Navigating Water
Regulations for Small-Scale Water Storage Projects in California’s Five County Region

**County**
- Humboldt County Planning & Building Department
  - Cannabis Permits
  - Grading Permits
  - Building Permits
  - Septic Permits (Issued by the Division of Environmental Health)

**Regional**
- North Coast Regional Water Quality Control Board
  - Cannabis Cultivation Waste Discharge Regulatory Program
  - Notice of Intent
  - Tiered System
  - Water Protection Plan

**State**
- California Department of Fish & Wildlife
  - Fish and Game Code FGC1602, 5901, 5937
  - Water Diversions
  - Lake and Streambed Alteration Permits
  - 1600 Permits
- State Water Resources Control Board
  - Initial Statement of Diversion
  - Small Domestic Use Appropriation
  - Small Irrigation Use
  - New Annual Reporting Requirements
Water Storage Information for Rural Residential and Agricultural Use

Regulatory Requirements for All Counties

Statement of Diversion and Use: You must report all water used under a riparian right to the State Water Board every year. You do this by filling out a Statement of Diversion and Use form. http://calsalmon.org/programs/navigating-compliance/california-water-rights-law/statements-diversion-and-use

Small Domestic Use Registration: A Small Domestic Use (SDU) registration is not required if your water use is for domestic purposes only and is not connected to any surface water or ground water system. SDUs may operate without a building permit if they have no connections to any other water systems. SDUs registered with the Regional Water Board, or via the Discharge Regulatory Program (Order R1-2006-0023), are subject to the Fish and Game Code, which authorizes CDFW to place conditions to protect fish and wildlife on any “substantial” diversion of any stream. Note that this includes many diversions from springs and wells. http://calsalmon.org/programs/navigating-compliance/fish-and-game-section-1602

Cannabis Cultivation Waste Discharge Regulatory Program: As of February 15, 2016, cultivators with 2000 square feet or more of cannabis are required to enroll in a new water quality regulatory program (Order R1-2015-0023), either directly with the Regional Water Board, or via an approved third party program. Additionally, smaller operations or operations with similar environmental effects, where there is a threat to water quality, may be directed to enroll under the Order. You may request Regional Water Board staff to conduct a consultation inspection. This is an opportunity to verify tier status, identify features to include in a water resource protection plan, and discuss treatment schedules. For scheduling, please contact a staff person listed at the bottom of the page. Note you do not need to have your property inspected in order to enroll. http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/

CDFW Lake/Streambed Alteration Agreement: In addition to requiring some kind of water right, your diversion of water potentially requires a separate permit from the California Department of Fish and Wildlife (CDFW) known as a Lake/Streambed Alteration (LSA) Agreement. These agreements are issued under Section 1602 of the Fish and Game Code, which authorizes CDFW to place conditions to protect fish and wildlife on any “substantial” diversion of any stream. Note that this includes many diversions from springs and wells. http://calsalmon.org/programs/navigating-compliance/fish-and-game-section-1602

CAL FIRE Water Storage Requirement: Minimum 2,500 gal in lieu of fire hydrant for residential building less than 3,600 sq ft. A cistern or 5,000 gallon pool can replace a tank. “CAL FIRE reviews projects located in the State Responsibility Areas (SRA) for compliance with the State Fire-Safe Regulation (4290 & 4291 Public Resources Code). Building Permit: California building code requires a building permit for storage tanks of 5,000 gallons or more, or exceeding a 2:1 ratio (Height : Diameter). Greywater Permits: California Greywater Code describes the state standards for greywater permitting. A construction permit may be required for a greywater project. Greywater Summary Information: http://www.thegreywaterguide.com/california.html California Greywater Code: http://www.hcd.ca.gov/codes/state-housing-law/2007cpc_graywater_complete_2-2-10.pdf

County-Specific Information

Humboldt County


Siskiyou County

Building Permit: Building permits may be required depending on the size of the storage tank, materials, and location. Landowner would submit a Building Permit Application and site plan to the Building Department: https://www.co.siskiyou.ca.us/sites/default/files/docs/BLDG-20160929_PermitApplication.pdf Conditional Use Permit: Some uses, depending on the zoning district, may require approval of a conditional use permit from the Planning Commission. Grading Permit: Siskiyou County does not have a grading permit at this time. Contact: Community Development Department (530) 841-2100 or email at planning@co.siskiyou.ca.us.

Mendocino County

Use Permits: Smaller water storage tanks are generally associated with personal use types and are considered accessory structures to residential uses. Larger water tanks may require use permits because they could be supporting land uses that do not align with the intent of the zoning district. Each zoning district has permitted uses and uses that may require use permits because they could be supporting land uses that do not align with the intent of the zoning district. Any Building Inspector or Planner can assist: (707) 464-7253 or (707) 464-7254.

Trinity County

Building Permit: Any tank over 5,000 gallons must be on a permanent foundation. Planning Permit: If/when you apply for a building permit it will need to go through the planning department for approval. Contact: Building_Dept@trinitycounty.org Phone: (530) 623-1354 8:00 a.m. to 2:00 p.m., Monday – Thursday

Water Storage Accessory to General Agriculture

<table>
<thead>
<tr>
<th>Storage Accessory</th>
<th>Amount of Storage (Gallons)</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rainfall: Tank</td>
<td>100,000</td>
<td>Any tank over 5,000 gallons requires a Building Permit</td>
</tr>
<tr>
<td>Rainfall: Pond</td>
<td>No Limit</td>
<td>All ponds require Grading Permit</td>
</tr>
<tr>
<td>Well (Not Connected to Surface Water): Tank</td>
<td>100,000</td>
<td>Any tank over 5,000 gallons requires a Building Permit Over 100,000 gallons requires CU Permit</td>
</tr>
<tr>
<td>Well (Not Connected to Surface Water): Pond</td>
<td>No Limit</td>
<td>All ponds require Grading Permit</td>
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Surface water diversion (stream, spring, or well):

<table>
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<tr>
<th>Tank</th>
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</tr>
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<tr>
<td>1,000,000 or approx. 3-acre feet</td>
<td>All ponds require Grading Permit Over 1,000,000 requires a CU Permit only if forbearance is less than 60 days</td>
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Humboldt County Requirements

Water Storage Accessory to Rural Residential Use

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<thead>
<tr>
<th>Storage Accessory</th>
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<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface water diversion (stream, spring, or well): Tank</td>
<td>50,000</td>
<td>All ponds require Grading Permit Between 50,000 &amp; 100,000 gallons: CU Permit required only if forbearance is less than 60 days Over 100,000 gallons requires CU Permit</td>
</tr>
<tr>
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<td>1,000,000 or approx. 3-acre feet</td>
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Additional Information

County-Specific Information

Humboldt County


Del Norte County

Building Permits: State Building Code standards apply to typical situations (i.e. not overly steep hillsides, etc.) outside of the Coastal Zone. Within the Coastal Zone the project may trigger a Coastal Development Permit if it is "development" as defined in the Coastal Act or the Local Coastal Program. Del Norte County Building Permit: Building permits are required for all storage tanks over 5,000 gallons. Building Department: (707) 445-7245

Grading Permit: Cuts greater than 500-cubic yards, 3-foot depth, or steeper than 21 (21) are subject to a grading permit. Contact: Any Building Inspector or Planner can assist: (707) 464-7253 or (707) 464-7254.

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