



Central Coast Regional Water Quality Control Board

July 10, 2020

Si necesita ayuda en español llame al
(805) 549-3881

CANNABIS REGULATORY PROGRAM
WDID 3_42CC427194

Via Electronic Mail Only

Operator(s):
Cuyama Farms, LLC
Moe Essa
2350 West Shaw Avenue 140
Fresno, CA 93711
Email: mesa@mtsaber.com

Landowner(s):
Suarez Franciso N Jr. Separate Property Trust
Frank Suarez
6039 Eastbrook Avenue
Lakewood, CA 90713
Email: fitsuarez@live.com

Dear Responsible Party:

NOTICE OF APPLICABILITY, WATER QUALITY ORDER WQ-2019-0001-DWQ, CUYAMA FARMS, LLC, SANTA BARBARA COUNTY

Site Name:	Orange Coast Farms
Site Address:	2225 Foothill Road, New Cuyama, CA 93254
APN(s):	149-160-033

Cuyama Farms, LLC (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on May 4, 2020, for discharges of waste associated with cannabis cultivation related activities. The Discharger self-certifies that the cannabis cultivation activities are consistent with the requirements of the State Water Board’s *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-2019-0001-DWQ

DR. JEAN-PIERRE WOLFF, CHAIR | MATTHEW T. KEELING, EXECUTIVE OFFICER

(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 discharger identification (WDID) number 3_42CC427194.

The Discharger and the landowner are responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA).

1. FACILITY AND DISCHARGE DESCRIPTION

The information submitted by the Discharger states the disturbed area is greater than or equal to 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 is greater than 1 acre.

Therefore, the cannabis cultivation activities are classified as Tier 2, 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 must 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. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period following their enrollment date must submit to the Central Coast Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Central Coast Water Board in developing a compliance schedule as described in Attachment A of the General Order.

3. TECHNICAL REPORT REQUIREMENTS

The following technical reports must be submitted by the Discharger as described below:

1. A *Site Management Plan*, by August 1, 2020, 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*.
2. A *Nitrogen Management Plan* must be submitted by August 1, 2020 consistent with the requirements of General Order Provision C.1.d., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents

of the *Nitrogen Management Plan*.

3. 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*.

The *Site Management Plan* and *Nitrogen Management Plan* must be completed by downloading and electronically completing the templates found here:

https://www.waterboards.ca.gov/centralcoast/water_issues/programs/cannabis_cultivation/index.html#technical.

Technical reports must be submitted electronically to the Central Coast Regional Water Board office at the following email address:

CentralCoast.Cannabis@waterboards.ca.gov and must include "Cannabis General Order" in the email subject line and your WDID Number and the Cannabis General Order Application Number.

4. MONITORING AND REPORTING PROGRAM

The Discharger must 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 must be submitted to the Central Coast Water Board by March 1 following the year being monitored. The Discharger must not implement any changes to this MRP unless and until a revised MRP is issued by the Central Coast Water Board's Executive Officer, 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 2, low risk with the current annual fee assessed at \$1000. The fee is due and payable on an annual basis until coverage under this General Order is formally terminated. You will receive an annual invoice. To terminate 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 Central Coast Water Board reserves the right to inspect the site before approving an NOT. Attachment C 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 must notify the Central Coast Water Board staff contact by telephone at (805) 594-6194 so that a site-specific compliance schedule can be developed.

All monitoring reports, submittals, discharge notifications, and questions regarding compliance and enforcement should be directed to Alyssa Bucci at CentralCoast.Cannabis@waterboards.ca.gov or (805) 594-6194.

Sincerely,

Arwen Wyatt-Mair



Digitally signed by Arwen Wyatt-Mair
Date: 2020.07.10 09:01:36 -07'00'

for Matthew T. Keeling
Executive Officer

ECM #: 866567

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427194\1 - Permit\NOA_2L_Cuyama Farms, LLC_427194.pdf

cc: Kevin Porzio, State Water Resources Control Board, Sacramento
dwq.cannabis@waterboards.ca.gov

Brownstein Hyatt Farber Schreck, LLP, Joanna Kaufman;
jkaufman@bhfs.com

Dennis Bozanich, County of Santa Barbara, Executive Branch;
dbozanich@countyofsb.org

Steven Peterson, County of Santa Barbara, Planning & Development;
speterson@countyofsb.org

Alyssa Bucci, Central Coast Regional Water Quality Control Board;
Alyssa.Bucci@waterboards.ca.gov

Sharon Denker, Central Coast Regional Water Quality Water Board;
Sharon.denker@waterboards.ca.gov

Arwen Wyatt-Mair, Central Coast Regional Water Quality Control Board;
Arwen.wyattmair@waterboards.ca.gov

Mitchell, Tina

From: Bucci, Alyssa@Waterboards <Alyssa.Bucci@Waterboards.ca.gov>
Sent: Wednesday, June 30, 2021 9:48 AM
To: Mitchell, Tina; Cannabis, CentralCoast
Cc: Lehr, Kathryn
Subject: RE: Orange Coast Farms - 2225 Foothill Road - Order No. WQ-2019-0001-DWQ

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello Tina. The site management plan and nitrogen management plan for this site have been submitted and are adequate. Thank you for checking with me.

Alyssa Bucci

From: Mitchell, Tina <tmitchell@co.santa-barbara.ca.us>
Sent: Wednesday, June 30, 2021 9:06 AM
To: Cannabis, CentralCoast <centralcoast.cannabis@Waterboards.ca.gov>; Bucci, Alyssa@Waterboards <Alyssa.Bucci@Waterboards.ca.gov>
Cc: Lehr, Kathryn <klehr@co.santa-barbara.ca.us>
Subject: Orange Coast Farms - 2225 Foothill Road - Order No. WQ-2019-0001-DWQ
Importance: High

EXTERNAL:

Good morning Alyssa & Central Coast Water Board team,

I left a voicemail for you this morning and I wanted to follow up with an email as well. I am the planner processing the Orange Coast Farms Cannabis Cultivation Land Use Permit (19LUP-00000-00327). The associated Notice of Applicability is attached here. This Land Use Permit has been going through the appeals process and is scheduled for a Board of Supervisors Appeal hearing on July 13, 2021.

The Notice of Applicability includes an August 1, 2020 deadline for technical reports including the site management plan and nitrogen management plan. Can you confirm if these requirements have been met?

If they have not been met, can the dates be adjusted due to the appeal processing timeline?

Please feel free to call me if you'd like to discuss this. We have a docketing deadline today for the Board hearing, so this is a fairly urgent matter.

Thank you,



Tina Mitchell
Planner
Planning & Development
Development Review Division
624 W. Foster Rd. Suite C
Santa Maria, CA 93455
(805) 934-6289