE OF INTENT TO COMPLY WITH THE TERMS OF GENERAL WATER QUALITY CERTIFICATION FOR ACTIVITIES COMPLYING WITH THE CANNABIS CULTIVATION POLICY

Please note, this is an example that is provided to be used as a resource for information needed to submit your Notice of Intent (NOI) online form. There are some formatting, organization, and disclaimer differences between this example and the online form. Please fill out and submit your NOI through the Cannabis Cultivation Program Application Portal (online portal).

This Notice of Intent (NOI) and the associated water quality certification are applicable only to cannabis cultivation projects. Submittal of this NOI is intended to satisfy applicable federal requirements for a “request for certification” under Title 40 Code of Federal Regulations section 121.5. The project being applied for must also be covered under the State Water Resources Control Board’s General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order WQ 2023-0102-DWQ (Cannabis General Order). If you are not enrolled in the Cannabis General Order then please enroll using the Cannabis Cultivation [online portal](https://www.waterboards.ca.gov/water_issues/programs/cannabis/) (https://www.waterboards.ca.gov/water_issues/programs/cannabis/) before submitting an NOI. For help and instructions on filling out this form, please see the [Instructions for Notice of Intent](#).

Date of Pre-Filing Meeting Request	
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SECTION ONE – APPLICANT AND AGENT INFORMATION

The applicant(s) listed shall be a legally responsible party for compliance with the Clean Water Act, California Water Code, Basin Plan(s), 401 Certification Conditions, and Waste Discharge Requirements. Applicant(s) may also appoint one or multiple agents. An agent is an individual authorized by an applicant to provide information to the State Water Board or Regional Water Board (collectively Water Boards) on behalf of the legally responsible party. When a professional agent or firm submits an application on behalf of a client, the client is the applicant. (California Code of Regulations, title 23, § 3831 subd. (c)(1)).

Applicant/Property Owner(s)

Applicant/Property Owner(s) Name	Company Name
Street Address	City, County, State, Zip Code
E-mail Address	Phone Number

Statement of Authorization (Required when applicant is designating an authorized agent)

I wish to designate an Authorized Agent (Qualified Professional) to act on my behalf as my agent in the processing of this application, and to furnish upon request supplemental information in support of this permit application.

Yes/No

Authorized Agent (Qualified Professional)

Authorized Agent Name	Company/Agent Name
Professional License Type	License Number(s)
Street Address	City, County, State, Zip Code
E-mail Address	Phone Number

SECTION TWO – PROJECT INFORMATION

Project Name or Title - <i>Project name should match all other agency permits and correspondence.</i>			
Project Purpose and Overall Goal of Activity(ies)			
Project Street Address – site not mailing address		City/State/Zip Code – or nearest city/town	
County		Cannabis General Order WDID	
Assessor's Parcel Number(s)			
Check box to verify that a map of at least 1:24000 (1" = 2000') detail of the proposed project site (e.g., USGS 7.5-minute topo map) is enclosed:			<input type="checkbox"/> Project Map Enclosed

Coordinates (<i>the online portal includes an interactive mapping tool that will allow you to select the site location and it will automatically import the coordinates</i>)			
River(s), stream(s), lake(s), or wetland(s) affected by the project:			
Name the receiving watershed or waterbody:			
Basin Plan Hydrologic Unit(s) HUC-12 and CalWater Numbers associated with the project location:			
Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> unknown		
Is the watershed listed as impaired under Section 303(d) of the Clean Water Act?	<input type="checkbox"/> yes <input type="checkbox"/> no		
Has a Total Maximum Daily Load (TMDL) been established for the impairment?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> unknown		
Estimated Project Term:	Beginning (Month / Year)	Pollutant Category(ies):	
Seasonal Work Period:		TMDL Name:	

Estimated Total Number of Work Days:		Ending (Month / Year)	
Describe each proposed project in detail and enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; dimensions of each structure; extent of activity in the bed, channel, bank or floodplain; where equipment will enter or exit the area, if applicable, project overview showing the location of each structure and calculations at each site of area of disturbance. <i>(Attach additional sheets as needed or reference the specific page/section in an attached document).</i>			

Type of Instream Work and Other Proposed Project Work

Use the boxes below to identify the type(s) of waterbody(ies), infrastructure, and work associated with this Notice of Intent. In-Kind Replacement refers to replacing existing infrastructure with the same type of infrastructure (e.g., culvert to culvert, or rocked ford to rocked ford, etc.). Change of Type is a type of replacement where the existing infrastructure is changing from one type to another (e.g., rocked ford to culvert). New Installation applies to project work where no previous type of infrastructure existed in the work location.

Waterbody Type <i>Select all waterbody(ies) where project work is proposed</i>		Infrastructure Type <i>Select all existing or proposed infrastructure as applicable</i>	Work Type <i>Select all project work types</i>
Pond	<input type="checkbox"/> On-Stream <input type="checkbox"/> Off-Stream	<input type="checkbox"/> Inlet <input type="checkbox"/> Outlet <input type="checkbox"/> Berm <input type="checkbox"/> Other: _____	<input type="checkbox"/> Replacement <input type="checkbox"/> New Installation <input type="checkbox"/> Removal
Watercourse (stream, creek, river)		<input type="checkbox"/> Culvert <input type="checkbox"/> Armored Fill <input type="checkbox"/> Bridge <input type="checkbox"/> Other: _____	<input type="checkbox"/> In-Kind Replacement <input type="checkbox"/> Change of Type <input type="checkbox"/> New Installation <input type="checkbox"/> Removal
Wetland or Spring		Identify infrastructure type/proposed work:	<input type="checkbox"/> In-Kind Replacement <input type="checkbox"/> Change of Type <input type="checkbox"/> New Installation <input type="checkbox"/> Removal <input type="checkbox"/> Other: _____
Point of Diversion		<input type="checkbox"/> Well <input type="checkbox"/> Spring box <input type="checkbox"/> Cistern <input type="checkbox"/> Other: _____	<input type="checkbox"/> Replacement <input type="checkbox"/> Installation <input type="checkbox"/> Removal

Total Project Size

Include the complete footprint of the project (i.e., extent of all work/activities/construction that will be performed to meet the project goal):

Acres		Is this a linear project? (i.e. within a stream channel.)	YES NO	Linear Feet <i>If yes, enter the length of the Project from end to end:</i>	
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EXAMPLE

SECTION THREE – IMPACT AVOIDANCE AND MINIMIZATION MEASURES

Dredge and Fill Impact

For each of the applicable water body type(s) listed below, indicate the area(s) in SQUARE FEET and LINEAR FEET that will be affected by the project and identify the impact(s) as permanent or temporary. For project disturbance outside of the waterbody and immediate riparian area, estimate the total disturbance in acres or square feet (linear feet does not apply) as “Non-jurisdictional Areas.”

Water Body Type	Temporary Impact		Permanent Impact	
	Square Feet	Linear Feet	Square Feet	Linear feet
Wetland or Spring				
Riparian				
Streambed/Stream bank				
Lake/Reservoir				
Ocean/Estuary/Bay				
Non-jurisdictional Areas ¹				
TOTAL AREA AFFECTED:				
Additional information relative to Project Size can be included in the space provided below:				

Discharge and Impact Information

Does the Proposed Project Create or Replace Impervious Surface?	YES	NO
<i>If yes, provide the total impervious area created or replaced in square feet:</i>		

¹ “Non-jurisdictional Areas” are included for the purpose of coordinating project size with the California Department of Fish and Wildlife’s Lake and Streambed Alteration Agreement (LSAA) or 1600 Permit, which includes areas outside of waters of the United States.

Does the Proposed Project Discharge to an Area of Special Biological Significance (ASBS) or Marine Protected Area?	YES	NO
Do the Impacts Only Affect the Existing Road Prism?	YES	NO
<i>If yes, provide the existing road dimensions:</i>		
Do the Impacts Affect 20 Linear Feet or Less Outside of the Existing Road Prism?	YES	NO
<i>If yes, provide the dimensions:</i>		
Are the Impacts Associated with the Installation of a Culvert Downspout?	YES	NO
<i>If yes, provide the dimensions:</i>		
Will Any Trees or Bushes be Removed as Part of Performing this Work?	YES	NO
<i>If yes, identify species, number, and tree diameter at breast-height:</i>		

Discharge Types and Amounts

Within the box provided below, identify the type(s) of material that are proposed to be likely “discharged” into waters of the United States as a result of the project.

- Soil Rock Rip-Rap Native Vegetation Non-native Vegetation Large woody material
 Rootwads Erosion Control Materials (jute netting, straw wattles, etc.) Culverts
 Anchoring (bolts, cables, rebar, chains, etc.) Fertilizers Pesticides²
 Other: [Click here to enter text.](#)

For each of the materials identified above, identify the volume or quantity of material that is intended to be introduced or “discharged” into waters of the state. Declare whether or not the material type is expected to cause a “temporary” or “permanent” effect. Include estimates of incidental material discharges that may occur from project implementation, or as a result of post-project adjustment.

<u>Material Type</u>	<u>Volume or Number</u>	<u>Temporary Effect</u>	<u>Permanent Effect</u>
1.		<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
2.		<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
3.		<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
4.		<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
5.		<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

In the space provided below, describe the intended purpose, or reason for the discharges associated with each of the material type(s) listed above:

² The point source discharge of aquatic pesticides into waters of the United States requires a separate National Pollutant Discharge Elimination System (NPDES) permit administered by the State Water Resources Control Board. [Information about pesticide permits](http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml) can be found online at: http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml

Additional Impact Information

Impact Description Describe the nature and extent of temporary and permanent impacts to waters of the United States if not covered in the discharge table above. Describe how project discharge could potentially degrade water quality directly or indirectly; for example, increased turbidity, settleable matter, or other pollutants, that may affect beneficial uses associated with the proposed project area. Attach a map that clearly depicts the anticipated area of direct impacts. If an attachment is provided, indicate the name and page number where the information may be found.

Cumulative Impacts Provide a brief list/description, including estimated adverse impacts of any projects implemented by the applicant within the last five years or planned for implementation by the applicant within the next five years that are in any way related to the proposed activity or that may impact the same receiving water body(ies) as the proposed activity. For purposes of this item, the water body extends to a named source or stream segment identified in the relevant basin plan. (Cal. Code of Regs, tit. 23, § 3856, subd. (h)(8).)

Impact Avoidance and Minimization Measures

A description of any steps that have been taken (or will be taken) to avoid and minimize loss of or significant adverse impacts to beneficial uses of water of the state is required for a complete application. (Cal. Code of Regs., tit. 23, § 3856, subd. (h)(6).) List the appropriate measures (Best Practicable Treatment or Control Measures {BPTC Measures}) from Attachment A of the State Cannabis General Order (Order No. WQ 2023-0102-DWQ) and describe how that BPTC Measure will be specifically met during the implementation of the proposed project. Please note that the impact avoidance and minimization measures must be covered by the terms of Attachment A; projects that rely on avoidance or minimization measures outside the Cannabis Policy and Cannabis General Order are not covered by the Cannabis General Water Quality Certification.

Has an Alternatives Analysis been Prepared? <i>If yes, please submit the appropriate documentation.</i>	YES	NO
Impact Avoidance <i>Describe proposed actions or methods to avoid and minimize direct impacts and potential indirect impacts to waters of the state, which might affect water quality. Include BPTCs or additional best management practices proposed to prevent discharges of pollutants, such as petroleum hydrocarbons, oil and grease, fertilizers, pesticides, cement, etc., from entering waters of the United States. Attach additional information if necessary.</i>		
Erosion Control Methods <i>Describe the actions or methods proposed for erosion control, including winterization strategies to stabilize all bare soils, including any disturbed areas associated with the project and re-vegetation proposals.</i>		
Waste Disposal <i>Describe the types of waste anticipated to be produced during this project work and disposal methods, waste disposal facility, amount of waste material anticipated, and stabilization methods if earthen waste material is to be left on site.</i>		
Disturbance, Erosion Control Methods, and Waste Disposal Map <i>Attach a map indicating the approximate locations and area of soil, land, and vegetation disturbance; proposed erosion and sediment control best management practices to avoid and minimize impacts from the disturbance, and location of earthen waste remaining on site after completion of the project. If this information is included in another document provided with this application, please note the document and page number below.</i>		

Impervious Surface Stormwater Control Plan Depending on the quantity of new or replaced impervious surface area resulting from the project, a post-construction stormwater control plan with drainage maps, detailed designs for Low Impact Development or other post-construction stormwater treatment and control measures, design calculations, and/or an operations and maintenance plan may be required to mitigate potential post-construction stormwater impacts. Contact Regional or State Water Board staff for specific criteria.

Water Diversions and Dewatering Plan

Does the Proposed Project Include any Dewatering, Work in Standing or Flowing Water, and/or Construction for Diversions of Water? If yes, describe the water diversions and dewatering plan or indicate where information is located within an attachment. If no, skip to Section Four

YES NO

If Plan Includes any Discharges of Water to Surface Waters include receiving water body name, estimated volume, flow rates and management measures proposed.

If Plan Includes Discharges to Detention Ponds or Upland Treatment Facilities, such as temporary settling basins, filters bags, storage and/or treatment containers, etc., include location and indicate if detention pond or treatment facility is on-site or off-site.

For Stream Channel Diversions include location, including upstream diversion points and downstream discharge point, and a diversion plan that provides measures to prevent erosion and turbidity, maintain fish passage, etc.

Other Best Practicable Treatment or Control (BPTC) Measures to Protect Water Quality During Construction Briefly describe other actions/BPTCs to be implemented during construction to avoid and minimize impacts including, but not limited to, preservation of habitats, erosion control measures, project scheduling, flow diversions, etc.

SECTION FOUR – ADDITIONAL DOCUMENTATION REQUIRED

Provide copies of any final and signed federal, state, and local licenses, permits, and agreements (or copies of the draft documents or submitted application, if not finalized) associated with construction, operation, maintenance, or other actions relevant to the project. If a draft or final document is not available, a list of all remaining agency regulatory approvals being sought should be included (Cal. Code of Regs., tit. 23, § 3856, subd. (e)).

Federal Permit(s) or Completed Federal Applications

U.S. Army Corps of Engineers			
Not Applicable: <i>include associated correspondence from the Army Corps</i> District: Los Angeles Sacramento San Francisco Individual Permit: Letter of Permission: Nationwide Permit Number: Non-Reporting or Reporting Corps File No.: Regional General Permit / Number: Other:			
Contact Name		Contact Phone Number	
Contact Email			

U.S. Fish and Wildlife Service			
Not Applicable Biological Assessment Biological Opinion Incidental Take Permit			
Contact Name		Contact Phone Number	
Contact Email			

National Marine Fisheries Service			
Not Applicable Biological Assessment Biological Opinion Incidental Take Permit			
Contact Name		Contact Phone Number	
Contact Email			

State and Local Permit(s) or Completed State and Local Application(s)

List permits for activities related to water quality or other resources, whether applied for or approved (e.g., Lake or Streambed Alteration Agreement, California Endangered Species Act Incidental Take Permit, Construction Stormwater General Permit Enrollment, county grading permit, Coastal Development Permit, other state or local agencies, etc.). A copy of each permit or application should be included with this NOI.

STATE OR LOCAL PERMIT NUMBER (County grading permit, etc.)	FILE DATE	TRACKING NO
<input type="checkbox"/> CDFW Lake and Streambed Alteration Agreement (Fish and Game Code Section 1600-1608)		
<input type="checkbox"/> CDFW Incidental Take Permit (Fish and Game Code Section 2081)		
<input type="checkbox"/> CDFW Consistency Determination (Fish and Game Code Section 2080)		
<input type="checkbox"/> State Water Board Construction Stormwater General Permit Enrollment		
<input type="checkbox"/> Water Right Application ID		
<input type="checkbox"/> Other:		

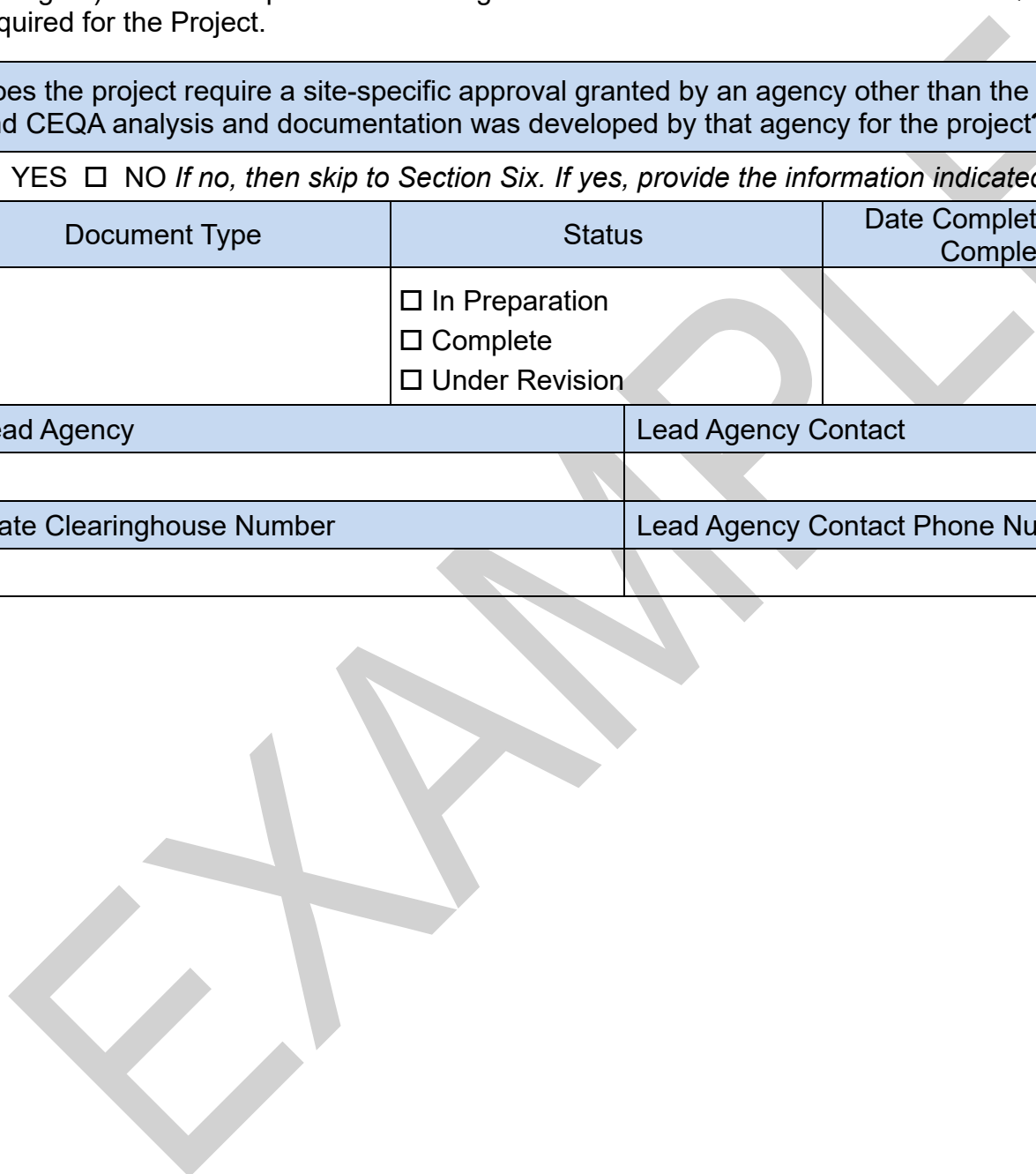
Provide additional contacts for other permits, as needed.

Contact Name		Contact Phone Number	
Contact Email		Organization	
Contact Name		Contact Phone Number	
Contact Email		Organization	

SECTION FIVE – CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Projects undertaken in furtherance of the Cannabis Policy, including issuance of the Notice of Applicability pursuant to the General Water Quality Certification for Activities Complying with the Cannabis Cultivation Policy are exempt from CEQA pursuant to Water Code section 13149 and California Code of Regulations, title 14, section 15308 (see Cannabis General Order page 17, finding 47). Please complete the following section to determine whether further CEQA compliance is required for the Project.

Does the project require a site-specific approval granted by an agency other than the Water Board and CEQA analysis and documentation was developed by that agency for the project?		
<input type="checkbox"/> YES <input type="checkbox"/> NO <i>If no, then skip to Section Six. If yes, provide the information indicated below.</i>		
Document Type	Status	Date Completed or Expected Completion Date
	<input type="checkbox"/> In Preparation <input type="checkbox"/> Complete <input type="checkbox"/> Under Revision	
Lead Agency		Lead Agency Contact
State Clearinghouse Number		Lead Agency Contact Phone Number



SECTION SIX – SPECIAL STATUS SPECIES AND AQUATIC RESOURCES

Special Status Species

If known, provide information about the presence of rare, threatened, or endangered species within the area where project activities will occur. Attach all biological assessments, surveys, formal consultation determination letters, and avoidance or minimization proposals, as applicable, and reference appropriate pages or sections.

Potential for Impacts to any Species Identified as Rare, Threatened, or Endangered under State or Federal Law.				
Species Habitat and/or Name	Biological Assessment	Survey Conducted?	Dates Survey Conducted	Attached Reference Document (Name and Page Number)
	YES NO	YES NO		
	YES NO	YES NO		
	YES NO	YES NO		

Aquatic Resources

Note this section must be filled out if this project may impact wetlands.

Attach any aquatic resource delineation reports (e.g., a wetland delineation report) and maps for all aquatic resources that may qualify as waters of the state, including those outside of federal jurisdiction. Water Board staff will verify the presence or absence of waters of the state outside of federal jurisdiction during the application review process. (Cal. Code of Regs., tit. 23, § 3856, subd. (h)(7).)

A map verified as a United States Army Corps of Engineers preliminary jurisdictional determination may satisfy this requirement if it includes all potential waters of the state. The permitting authority may require that the map(s) be submitted in electronic format (e.g., shapefiles or KML/KMZ) (see Cal. Code of Regs., tit. 23, § 3856, subd. (h)(8)).

Was a Wetland Delineation Report Prepared?	YES NO <i>If yes, attach and label the report.</i>
Report Title	Delineation Dates
Name of Person who Prepared the Report	Date of U.S. Corps of Engineers Verification
Title of Person who Prepared the Report	Organization/Company of Person who Prepared the Report

SECTION SEVEN – SUBMISSION AND CERTIFICATION

Signature/Certification

State Water Resources Control Board: Notice of Intent to Comply with the Terms of General Water Quality Certification for Cannabis Cultivation Projects	
<p>I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment. Additionally, I certify that all provisions of the permit will be complied with, including development and implementation of a monitoring plan.</p>	
<p style="text-align: center;"><i>Electronic Signature</i></p> <p>_____</p> <p>Applicant Signature</p>	<p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>
<p>_____</p> <p>Title of the individual signing (e.g., Owner, Consultant, Cultivator)</p>	

Application Requirements and Fees

Permit:	Submit Application to following agencies:	Time Restrictions:
General 401 Certification for Cannabis Cultivation Projects:	Cannabis Regulatory Unit, Division of Water Quality via the online Cannabis Cultivation Program Application Portal available at: https://public2.waterboards.ca.gov/mt/Home/Index	Must be submitted at least 60 days prior to proposed discharge. Approval from the Regional Board is required prior to beginning the proposed work.
Fees:	The NOI will not be processed if the correct fees are not received within 30 days. Additionally, any fees associated with the Cannabis General Order for the subject property must also be up-to-date for the NOI to be approved. Please refer to the Notice of Receipt for details on submitting fees.	