



# Enforcement News

## **Fine issued against unlicensed cannabis cultivators for runoff that threatens Mad River water quality**

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Contact: [Blair Robertson](#)--Public Information Officer

**SANTA ROSA** – The North Coast Water Board approved a fine of \$301,950 against a cultivator in Humboldt County for failing to cleanup and abate sediment discharges to Mad River tributaries, according to an order adopted at an August 4 board hearing. The fine was increased by more than 40 percent from the proposed liability.

Szagora LLC, (the “cultivator”) commercially cultivated cannabis on a 100-acre property along the Humboldt-Trinity County line between the towns of Dinsmore and Mad River.

The board found that the cultivator failed to respond to an [enforcement order](#) requiring it to maintain an access road on their property consistent with industry standards created to protect water quality and beneficial uses. North Coast Water Board staff determined the road is undersized, misaligned and contains failed stream crossings that threaten to discharge sediment to the Mad River less than a quarter mile east of the property. During a public hearing where the cultivator failed to appear, the board determined that a higher fine was justified because the cultivator was largely unresponsive to various board actions requiring corrective actions at the property.

“The cultivator made no effort to comply with water quality protection standards and this constitutes intentional misconduct,” said Gregory Giusti, the board chair.

Excess sediment washing into streams can harm the migration, spawning, reproduction and early development of cold-water fish. The discharge of sediment in the Mad River watershed is especially problematic because the Mad River watershed is listed as an impaired water body under Section 303(d) of the Clean Water Act due to elevated sedimentation/siltation and turbidity.

The [enforcement order](#) directed the cultivator to submit a workplan to correct the road on their property by July 1, 2021, and to implement an approved plan by October 15, 2021. To date, the cultivators have not submitted a workplan or implemented any corrective actions.



“These monetary penalties do not remove the requirement for the cultivator to correct the poorly designed road and failed stream crossings on the property,” said Gregory Giusti, the board chair. “It is the board’s expectation that the cultivators implement corrective actions to protect aquatic species or else risk additional fines.”

The board has prioritized enforcement on missed deadlines in existing enforcement orders and on discharge violations associated with site development and use for cannabis cultivation without applicable permits.

*The North Coast Water Board’s mission is to develop and enforce water quality objectives and implement plans that will best protect the region’s waters while recognizing our local differences in climate, topography, geology and hydrology.*