



Central Valley Regional Water Quality Control Board

17 September 2020

Delivered via email:
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NOTICE OF APPLICABILITY; WATER QUALITY ORDER WQ-2019-0001-DWQ; CLAREMONT CAPITAL PARTNERS; APN 070-041-17ST; FRESNO COUNTY

Casey Dalton, on behalf of Claremont Capital Partners, LLC (hereafter “Discharger”), submitted information through the State Water Resources Control Board’s (State Water Board’s) Cannabis Cultivation Program online portal on 17 August 2020 to enroll for coverage under the State Water Board’s *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order WQ-2019-0001-DWQ (General Order). The Discharger self-certified the cannabis cultivation activities located at 185 West Gate Avenue in Coalinga, on Fresno County Assessor’s Parcel Number (APN) 070-041-17ST (the Site) are consistent with the requirements of the State Water Board’s *Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation* (Policy) and comply with the 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 **WDID 5F10CC428722**.

The Discharger is responsible for all applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA), including submittal of all required reports. The Discharger is the sole person with legal authority to, among other things, change information submitted to obtain regulatory coverage under the General Order; request changes to enrollment status and terminate regulatory coverage. The Central Valley Water Board will hold the Discharger liable for any noncompliance with the Policy, General Order, and this NOA. The property owner for this Site is Latchkey Pioneer, LLC (hereafter “Landowner”). Pursuant to the General Order and Policy, the Landowner is ultimately responsible for any water quality degradation that occurs on or emanates from their property. Accordingly, both the Discharger and Landowner will be held responsible for correcting noncompliance.

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1. FACILITY AND DISCHARGE DESCRIPTION

The cultivation Site name is identified by the Discharger as Claremont Capital Partners, located at 185 West Gate Avenue in Coalinga, on parcel APN 070-041-17ST. The property owner is identified as Latchkey Pioneer, LLC. Information submitted by the Discharger states: the Site's disturbed area is greater than one acre (43,560 square feet); no portion of the disturbed area is within the setback requirements from a water course; no portion of the disturbed area is located on a slope greater than 30 percent; and the cannabis cultivation area is greater than one acre.

Based on the information submitted by the Discharger, the cannabis cultivation activities are classified as **Tier 2, Low Risk**.

2. SITE-SPECIFIC REQUIREMENTS

The Cannabis Cultivation Policy and General Order are available on the Internet at <http://www.waterboards.ca.gov/cannabis>. The General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities. The Discharger shall ensure that all Site operating personnel understand and comply with applicable requirements.

As required by the General Order, Provision C.2.i., the Discharger shall notify the Central Valley Water Board via email at centralvalleysacramento@waterboards.ca.gov regarding any significant changes in the cannabis cultivation operation, such as a change in operator or property owner, an increase in cultivation area, or a material change in the activity, character, location, or volume of discharge.

3. MONITORING AND REPORTING PROGRAM

The monitoring and reporting program (MRP) included in Attachment B of the General Order describes the requirements for monitoring a cannabis cultivation site and its associated facilities. The Discharger shall submit an *Annual Report* in compliance with the MRP requirements for **Tier 2, Low Risk** designated facilities. The Annual Report is due by March 1st following the year monitoring occurred. The 2020 annual report is due by **1 March 2021**.¹

The waste discharge requirements for cannabis cultivation are contained within Attachment A of the Cannabis Policy and General Order. The Discharger has self-

¹ Annual Reports are submitted online by logging into the [State Water Board's Online Cannabis Portal](https://public2.waterboards.ca.gov/CGO/) at <https://public2.waterboards.ca.gov/CGO/> and selecting the *Online Cannabis Water Quality Monitoring & Reporting Program*.

certified that all best practicable treatment and control (BPTC) measures applicable to the Site are in place, or will be implemented at the Site, by the onset of the winter period (November 15th through April 1st).

4. TECHNICAL REPORT REQUIREMENTS

The Discharger shall submit the following technical reports to the Central Valley Water Board Sacramento Office as described below. Reports should be submitted electronically via email to centralvalleysacramento@waterboards.ca.gov. Guidance on the preparation of the reports, and the information required to be included for each, can be found in *Attachment D: Technical Report Guidance*.

- I. A **Site Management Plan (SMP)** must be submitted by **15 November 2020**, in accordance with the requirements of General Order Section C, Provision 1.a., and Attachment A, Section 5. The *SMP* describes the ways in which the best practicable treatment or control (BPTC) measures are being implemented at the Site. Dischargers with facilities that have not yet started site development and operations should contact the Central Valley Water Board to discuss the requirements for *SMP* reporting.

Guidance and information on the preparation the *SMP* can be found in *General Order Attachment D: Technical Report Guidance*; under *Site Management Plan*, Pages D-1 through D-3.

- II. A **Nitrogen Management Plan (NMP)** must be submitted by **15 November 2020**, consistent with the requirements of General Order Provision C.1.d., and Attachment A, Section 5. The *NMP* describes how nitrogen is used and stored at the site, identifies the sources of nitrogen used in cultivation (i.e. bulk materials, and liquid and dry fertilizers), and calculates the amount of nitrogen applied per canopy acre for each month.

The General Order monitoring and reporting program (MRP) requires annual reporting of total nitrogen use for bulk, solid, and liquid forms of nitrogen at sites with cultivation areas greater than one acre. Guidance and information on the preparation the *NMP* and an example Nitrogen Reporting Worksheet can be found in *General Order Attachment D: Technical Report Guidance*; under *Nitrogen Management Plan*, Pages D-6 through D-8.

- III. A **Site Closure Report** consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5, must be submitted 90 days prior to permanently ending cannabis cultivation activities and terminating coverage under the General Order.

5. ANNUAL FEE AND TERMINATION OF COVERAGE

According to the information submitted, the discharge is classified as **Tier 2, Low Risk**. An annual fee for enrollment will be assessed until coverage under this General Order is formally rescinded. Fees are reassessed on an annual basis by the State Water Resources Control Board and are subject to change.

To rescind coverage, the Discharger must submit a *Notice of Termination (NOT)* to the Central Valley Water Board **at least 90 days prior** to stopping cultivation operations. A *Site Closure Report* and final *Monitoring Report* must be submitted with the *NOT* form for approval. Attachment C of the General Order contains the *NOT* form and information about terminating coverage. The Central Valley Water Board reserves the right to inspect the Site prior to approving termination of coverage.

6. CENTRAL VALLEY WATER BOARD CONTACT INFORMATION

All notifications and correspondence regarding this Site should be submitted to the Central Valley Water Board's Sacramento office via email at: centralvalleysacramento@waterboards.ca.gov. Technical Reports shall be converted to Portable Document Format (.pdf) and submitted via email with the following information included:

Attention:	Cannabis Regulatory Unit
Discharger Name:	Claremont Capital Partners, LLC
Site Name:	Claremont Capital Partners
County:	Fresno
WDID:	5F10CC428238

If you have questions regarding this Notice of Applicability or the Central Valley Water Board's cannabis permitting program, please contact Nicole Damin at (916) 464-4785 or via email at Nicole.Damin@Waterboards.ca.gov



(for) Patrick Pulupa
Executive Officer

cc via email: Kevin Porzio, State Water Resources Control Board, Sacramento
Coalinga City Manager's Office, Coalinga