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## Central Valley Regional Water Quality Control Board

30 October 2020

WDID: 5S17CC429330

### DISCHARGER

Nicolas Taix  
473-445 Johnstonville Rd #11  
Susanville, CA 96130

### LANDOWNER

Thao Chee Nue  
3070 Oro Bangor Hwy  
Oroville, CA 95966

### NOTICE OF APPLICABILITY, WATER QUALITY ORDER WQ-2019-0001-DWQ, NICOLAS TAIX, APN 136-071-030-000, 136-071-020,000, LAKE COUNTY

Nicolas Taix (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on 9 October 2020, 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-2019-0001-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 **5S17CC429330**.

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, including risk designation; and terminate regulatory coverage. The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will hold the Discharger liable for any noncompliance with the Policy, General Order, and this NOA, including non-payment of annual fees.

Pursuant to the General Order and Policy, Thao Chee Nue (hereafter “Landowner”) is ultimately responsible for any water quality degradation that occurs on or emanates from the property and for unauthorized water diversions. Accordingly, the Landowner, in addition to the Discharger, may be held responsible for correcting non-compliance.

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

364 Knollcrest Drive, Suite 205, Redding, CA 96002 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

## 1. FACILITY AND DISCHARGE DESCRIPTION

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

## 3. TECHNICAL REPORT REQUIREMENTS

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

1. A *Site Management Plan* must be submitted within 90 days of applying for enrollment in the General Order; this deadline falls on **7 January 2021**. For more information on the requirements to submit a *Site Management Plan*, see General Order Provision C.1.a, and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of a *Site Management Plan*. For more information on the requirements to submit a *Site Management Plan*, see General Order Provision C.1.a, and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of a *Site Management Plan*. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Central Valley Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Central Valley Water Board in developing a compliance schedule as described in Attachment A of the General Order. You are not required to use a Qualified Professional for developing the *Site Management Plan*. However, you are required to submit the *Site Management Plan* to Central Valley Water Board staff for approval prior to any site development.
2. A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the Conditional

Waiver. 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 Central Valley 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 Central Valley Water Board's Executive Officer or the State Water Board's Chief Deputy Director, or Deputy Director.

#### **5. ANNUAL FEE**

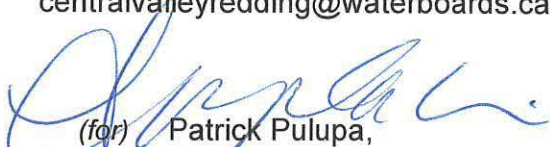
According to the information submitted, the discharge is classified as Tier 2, low risk with the current annual fee assessed at \$1000. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Notice 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 Central Valley Water Board reserves the right to inspect the site before approving a 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 shall notify Central Valley Water Board staff by telephone at 530-224-4845 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 [centralvalleyredding@waterboards.ca.gov](mailto:centralvalleyredding@waterboards.ca.gov) or 530-224-4845.

  
(for) Patrick Pulupa,  
Executive Officer

JF: mp

cc via email: Kevin Porzio, State Water Resources Control Board, Sacramento  
Mark Roberts, Lake County Planning Department, Lakeport