

LATE COMMENT



**CARP
GROWERS**

November 27, 2018

State Water Resources Control Board
Attn: Jeanine Townsend
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Sacramento CA 95814



Transmitted via email to commentletters@waterboards.ca.gov

COMMENT LETTER – UPDATES TO CANNABIS CULTIVATION GENERAL ORDER

Thank you for the opportunity to comment on the Cannabis General Order (CGO). The Carpinteria Association for Responsible Producers (“CARP”) is comprised of local cannabis farmers and industry leaders who are utilizing best practices and investing in the local community through philanthropic initiatives and partnerships. Collectively we represent over 150 State licenses and employ over 600 local residents at our farms. All of our members are State licensed cultivators who operate at the highest standards including best available odor control technology, sustainable growing techniques such as water reuse and recapture, track and trace technology and competitive wage and benefit packages for employees. We are committed to setting a new standard for the cannabis industry.

The majority of our members cultivate in pre-existing greenhouses, which were previously used to grow other agricultural crops. We are multi-generational farmers, who have changed crops to cannabis.

We are strongly opposed to the following provisions of the CGO, which impact many of our members who are seeking local and State licenses and permits:

1. Determination as “high risk, Tier 2” operations due to location within creek setbacks and classification as “outdoor”;
2. Categorization as an “outdoor” operation, which requires us to enroll under Waste Discharge Requirements, not the Waiver of Waste Discharge Requirements;
3. \$8,000 annual fee, which is cost prohibitive especially for our members who are already burdened by new costs of compliance; and
4. Prohibition of discharging water on conventional crops.

Our cultivation of cannabis in pre-existing greenhouse infrastructure is extraordinarily environmentally friendly and efficient. Growing cannabis is less impactful than our previous flower operations. We recapture and reuse all of our water. We do not add any fertilizers, pesticides, salts or nitrates to our plants, that could leach into the groundwater. We utilize a closed loop system and do not discharge any hydroponic water. Our operation does not discharge any wastewater that negatively impacts groundwater or creeks.

Classifying our members’ operations as “outdoor” is problematic because it is inaccurate and inconsistent with the State cannabis regulations (MAUCRSA). The State considers us “mixed light,” since our operation is unique, as it takes place in greenhouses - not “indoor” or



“outdoor.” It is not feasible for us to install impermeable floors and qualify for an indoor exemption.

We encourage your Board to amend the CGO which prohibits operators from discharging water on conventional crops. We believe this is an efficient and responsible discharge method, which reduces the amount of new water and nutrients that would need to be applied to conventional crops. (Currently the CGO requires that wastewater be hauled, sent to a treatment facility or treated onsite.) If this is not amended, we will have to develop an individual WDR for the entire operation, which is overly onerous and unreasonable.

Many of our members have infrastructure within the 150 foot setback requirements for Arroyo Paredon Creek, which requires them to enroll the site as Tier 2 High Risk. While we understand the importance of the setback, due to the scale and number of operators this impacts, we are hopeful for an opportunity to work with your Board on a better solution to address operators within the setback, who cannot move their infrastructure. Requiring a large number of cultivators to enroll as Tier 2 High Risk is unreasonable and unsustainable.

Our membership recognizes the importance of responsible cultivation operations, and compliance with all Water Board policies. However, we are burdened by the numerous new standards for compliance for the cannabis industry, including costs. If the new legal industry is to be successful and sustainable, we are hopeful for ongoing cooperation and partnership with the Water board to facilitate resolution of regulatory challenges, that are unique to our area in Santa Barbara County.

Thank you for your consideration,

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