



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

April 24, 2019

Department of Transportation
Environmental Health - Ukiah
Building Inspection - Ukiah
Forestry Advisor

Air Quality Management
Sonoma State University
CalFire – Prevention
CalFire – Resource Management

Department of Fish and Wildlife
Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: AP_2019-0014

DATE FILED: 2/19/2019

OWNER: PEACHLAND TRUST EARTHVIEW PROP.

APPLICANT: GREGORY BIXLER

REQUEST: Administrative Permit for a large mixed light cannabis cultivation site (Type 2B (10,000 sq. ft.); AG_2018-0354) of no more than 10,000 sq. ft. of canopy.

LOCATION: 4.5± miles north of Boonville town center, lying on the east side of Peachland Road (CR 128), 3.2± miles north of its intersection with State Highway 128 (SH 128), located at 7485 Peachland Rd., Boonville (APN: 046-550-86).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: MARK CLISER

RESPONSE DUE DATE: May 8, 2019

PROJECT INFORMATION CAN BE FOUND AT:

<https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals>

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

- ☐ No comment at this time.
- ☐ Recommend conditional approval (attached).
- ☐ Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
- ☐ Recommend denial (Attach reasons for recommending denial).
- ☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
- ☐ Other comments (attach as necessary).

REVIEWED BY:

Signature _____ Department _____ Date _____

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APN/S: 046-550-86-00

PARCEL SIZE: 40

GENERAL PLAN: FL160:

ZONING: TP:160

EXISTING USES: Cannabis

DISTRICT: 5

RELATED CASES: BU_2017-0215 (GRADING FOR GREENHOUSE BLDG PADS); BU_2016-0896 (AMNESTY GREENHOUSE); BV_2016-0027 (EXISTING GREENHOUSE); AG_2018-0354 (AGRICULTURE); BI_2016-0090 (NON-PERMITTED GREEN HOUSE AND GRADING)

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	RL160	RL160	70±	Institutional
EAST:	FL160	TP160	80±	Institutional
SOUTH:	FL160	TP160	80±	Institutional
WEST:	FL160	TP160	183±; 37±	Institutional

REFERRAL AGENCIES

LOCAL <input checked="" type="checkbox"/> Air Quality Management District <input checked="" type="checkbox"/> Building Division Ukiah <input checked="" type="checkbox"/> Department of Transportation (DOT) <input checked="" type="checkbox"/> Environmental Health (EH) <input checked="" type="checkbox"/> Forestry Advisor	<input checked="" type="checkbox"/> Sonoma State University STATE <input checked="" type="checkbox"/> CALFIRE (Land Use) <input checked="" type="checkbox"/> CALFIRE (Resource Management) <input checked="" type="checkbox"/> California Dept. of Fish & Wildlife	TRIBAL <input checked="" type="checkbox"/> Cloverdale Rancheria <input checked="" type="checkbox"/> Redwood Valley Rancheria <input checked="" type="checkbox"/> Sherwood Valley Band of Pomo Indians
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ADDITIONAL INFORMATION:

STAFF PLANNER: MARK CLISER

DATE: 4/24/2019

ENVIRONMENTAL DATA

1. MAC:

GIS

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

4. FARMLAND CLASSIFICATION:

GIS

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

NO

10. TIMBER PRODUCTION ZONE:

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

NO

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

NO

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

21. STATE CLEARINGHOUSE REQUIRED:

Policy

22. OAK WOODLAND AREA:

USDA

23. HARBOR DISTRICT:

Sec. 20.512

FOR PROJECTS WITHIN THE COASTAL ZONE ONLY

24. LCP LAND USE CLASSIFICATION:

LCP Land Use maps/GIS

25. LCP LAND CAPABILITIES & NATURAL HAZARDS:

LCP Land Capabilities maps/GIS; 20.500

26. LCP HABITATS & RESOURCES:

LCP Habitat maps/GIS; 20.496

27. COASTAL COMMISSION APPEALABLE AREA:

Post LCP Certification Permit and Appeal Jurisdiction maps/GIS; 20.544

28. CDP EXCLUSION ZONE:

CDP Exclusion Zone maps/GIS

NO

29. HIGHLY SCENIC AREA:

Highly Scenic & Tree Removal Area Maps/GIS; Secs. 20.504.015, 20.504.020

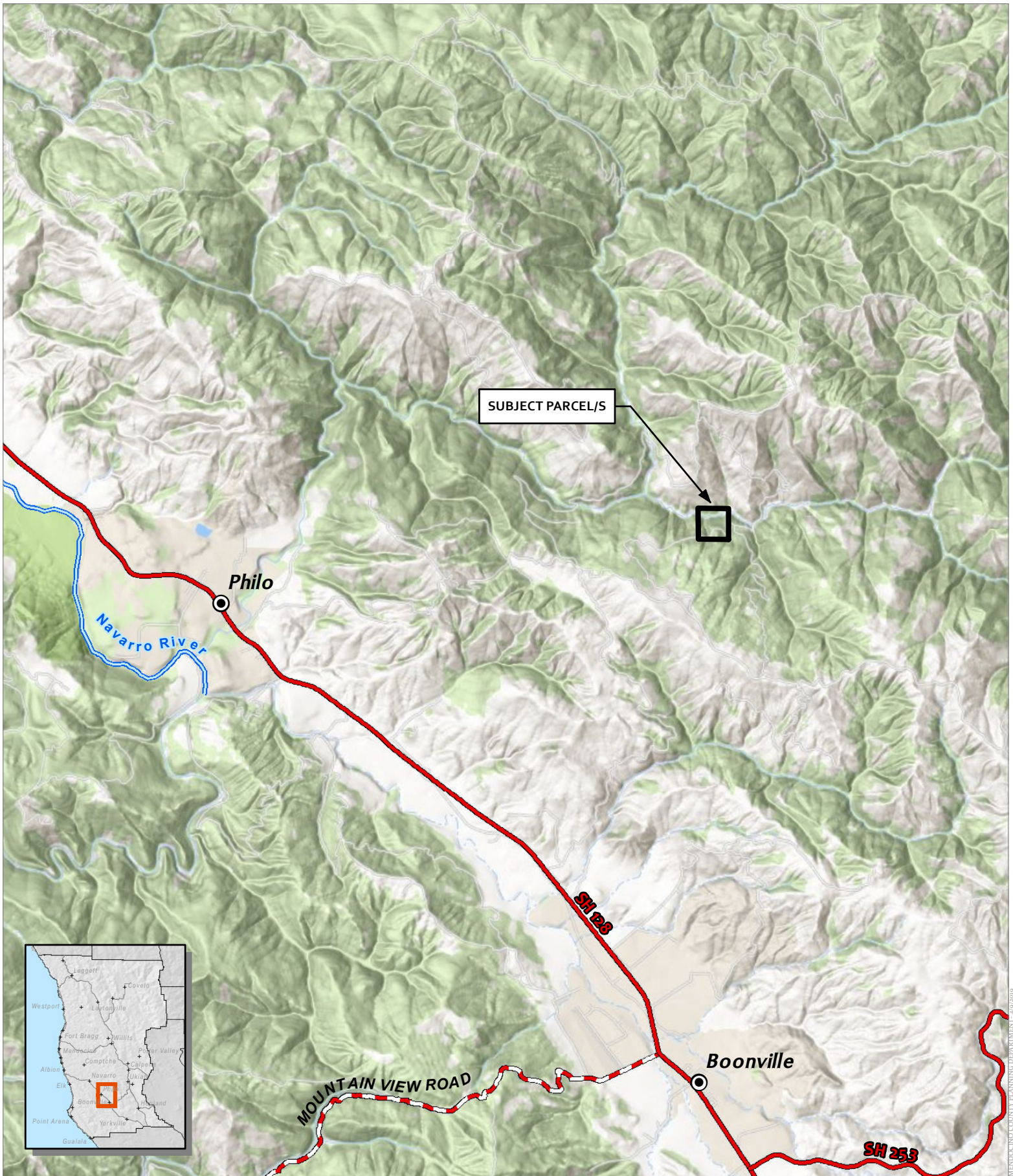
NO

30. BIOLOGICAL RESOURCES & NATURAL AREAS:

Biological Resources & Natural Area Map; GIS; General Plan 4-9

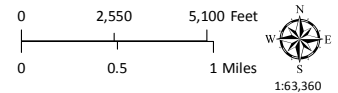
31. BLUFFTOP GEOLOGY:

GIS; 20.500.020



CASE: AP 2019-0014
OWNER: Peachland Trust
APN: 046-550-86
APLCT: Gregory Bixler
AGENT:
ADDRESS: 7485 Peachland Road, Boonville

- Major Towns & Places
- Major Roads
- Major Rivers
- Highways

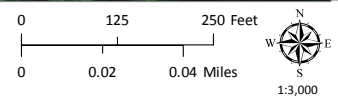


LOCATION MAP

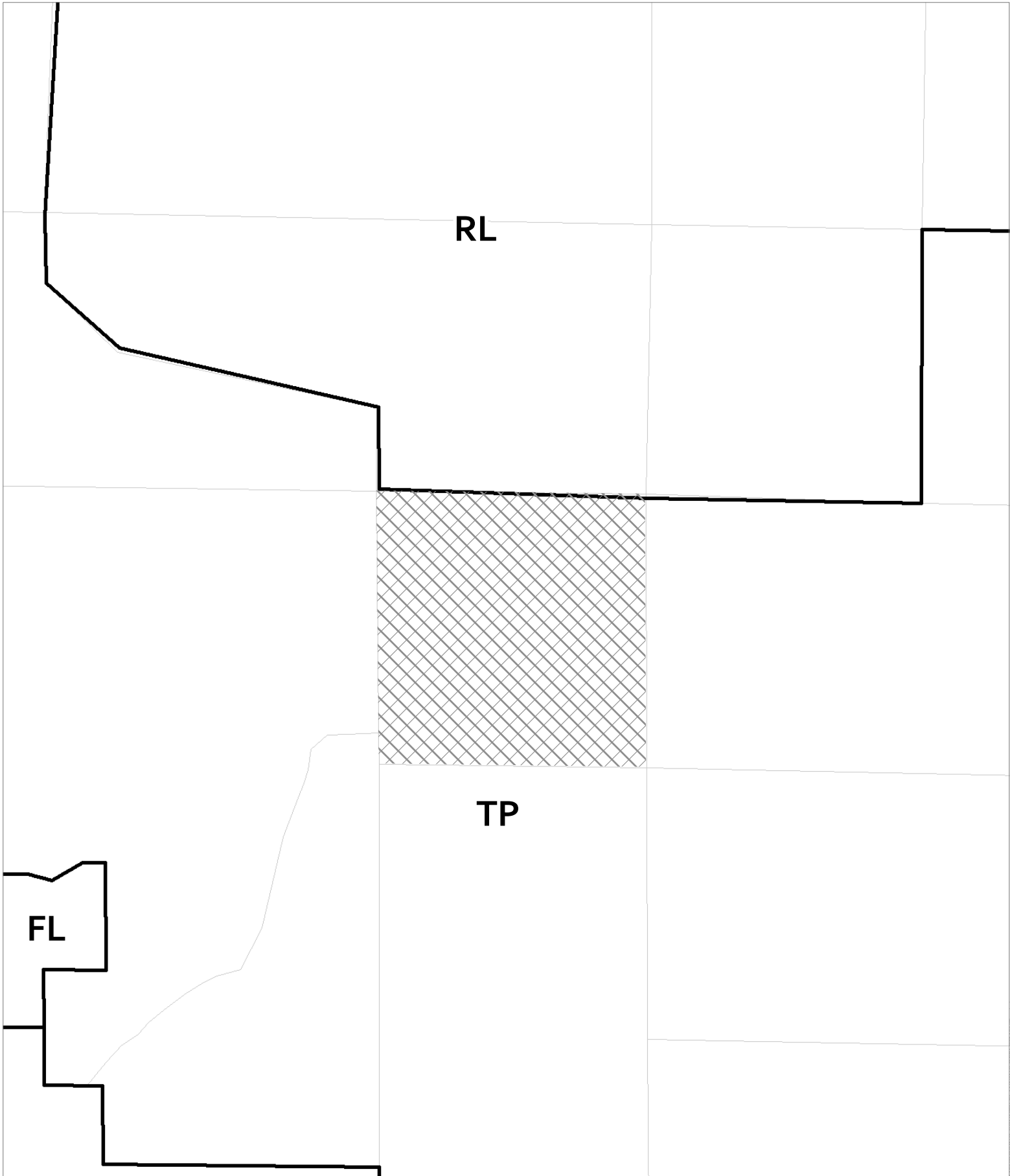


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 Named Rivers



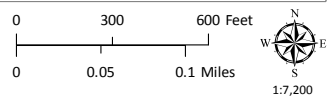
AERIAL IMAGERY



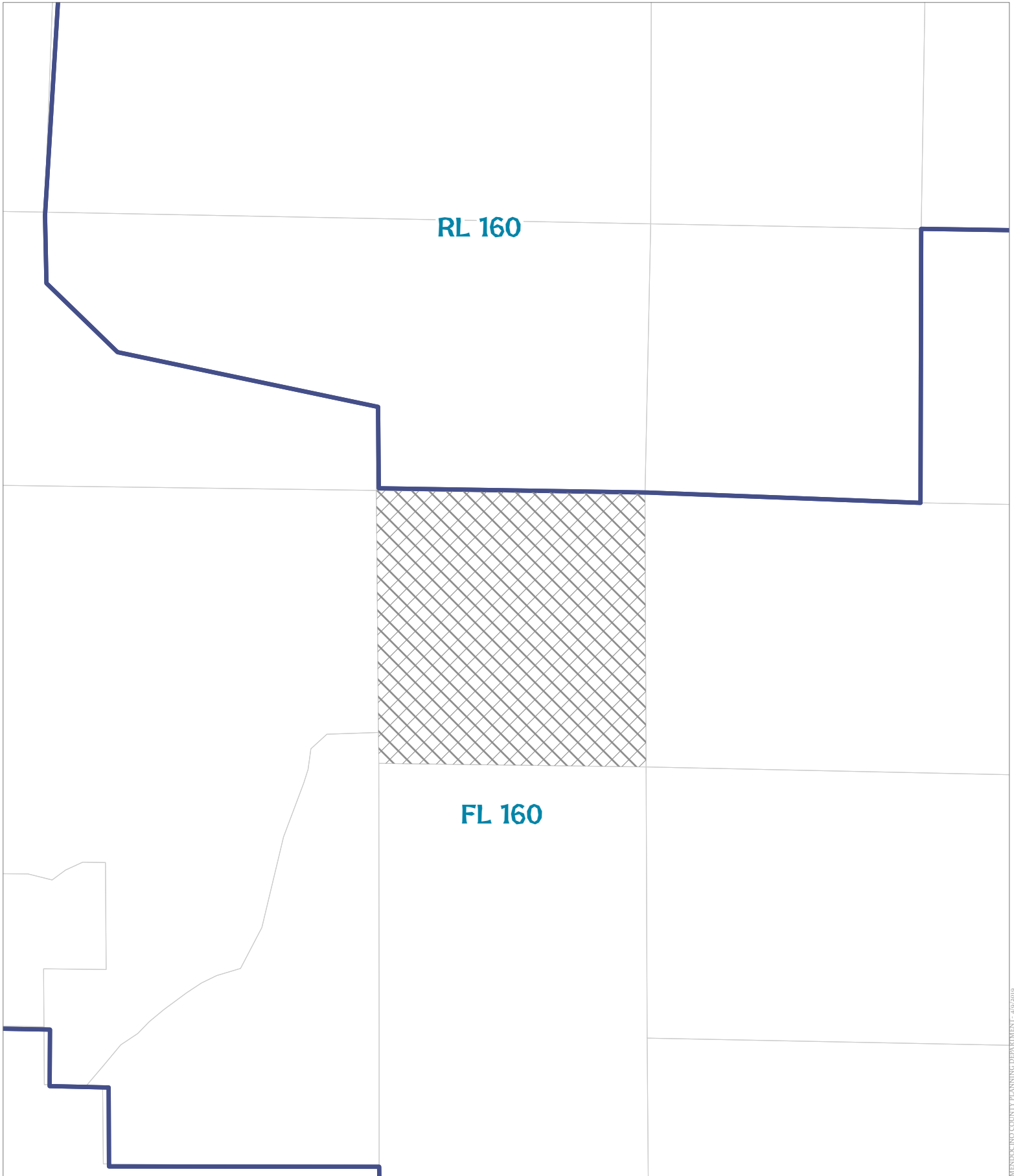
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/9/2019

CASE: AP 2019-0014
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ADDRESS: 7485 Peachland Road, Boonville

 Zoning Districts




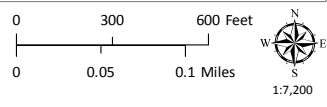
ZONING DISPLAY MAP



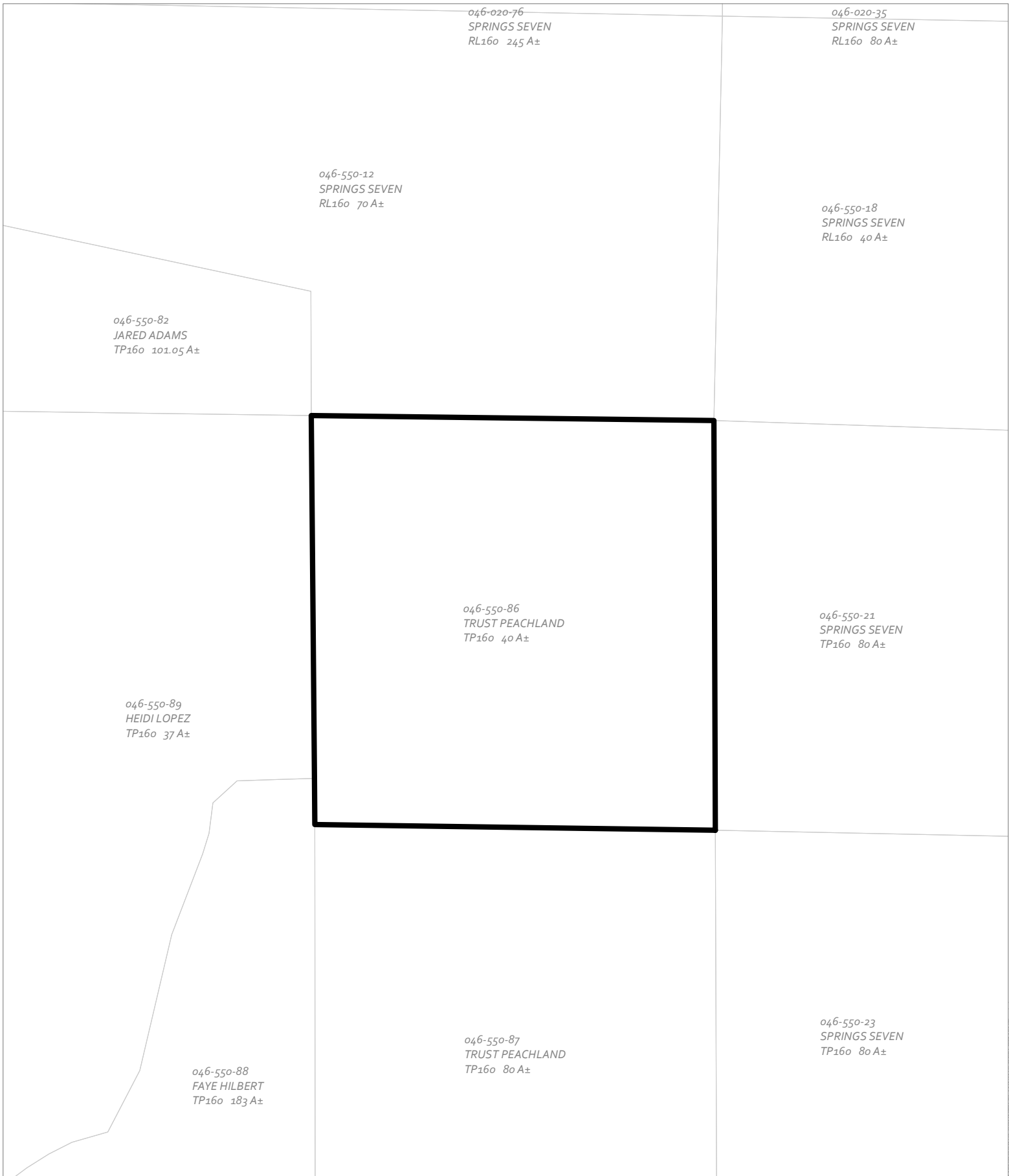
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/9/2019

CASE: AP 2019-0014
OWNER: Peachland Trust
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AGENT:
ADDRESS: 7485 Peachland Road, Boonville

 General Plan Classes



GENERAL PLAN CLASSIFICATIONS



046-020-76
SPRINGS SEVEN
RL160 245 A±

046-020-35
SPRINGS SEVEN
RL160 80 A±

046-550-12
SPRINGS SEVEN
RL160 70 A±

046-550-18
SPRINGS SEVEN
RL160 40 A±

046-550-82
JARED ADAMS
TP160 101.05 A±

046-550-86
TRUST PEACHLAND
TP160 40 A±

046-550-21
SPRINGS SEVEN
TP160 80 A±

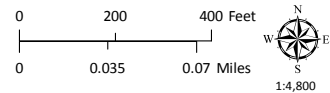
046-550-89
HEIDI LOPEZ
TP160 37 A±

046-550-88
FAYE HILBERT
TP160 183 A±

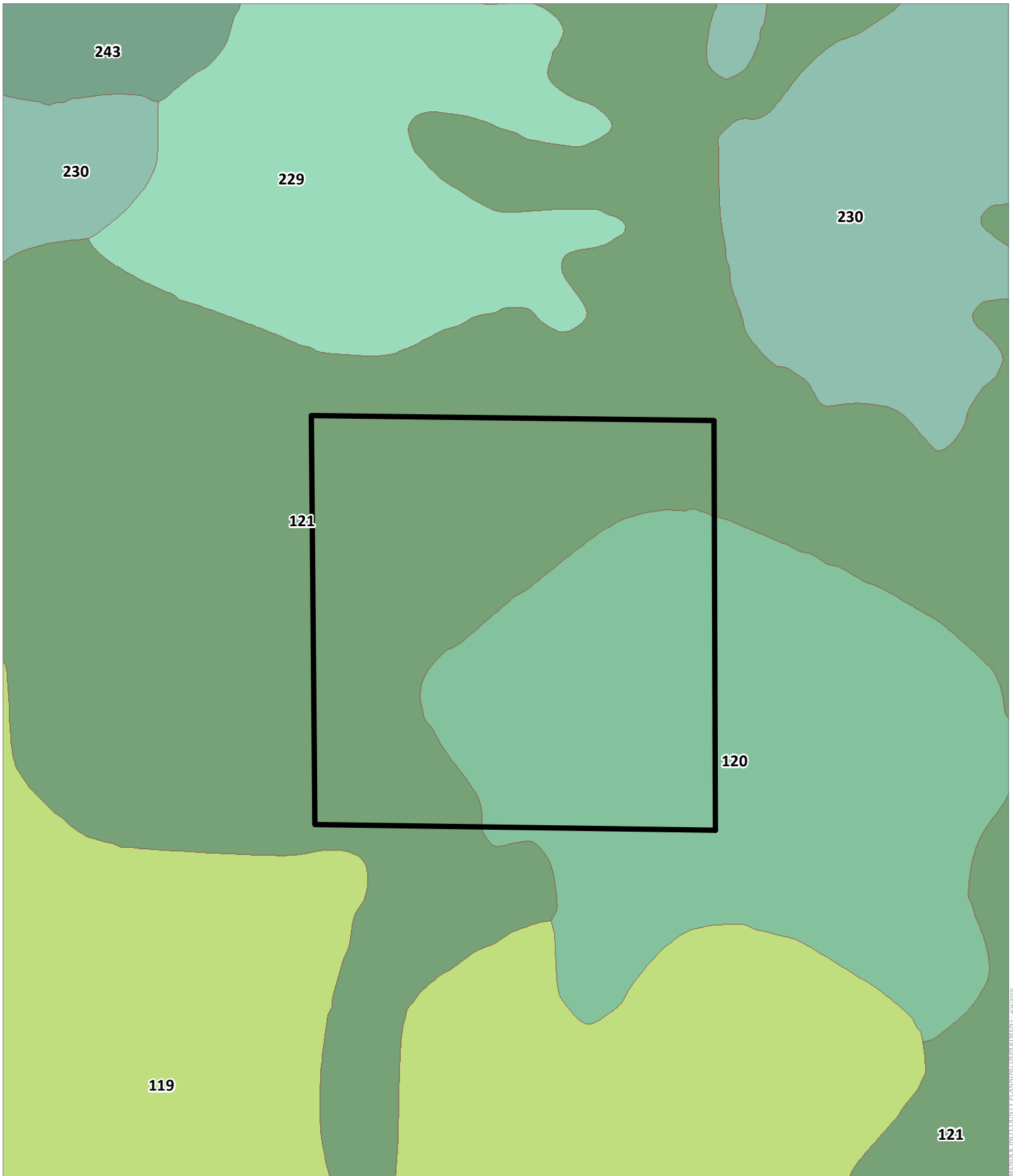
046-550-87
TRUST PEACHLAND
TP160 80 A±

046-550-23
SPRINGS SEVEN
TP160 80 A±

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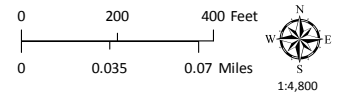


ADJACENT PARCELS

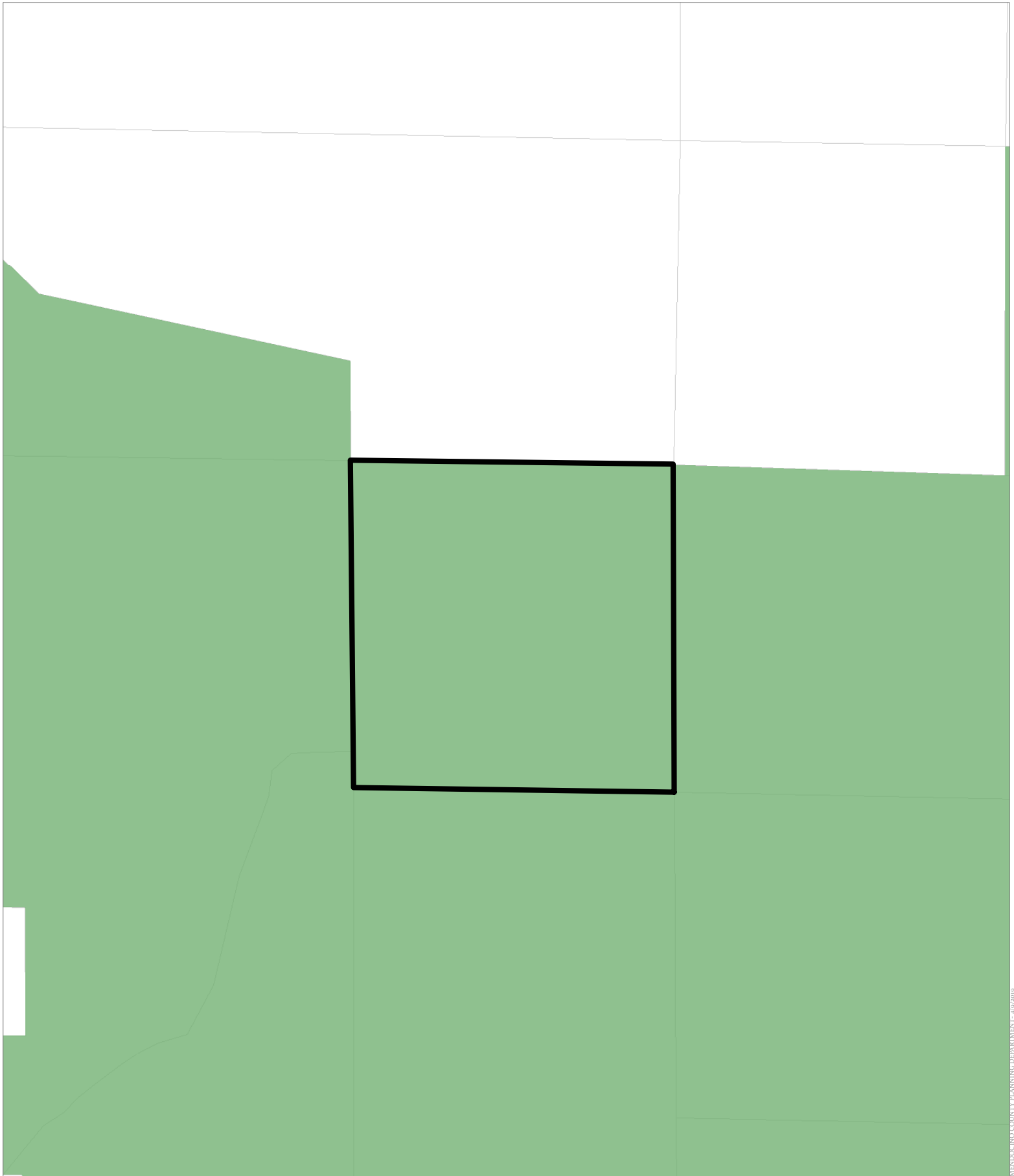


CASE: AP 2019-0014
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ADDRESS: 7485 Peachland Road, Boonville

 Western Study Soil Types



LOCAL SOILS



MENDOCINO COUNTY PLANNING DEPARTMENT - 4/9/2019

CASE: AP 2019-0014
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APN: 046-550-86
APLCT: Gregory Bixler
AGENT:
ADDRESS: 7485 Peachland Road, Boonville

TPZ 2018

0 250 500 Feet
0 0.0425 0.085 Miles
N
W E
S
1:6,000
TIMBER PRODUCTION ZONES



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

North Coast Regional Water Quality Control Board

February 15, 2019

WDID:1_23CC407854

DEVIN CALLOWAY
ATTN: GREGORY BIXLER
705 NORTH STATE STREET
UKIAH, CA 95482

Subject: Notice of Applicability - Waste Discharge Requirements, Water
Quality Order WQ-2017-0023-DWQ

The attached Notice of Applicability provides notice that the requirements of the State Water Board *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order No. WQ-2017-0023-DWQ (General Order) are applicable to the site as described below. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board Policy and General Order.

Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Water Quality Control Board Cannabis Program at (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov.

Sincerely,


On Behalf Of

Water Boards

2019.02.15 12:48:34 PST

Matthias St. John
Executive Officer
North Coast Regional Water Quality Control Board

190215_1L_1_23CC407854_Peachland Upper and Lower_NOA_TW

DAVID M. NOREN, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

5550 Skyline Blvd., Suite A, Santa Rosa, CA 95403 | www.waterboards.ca.gov/northcoast

NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ-2017-0023-DWQ, DEVIN CALLOWAY, MENDOCINO COUNTY APN(s) 046-550-87-00 046-550-86-00

Devin Calloway (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on December 18, 2018, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board *Cannabis Cultivation Policy-Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order No. WQ-2017-0023-DWQ (General Order). This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1_23CC407854**.

The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA). This includes making any necessary changes to the enrollment, and the Discharger is the sole person with legal authority to make those changes. The Discharger will be held liable for any noncompliance with the Policy, General Order, and the NOA.

1. FACILITY AND DISCHARGE DESCRIPTION

The information submitted by the Discharger states the disturbed area is equal to or greater than 2,000 square feet and less than 1 acre (43,560 square feet) no portion of the disturbed area is within the setback requirements, no portion of the disturbed area is located on a slope greater than 30 percent, and the cannabis cultivation area is less than or equal to 1 acre.

Based on the information submitted by the Discharger, the cannabis cultivation activities are classified as Tier 1 Low Risk.

2. SITE-SPECIFIC REQUIREMENTS

The Policy and General Order are available on the Internet at <http://www.waterboards.ca.gov/cannabis>. The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, this NOA, and the Monitoring and Reporting Program (MRP, Attachment B of the General Order). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.

The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by

the onset of the winter period (November 15 - April 1), following the enrollment date. Landowners of the cultivation site in the North Coast Region are required to submit and implement Site Management Plans that describes how BPTC measures are implemented property-wide, including BPTC measures implemented to address discharges from legacy activities (e.g. former timber harvest, road building, mining, etc.) at the site per Provision C.1.a. of the General Order. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Regional Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in Attachment A of the General Order.

During reasonable hours, the Discharger shall allow the State Water Board or Regional Water Quality Control Board (collectively Water Boards), California Department of Fish and Wildlife, CAL FIRE, and any other authorized representatives of the Water Boards upon presentation of a badge, employee identification card, or similar credentials, to:

- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- i. access and copy, any records required to be kept under the terms and conditions of the Policy and General Order;
- ii. inspect, photograph, and record audio and video, any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and
- iii. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of assuring compliance with the Policy and General Order.

3. TECHNICAL REPORT REQUIREMENTS

The following technical report(s) shall be submitted by the Discharger as described below:

A Site Management Plan, by March 17, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the General Order. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

4. MONITORING AND REPORTING PROGRAM

The Discharger shall comply with the Monitoring and Reporting Program (MRP). Attachment B of the General Order provides guidance on the contents for the annual reporting requirement. Annual reports shall be submitted to the Regional Water Board by March 1 following the year being monitored. The Discharger shall not implement any

changes to this MRP unless and until a revised MRP is issued by the Regional Water Board Executive Officer or the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

5. ANNUAL FEE

According to the information submitted, the discharge is classified as Tier 1 Low Risk with the current annual fee assessed at \$600. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Notice of Termination, including a Site Closure Report at least 90 days prior to termination of activities and include a final MRP report.

6. TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION

Cannabis cultivators that propose to terminate coverage under the Conditional Waiver or General Order must submit a Notice of Termination (NOT). The NOT must include a *Site Closure Report* (see Technical Report Requirements above), and Dischargers enrolled under the General Order must also submit a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving a NOT. Attachment C of the General Order includes the NOT form and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

If the Discharger cannot comply with the General Order, or will be unable to implement an applicable BPTC measure contained in Attachment A by the onset of the winter period each year, the Discharger shall notify the North Coast Regional Cannabis Unit staff at (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov so that a site-specific compliance schedule can be developed.

Cc: Kevin Porzio, State Water Resources Control Board, dwq.cannabis@waterboards.ca.gov
Cheri Sanville, California Department of Fish and Wildlife, cheri.sanville@wildlife.ca.gov
Daniel Boe, Mendocino County Department of Agriculture, agcomm@co.mendocino.ca.us
Peachland Trust Earthview Properties 705 North State Street #508 Ukiah, CA 95482



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Gregory Bixler
705 North North State Street Number 508
Ukiah, CA 95482

Dear Gregory Bixler:

CANNABIS SMALL IRRIGATION USE CERTIFICATE *H100312* (REGISTRATION *H501829*) TO APPROPRIATE WATER FROM UNNAMED SPRING IN MENDOCINO COUNTY

This is an important document related to your right to divert water. Do not discard.

You have received this letter because you are the owner or the agent for the owner of a water right registration on file with the State Water Resources Control Board (State Water Board). The purpose of this letter is to inform you that the State Water Board has issued the enclosed water right certificate for your registration. You should carefully read the water right certificate and associated documents to ensure that you understand and comply with any requirements for construction, diversion of water, and beneficial use of water.

In accordance with the State Water Boards's Cannabis Policy, your **maximum eligible diversion season is November 1 to March 31**, and your **maximum diversion rate is 10 gallons per minute (gpm)**. See Cannabis Policy for details.

If you have any questions, please contact me at dyana.mcpherson@waterboards.ca.gov or (916) 341-5632. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Dyana McPherson P.O. Box 2000, Sacramento, CA, 95812-2000.

Sincerely,

Dyana McPherson
Associate Governmental Program Analyst
Cannabis Registration Unit
Division of Water Rights

Enclosures: 1) Important Information about Registrations
 2) Copy of Certificate
 3) Map

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov





Primary Point of Diversion	Additional Diversion Point	0 770 1,540 Feet 1:12,000 Date: 6/25/2018 Map generated by Cannabis GO Survey tool.
Pump	Indoor grow area	
Storage (tank, bladder, pond, etc.)	Greenhouse	
Well	Outdoor grow area	

OWNER: Gregory Bixler PRIMARY POINT OF DIVERSION: Spring SOURCE: Unnamed Spring TRIBUTARY TO: Indian Creek thence Navarro River LATITUDE: 39.074278 LONGITUDE: -123.363475 APN: 04655086 COUNTY OF: Mendocino		STATE OF CALIFORNIA CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS REGISTRATION NUMBER H501829 CERTIFICATE NUMBER H100312 SMALL IRRIGATION USE REGISTRATION DATE CREATED: 2018-11-05	
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Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.



STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H501829

CERTIFICATE H100312

Right Holder: *Gregory Bider*
705 North North State Street Number 508
Ukiah, CA 95482

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 10/19/2018. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Location of point(s) of diversion (**Coordinates in WGS 84**)

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
Spring	Unnamed Spring	Indian Creek	Navarro River	39.074278	-123.363475	Mendocino	04655086

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation	Mendocino	04655086	0.09
Irrigation	Mendocino	04655087	0.19

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 11/05/2018.

The place of use is shown on the map filed on 11/05/2018 with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.03 **acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 0.04 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.**

5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable conditions, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's

Cannabis Policy, except as follows:

Right holders enrolled under Regional Water Quality Control Board Order R1-2015-0023 or Order R5-2015-0113 shall comply at all times with requirements related to flow, diversion, storage, and similar requirements of Attachment A of the Cannabis Policy identified by the Division of Water Rights below in this condition. This condition remains in effect until July 1, 2019, or when the right holder enrolls under the statewide Cannabis General Order, whichever comes first, at which time right holders shall comply with all applicable conditions and requirements of Attachment A of the Cannabis Policy.

- Section 1 – Term Numbers 4, 15, 17, 24, 26, and 36.
- Section 2 – Term Numbers 23, 63, 64, 66, 69 – 78, 82 – 94, 96, and 98 – 103.
- Section 3 – All Instream Flow Requirements for Surface Water Diversions (Requirements 1 – 7) and the Gage Installation, Maintenance, and Operation Requirements.
- Section 4 – All requirements and conditions.

The current version of the State Water Board's *Cannabis Policy* is available online at:
https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy.pdf.

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, quantity, and season of diversion. This information is reproduced as conditions 1 through 4 of this certificate.
10. No water shall be diverted under this right unless right holder complies with all applicable state, city, county, and local laws, regulations, ordinances, permits, and license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.
11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
12. The State Water Board reserves jurisdiction over this registration to change the season of diversion and rate of diversion based on later findings of the State Water Board concerning availability of water and the protection of beneficial uses. Any action to change the authorized season of diversion and rate of diversion will be taken only after notice to interested parties and opportunity for hearing.
13. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
 - a. Entry upon property where water is being diverted, stored, or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right,
 - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by the State Water Board;
 - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
 - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by the State Water Board, or as otherwise authorized by the Water Code.
14. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, right holder may be required to otherwise compensate the holders of such rights for injury caused.
15. This right shall not be construed as conferring right of access to any lands or facilities not owned by right holder.

16. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.
17. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
18. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife and the State Water Board's Cannabis Policy.
19. This right does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
20. This right is subject to the submittal of an annual report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current annual renewal fees. (Wat. Code, § 1228.5.)
21. This right shall be totally or partially forfeited for nonuse if the diversion is abandoned or if all or any part of the diversion is not beneficially used for a continuous period of five years.
22. This right is subject to enforcement, including but not limited to revocation, by the State Water Board if 1) the State Water Board finds that the right holder knowingly made any false statement or knowingly concealed any material fact in the right; 2) the right is not renewed as required by the conditions of this certificate; or 3) the State Water Board finds that the right holder is in violation of the conditions of this right. (Wat. Code, § 1228.4 et seq.)
23. The State Water Board intends to develop and implement a basin-wide program for real-time electronic monitoring and reporting of diversions, withdrawals, releases, and streamflow in a standardized format if and when resources become available. Such real-time reporting will be required upon a showing by the State Water Board that the program and the infrastructure are in place to accept real-time electronic reports. Implementation of the reporting requirements shall not necessitate amendment to this right.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

This certificate was issued automatically as a result of the registrant self-certifying submittal of a water right registration filing in substantial compliance with Water Code §1228.3.

Dated: 11/05/2018 15:43:52