



EDMUND G. BROWN JR.
GOVERNOR

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SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

15 October 2015

CERTIFIED MAIL:

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Mr. David M. Waite
Hanover Properties, LLC
702 Mangrove Ave. #177
Chico, CA 95926

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CLEANUP AND ABATEMENT ORDER NO. R5-2015-0741, HANOVER PROPERTIES, LLC – ASSESSOR PARCELS 061-540-060-000 & 061-540-052-000, BERRY CREEK, BUTTE COUNTY

Enclosed is a Cleanup and Abatement Order (Order) to be issued to Hanover Properties, LLC (Discharger) for the cleanup and abatement of road drainage and discharges of sediment laden storm water to Canyon Creek, a tributary to Lake Oroville, and to prevent future discharges from Assessor Parcels 061-540-060-000 & 061-540-052-000 in Butte County (Property). The Order requires the Discharger to clean up and abate the discharges of wastes to surface water and surface water discharge courses and further requires action be taken to prevent future discharges from the Property.

The Order includes a time schedule for compliance with the tasks set forth in the Order. The first task requires that **by 13 November 2015**, the Discharger shall prepare and provide plans for the completion of stabilization and mitigation efforts necessary to minimize erosion and further discharge to surface water during the winter and spring 2016.

Any person aggrieved by the Order or any final action of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

In order to conserve resources, this letter transmits paper copies of the documents only to the Discharger and the Discharger's legal representative. Interested parties are advised that the full text of this Order will be available shortly on the Central Valley Water Board's web site at:

www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/.

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or would like to discuss legal aspects of the Order, please contact Yvonne West, Senior Staff Counsel, State Water Resources Control Board, Office of Enforcement at (916) 322-3626. If you have technical questions regarding the Order, please contact Ashley Hampton, Environmental Scientist, Central Valley Water Board, at (530) 224-6130.

Original signed by
Clint E. Snyder, P.G.
Assistant Executive Officer

AH:sjs

Enclosure: Cleanup and Abatement Order No. R5-2015-0741

cc: via email with attachments

Tobi Freeny, CDFW, Northern Region
Steven Crowl, Warden, CDFW, Northern Region
Lt. DeWayne Little, Supervising Warden, CDFW, Northern Region
Linda Barrera, Staff Counsel, CDFW, Northern Region
Jay Lowe, Northstar Engineering, Chico
Tom Fossum, Butte County Department of Public Works, Oroville
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Angela Wilson, Central Valley Water Board, Redding
Ashley Hampton, Central Valley Water Board, Redding

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2015-0741
FOR

HANOVER PROPERTIES LLC
ASSESSOR PARCELS 061-540-060-000 & 061-540-052-000
BUTTE COUNTY

This Order is issued to Hanover Properties LLC (hereafter referred to as Discharger) based on provisions of Water Code section 13304, which authorizes the Central Valley Regional Water Quality Control Board (Central Valley Water Board) to issue a Cleanup and Abatement Order (Order), and Water Code section 13267, which authorizes the Regional Water Board to require the preparation and submittal of technical and monitoring reports.

The Assistant Executive Officer finds, with respect to the Discharger's acts, or failure to act, the following:

1. **Purpose of the Order:** This order requires the Discharger to clean up and abate the effects of the discharges of sediment-laden storm water from grading activities and uncontrolled road drainage from Pritchett Dr. into an intermittent Class III drainage to Canyon Creek, a Class I tributary to Lake Oroville, and eliminate the threat of future discharges. The Class III drainage is hereafter referred to as "Main Drainage". Canyon Creek is considered waters of the state, as well as, waters of the United States (references hereafter to waters of the United States are inclusive of waters of the state)¹. Including road expansion, the Discharger or the Discharger's lessee graded more than two acres of land on two connecting parcels lacking adequate erosion control or sediment containment features resulting in the discharge of turbid storm water to Canyon Creek, waters of the United States, without authorization from applicable federal, state, and local agencies, including the Central Valley Water Board. The work was performed to create access roads and two clearings for the cultivation of marijuana. This Order requires investigation and cleanup in compliance with the Water Code, the Basin Plan, Resolution 92-49, and other applicable State and Regional Water Board plans, policies, and regulations.
 - a. **Responsible Parties:** The Discharger, as the property owner and the person/organization with the legal ability to control the activities on the property that resulted in the discharge and/or threat of discharge, is the responsible party for purposes of this Order. This Order finds that Hanover Properties LLC is the primary responsible

¹ The Regional Water Board administers and enforces the Clean Water Act (CWA). The CWA regulates what it refers to as "navigable waters" and defines those waters as "waters of the United States." Waters of the United States has been interpreted broadly by the agencies responsible for implementing the CWA to include all traditionally navigable waters and their tributaries. (40 C.F.R. 122.2) The Porter-Cologne Water Quality Control Act (Porter-Cologne) provides the Regional Water Board additional authority to regulate discharges of waste into "waters of the state." (Water Code, § 13260.) The term "water of the state" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." (Water Code, § 13050, subd. (3).) All waters of the United States that are within the boards of California are also waters of the state for purposes of the Porter-Cologne.

party and is liable. A business entity search with the California Secretary of State lists Mr. David M. Waite as the registered agent (Agent) for the company.

- b. Per records from the Butte County Assessor-Recorder's Office, Hanover Properties LLC owns 57.87 acres between two adjacent parcels, identified as Assessor Parcel Numbers 061-540-060-000 & 061-540-052-000 (hereafter Site). The Site is located on Pritchett Drive in Berry Creek in eastern Butte County in Section 32, Township 21N, Range 5E, Mount Diablo Base and Meridian; in the vicinity of latitude 39° 37' 48.7164" N and longitude 121° 26' 16.0404" W. Large scale grading and road construction/expansion operations were conducted at this Site which have caused and threaten to cause numerous unpermitted discharges of sediment into the Main Drainage from the Site to Canyon Creek. Accordingly, Hanover Properties LLC, as the owner of the Site which sustains conditions that have resulted in the discharge and/or create a threat of discharge to waters of the United States, is a responsible party.
 - c. Google Earth satellite imagery indicates that clearing, grading, and road expansion likely occurred sometime in 2013, the same timeframe in which Hannover Properties, LLC acquired the two parcels. Grading violations for unpermitted grading activities on APNs: 061-540-060-000 & 061-540-052-000 were issued by Butte County Department of Public Works (Butte County) on 10 October of 2013. These violations cited the properties' lack of sediment and erosion control measures and informed the Discharger and Agent of permitting requirements for both Butte County and the Central Valley Water Board. The Discharger and Agent were made aware of these requirements upon receipt of these notices. At this time, permit applications have not been received by either agency. The Discharger and Agent are responsible and culpable for lack of action based on information provided in these notices. The Central Valley Water Board reserves the right to amend this CAO to add additional responsible parties if and when those parties are identified.
2. **Site Location and Description:** The Site is located west of Canyon Creek and Highway 162 off of Pritchett Drive, Berry Creek in eastern Butte County. Grading and road expansion activities occurred in the vicinity of latitude 39° 37.829'N and longitude 121°26.280W, less than a quarter mile west and approximately 520 feet in elevation above Canyon Creek. The Site lies approximately 3.5 miles north of Lake Oroville Reservoir.
 3. **Site History:** Per records from the Butte County Assessor-Recorder's Office, Hanover Properties, LLC acquired the Site's parcels in March and April of 2013. The combined 57.87 acres were previously undeveloped, with water sourced from a well on APN: 061-540-060-000. The Site supported several travel trailers and small unfinished sheds; however no permanent residences existed on either parcel. The Site has no prior regulatory oversight or history with the Central Valley Water Board.
 4. **Factual Basis of Order:** The Discharger conducted activities detailed below that have created and/or threaten to create, conditions of pollution in waters of the state by unreasonably impacting water quality and beneficial uses.
 - a. The Site sits above Canyon Creek, a perennial Class I watercourse tributary to Lake Oroville. Several Class III drainages carry storm water runoff from the Site and road surface to Canyon Creek. The main source of Site runoff initiates as sheet flow from the top of APN: 061-540-060-000 and travels down the road surface to the Main Drainage from the Site at the northern end of the parcel to Canyon Creek. The confluence of the

Main Drainage and Canyon Creek lies approximately at latitude 39° 37.9449'N and longitude 121°25.8831W—roughly 3 miles north of Canyon Creek's confluence with Lake Oroville. Lake Oroville is on the State's Clean Water Act (CWA) current 303d list for mercury and polychlorinated biphenyls (PCBs). While the Site is highly unlikely to contribute these pollutants directly, increased turbidity contributes to particulate matter and suspended solids providing attachment sites for heavy metals, pesticides, and other toxic contaminants, allowing them to be mobilized and deposited downstream and to settle out in reservoirs. Excessive suspended sediment and increased turbidity can impair water quality and aquatic life. Grading at the site has resulted in the ground surface being stripped of vegetation and the upper soils lying vulnerable to wind and water erosion. The poor condition of the access road and Pritchett Drive along with the highly erosive nature of the native soils characterized in the area have resulted in the discharge of turbid storm water to the Site's Main Drainage to Canyon Creek. The native soil was classified using the Visual Classification of Soils - Unified Soil Classification System, ASTM Standard D 2488-00, Standard Practice for Description and Identification of Soils (Visual-Manual Procedure) and cross referenced with the United States Department of Agriculture (USDA) Online Soil Survey. The native soil found at the Site is identified as mounthope-hartsmill soil series – a well-drained soil with high to severe susceptibility to erosion. As documented by photographs from the on-site inspection as well as by certified laboratory analysis of staff-collected turbidity samples, grading activity at the Site and expansion of the road has resulted in the discharge of sediment-laden storm water via the Main Drainage to Canyon Creek. The lack of adequate erosion and sediment controls within the graded areas at the Site and along the poorly maintained road, together with steep slopes, continue to cause threat of future sediment discharge from uncontrolled storm water runoff and erosion of the road surface into Canyon Creek.

- b. On 9 March 2015, Warden Steven Crowl with California Department of Fish and Wildlife (CDFW) and Engineering Geologist Pat Vellines with the Central Valley Water Board conducted an overflight of the Site area and found evidence of extensive grading that appeared to be on steep slopes in excess of one acre. Warden Crowl provided a declaration based on his training and experience identifying infrastructure at the Site commonly associated with marijuana cultivation. Photographs of these conditions, along with lack of visible erosion control on site and potential for pesticide and chemical use, were given as cause for recommendation of a joint on-site inspection with Central Valley Water Board and CDFW staffs. Warden Crowl and the Central Valley Water Board subsequently verified with Butte County that grading permits had not been issued on either parcel and that there were existing violations on file placing the properties in non-compliance.
- c. On 6 April 2015, Central Valley Water Board staff (Staff) obtained an inspection warrant granting access to the Site. As documented in the attached Hanover Properties Inspection Report (Attachment 1), on 7 April 2015, Staff inspected the Site and observed a poorly maintained road with evidence of substantial erosion and failing sediment control features actively discharging turbid storm water to the Main Drainage from the Site to Canyon Creek. Staff also encountered a cleared and graded hilltop cultivation site and a terraced hillside lacking adequate erosion and sediment control measures to stabilize the un-vegetated soils. Installation of minimal erosion/sediment control measures indicates that the discharger was aware of the problematic conditions resulting from earth work and grading, however installation was not conducted to best management standards and was insufficient to prevent discharges of turbid storm water to waters of the state. Photographs of sediment-laden storm water discharging from the road to the Main

Drainage together with photographs of the Main Drainage's confluence with Canyon Creek illustrate evidence of heavy sediment transport emanating from channelization on the road surface. Laboratory analyzed turbidity samples collected from road surface runoff as well as samples collected upstream and downstream of the Main Tributary's confluence with Canyon Creek further document turbidity levels far in excess of background levels and provide evidence supporting the road's contribution to increased turbidity in Canyon Creek.

- 5. Beneficial Uses and Water Quality Objectives:** The *Water Quality Control Plan for the Sacramento and San Joaquin River Basins, Fourth Addition*, (hereafter "Basin Plan") designates beneficial uses, establishes water quality objectives, contains implementation programs for achieving objectives, and incorporates by reference, plans and policies adopted by the State Water Resources Control Board. Canyon Creek is a tributary to Lake Oroville Reservoir. Existing and potential beneficial uses for Lake Oroville include the following: Municipal & Domestic Supply (MUN); Agricultural Supply (AGR); Industrial Power (POW); Water Contact (REC-1) & Other Non-contact Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Spawning of Warm & Cold Freshwater Aquatic Organisms (SPWN); and Wildlife Habitat (WILD). Beneficial uses of any specifically identified water body generally apply to all of its tributaries.
- a. The designated beneficial uses of the underlying groundwater include municipal and domestic supply (MUN), agricultural supply (AGR), industrial service supply (IND), and industrial process supply (PRO).
 - b. The Basin Plan lists specific water quality objectives for inland surface waters. These objectives include in part, limitations on increased temperature, sediment, settleable and suspended material, and turbidity.
 - c. The State Water Board has adopted Resolution No. 92-49, *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304* ("Resolution 92-49"), which is included as Appendix 9 of the Basin Plan. Resolution 92-49 sets forth the policies and procedures to be used during an investigation and cleanup of a polluted site, and requires that cleanup levels be consistent with State Water Board Resolution 68-16, the *Statement of Policy with Respect to Maintaining High Quality Waters in California* ("Resolution 68-16"). Resolution 92-49 requires the waste to be cleaned up in a manner that promotes attainment of either background water quality, or the best water quality which is reasonable if background levels of water quality cannot be restored. Any alternative cleanup level to background must: (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Water Board. Resolution 92-49 directs that investigations proceed in a progressive sequence. To the extent practical, it directs the Regional Water Board to require and review for adequacy written work plans for each element and phase, and the written reports that describe the results of each phase of the investigation and cleanup.
- 6. Failure to Obtain Necessary Permits:** Central Valley Water Board staff determined that the grading and clearing activities at the Site occurred without coverage under any of the following regulatory permits:

- a. a National Pollutant Discharge Elimination System (NPDES) permit;
- b. a grading Permit issued by Butte County.

7. Legal Authority to Require Clean Up and Abatement. Water Code section 13304, subdivision (a) states, in relevant part:

Any person who has discharged or discharges waste into waters of this state in violation of any waste discharge requirements or other order to prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and causes, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts.... Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.

8. Clean Water Act Violations: The Clean Water Act prohibits certain discharges of storm water containing pollutants except in compliance with a NPDES permit. Discharges to surface waters comprised of storm water associated with construction activity, including clearing, grading, excavation, and other land disturbance activities (except operations that result in disturbance of less than one acre of total land area and which are not part of a larger common plan of development or sale), are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000002, Order No. 2009-0009-DWQ (General Permit).

- a. Staff documented channelization of sediment-laden storm water emanating from the Site and its road surface discharging to a Main Drainage traveling off property to Canyon Creek. The turbid storm water from disturbed surfaces was traced to Canyon Creek via the Main Drainage and contours on GPS topographical maps. Laboratory analyzed turbidity samples collected from the road surface as well as upstream and downstream of the Main Drainage's confluence with Canyon Creek demonstrated the effects that the turbid storm water runoff from the Site exerted on Canyon Creek. Laboratory results confirmed that turbidity levels immediately downstream of the Main Drainage's confluence with Canyon Creek exceeded Basin Plan objectives for turbidity increases where background turbidity measured between 5 and 50 NTUs by more than 100 percent². Additionally, the results from a sample collected further downstream—after all

² The Basin Plan lists the following limitations for turbidity attributable to controllable water quality factors:

- Where natural turbidity is less than 1 Nephelometric Turbidity Unit (NTU), controllable factors shall not cause downstream turbidity to exceed 2.
- Where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU.
- Where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent.
- Where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs.
- Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

confluences of other smaller Class III drainages from the Site—exceeded background measurements by more than 400 percent.

- b. The Discharger is responsible for approximately 1.8 acres of clearing, grading, excavation, and/or land disturbance at the Site.
- c. Staff observed improper storage and disposal of fertilizers, potting soil, soil amendments, and gasoline (containers) that threaten to create a condition of pollution via storm water discharge or accidental spill; having potential for both groundwater contamination as well as the discharge of surface runoff to drainages to Canyon Creek. Staff counted at least 10 55-gallon plastic drums of liquid fertilizer stored on-site lacking secondary containment, numerous gas cans of unknown volume, and evidence of improper waste disposal of used containers.

9. Water Code Violations: The discharge of sediment-laden storm water is a discharge of waste to waters of the state in violation of Water Code sections 13260³ and 13376⁴, which creates a condition of pollution subject to this Order in accordance with Water Code section 13304.

- a. “Waste” is defined by Water Code section 13050, subdivision (d) as,

sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

- b. Sediment, when discharged to waters of the state, is deemed a “waste” as defined in Water Code section 13050. The Discharger caused or permitted waste to be discharged or deposited where it will be, or has the potential to be, discharged to surface waters draining to Canyon Creek, which is tributary to Lake Oroville—waters of the state.

- c. “Pollution” is defined by Water Code section 13050, subdivision (l)(1) as,

an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following:

- 1. The waters for beneficial uses;*
- 2. Facilities which serve these beneficial uses*

³ Pursuant to Water Code section 13260, subd. (a)(1) “[a]ny person discharging waste or proposing to discharge waste, within any region that could affect the quality of the waters of the state...” shall file a report of waste discharge. The Regional Board has not received a 401 application or report of waste discharge for wastes discharged at the Site.

⁴ Pursuant to Water Code section 13376 “[a]ny person discharging pollutants or proposing to discharge pollutants to the navigable waters of the United States within the jurisdiction of this state or any person discharging dredged or fill material into the navigable waters of the United States within the jurisdiction of this state shall file a report of the discharge in compliance with the procedures set forth in Section 13260, except that no report need be filed under this section for discharges that are not subject to the permit application requirements of the Federal Water Pollution Control Act, as amended.”

- d. The clearing and grading activities conducted by the Discharger in addition to improper storage of fertilizers and soil amendments have resulted in the unauthorized discharge or threat of discharge of wastes into surface waters and surface water drainage courses and have created, or threaten to create, a condition of pollution by unreasonably affecting the beneficial uses of waters of the state. The Site's Main Drainage empties into Canyon Creek, a tributary to Lake Oroville. Accordingly, the beneficial uses of Lake Oroville discussed above in paragraph no. 5 also apply to all of its tributaries.
- i. Discharges of sediment and other inert material alter the hydrologic and sediment transport regimes of surface waters by affecting the flow of water and establishment of vegetation. Such changes may lead to adverse conditions such as flooding, increases in suspended sediment and turbidity, accelerated erosion of the adjacent channel bed or banks, and localized accumulation of deleterious materials. Additionally, such discharges directly threaten habitat for aquatic species dependent upon native sediment and vegetation characteristics (MIGR, SPWN, and WILD). Increased sedimentation and turbidity can result in increased treatment and/or maintenance costs for downstream agricultural and municipal users that withdraw and treat the water (AGR, and MUN). Sediment laden storm water discharges to and the resulting turbidity within surface waters can also affect the recreational and aesthetic enjoyment of the surface waters (REC-1, REC-2).
 - ii. Discharge of excess nutrients, especially nitrates and phosphorus, can lead to eutrophication and algal blooms. Algal blooms can block out light, clog fish gills, and cause an increase for biological oxygen demand as they die, severely lowering dissolved oxygen levels available to sustain aquatic ecosystems. Lowered dissolved oxygen concentrations can also provide favorable conditions for proliferation of pathogenic bacteria. In addition, excess nutrients can contribute to toxic algal blooms which create bioaccumulative toxins that can be deleterious to aquatic ecosystems and wildlife that may consume aquatic fauna (WILD, MIGR, SPWN). Eutrophication and algal blooms can also affect the recreational and aesthetic enjoyment of surface waters. Direct exposure to toxic algae can lead to rashes, respiratory problems, and neurological effects in humans, and can raise costs for water treatment plants and contribute to harmful byproducts when treated (REC-1, REC-2, MUN).
 - iii. Gasoline and other petroleum products contain components known to contaminate groundwater and can cause toxicity to aquatic life (COLD, WARM, SPWN, WILD); benzene being a known carcinogen and methyl-tertiary-butyl-ether (MTBE), a common gasoline additive, is a recognized groundwater contaminant. Chemical contaminants can raise treatment costs for water treatment facilities and can pose public health risks (MUN).

10. Cleanup and Abatement Action Necessary: Untreated storm water from the Site has discharged, and threatens to discharge, sediment into the Main Drainage from the Site to Canyon Creek. The Site has approximately 1.8 acres of graded and cleared land on erosive soils, most of which lies un-vegetated and unprotected from weathering; leaving high potential for further sediment discharge to the Main Drainage during wet weather events. Existing sediment control measures are insufficient and failing allowing sediment to be discharged off-site into waters of the state. Cleanup and abatement is necessary to ensure that the existing condition of pollution is cleaned up, that threatened unauthorized discharges to surface waters or surface water drainage courses originating from the Site are

prevented, background water quality levels are restored, and that any impacts to beneficial uses are mitigated. The current condition of pollution is a priority violation as outlined in the State Water Resources Control Board Water Quality Enforcement Policy (Enforcement Policy) and the issuance of a cleanup and abatement order pursuant to Water Code section 13304 is appropriate and consistent with policies of the Central Valley Water Board.

11. Technical Reports Required: Water Code section 13267(a) provides that the Regional Water Board may investigate the quality of any water of the State within its region in connection with any action relating to the Basin Plan. Water Code section 13267, subdivision (b) provides that the Regional Water Board, in conducting an investigation may require a discharger to furnish, under penalty of perjury, technical or monitoring program reports. The technical reports required by this Order are necessary to assure compliance with this Order and to protect the waters of the state. The technical reports are further necessary to demonstrate that appropriate methods will be used to cleanup waste discharged to surface waters and surface water drainage courses and to ensure that cleanup complies with Basin Plan requirements. In accordance with Water Code section 13267, subdivision (b) the findings in this Order provide the Discharger with a written explanation with regard to the need for remedial action and reports and identify the evidence that supports the requirement to implement clean up and abatement activities and submit the reports. The Discharger named in this Order owns and/or operates the Site from which waste was discharged, and thus is appropriately responsible for providing the reports.

12. California Environmental Quality Act: Issuance of this Order is being taken for the protection of the environment and to enforce the laws and regulations administered by the Regional Board as such is exempt from provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, sections 15061, subdivision (b)(3), 15306, 15307, 15308, and 15321. This Order generally requires the Discharger to submit plans for approval prior to implementation of cleanup and restoration activities at the Site. Mere submittal of plans is exempt from CEQA as submittal will not cause a direct or indirect physical change in the environment and/or is an activity that cannot possibly have a significant effect on the environment. CEQA review at this time would be premature and speculative, as there is simply not enough information concerning the Discharger's proposed remedial activities and possible associated environmental impacts. To the extent that the Order requires earth disturbing and revegetation activities not to exceed five acres in size and to assure restoration of stream habitat and prevent erosion, this Order is exempt from provisions of CEQA pursuant to California Code of Regulations, title 14, section 15333. If the Regional Board determines that implementation of any plan required by this Order will have a significant effect on the environment that is not otherwise exempt from CEQA, the Regional Board will conduct the necessary and appropriate environmental review prior to approval of the applicable plan. The Discharger will bear the costs, including the Regional Board's costs, of determining whether implementation of any plan required by this Order will have a significant effect on the environment and, if so, in preparing and handing any documents necessary for environmental review. If necessary, the Discharger and a consultant acceptable to the Regional Water Board shall enter into a memorandum of understanding with the Regional Water Board regarding such costs prior to undertaking any environmental review.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to Water Code sections 13267 and 13304, that Hanover Properties, LLC (Discharger) shall cleanup and abate the impacts to water quality associated with the discharge and threatened discharge of earthen materials, soil, sediment, fertilizers, soil amendments, and fuels to waters of the United States as follows:

1. **By 13 November 2015**, the Discharger shall submit an **Interim Erosion and Sediment Control Plan** (hereafter "Interim Plan") prepared by an appropriately licensed professional for the completion of stabilization and mitigation efforts necessary to minimize erosion and further discharge of sediment to Canyon Creek and its tributaries during the 2015-2016 wet weather period. The Interim Plan shall be inclusive of, but not limited to, the following:
 - a. A detailed Site map accurately depicting topography, graded/disturbed surfaces, earthen side cast material, and all surface water courses/drainages,
 - b. Identification of all locations where sediment has discharged to surface waters or surface water drainage courses,
 - c. Using the above information, identify all areas of immediate concern, along with proposed emergency mitigation measures to be implemented at each area of concern necessary to stabilize the Site during the 2015-2016 wet weather period. Recommendations to be included:
 - i. Install, where necessary, an adequate number of water breaks designed to reduce road surface erosion by diverting storm water runoff from the road surface and directing it to a safe discharge area.
 - ii. Disconnect road drainage from Canyon Creek and its tributaries.
 - iii. Replace and install all weathered/failing sediment control features to standards that will maintain their effectiveness while areas susceptible to erosion and sediment transport are stabilized.
 - iv. Stabilize all disturbed areas with erosion control mulches, blankets, mats, tarps, or other accepted erosion control equipment in sufficient quantities to protect the disturbed soil surface from the forces of rain drop impact and overland flow.
 - d. A monthly monitoring report assessing site conditions and providing notice and photograph of mitigation measures completed, and recommendations for additional emergency measures or repairs to previously identified areas of immediate concern where appropriate.

Central Valley Water Board staffs will review the Interim Plan in consultation with the Discharger or his authorized agent(s) and other responsible agencies immediately upon receipt. Once approved work shall begin immediately, but no later than 10 business days, to implement the proposed emergency measures.

2. **By no later than 15 December 2015**, the Discharger shall have completed work outlined in the Interim Plan, stabilizing the Site for the winter wet-weather period.
3. **By 15 January 2016** the Discharger shall provide a report of completion to the Central Valley Water Board. This report shall include a summary and photographs of work completed and installed erosion and sediment control measures at the Site.

Additionally, the following measures shall be completed to mitigate the threat of discharge caused by fertilizers, soil amendments, and fuels to waters of the United States as follows:

- a. Fertilizers, soil amendments, and potting soils shall be properly disposed of or stored to prevent threat of discharge to surface waters. This includes proper disposal of empty or partially used containers per manufacturer and waste disposal guidelines.
 - b. All fuel storage containers shall be stored properly to prevent threat of leaks and spills.
4. **By 1 March 2016**, the Discharger shall provide a proposed **Restoration Monitoring and Mitigation Plan** (hereafter "RMMP"). The plan shall include but not be limited to:
 - a. An assessment of the impacts to Canyon Creek and its tributaries from the unauthorized activities, to be completed by an appropriately qualified professional.
 - b. Plans for Site restoration including how long-term impacts from the road and site runoff will be abated (i.e. re-grading and reengineering, graveling or paving road surface, etc.), as well as proposed mitigation to restore beneficial uses and to compensate for and minimize any further impacts to Canyon Creek and its tributaries. Best management practices shall be applied to all current and planned work associated with construction activities on the Site impacting, or having the potential to impact, Canyon Creek and its tributaries. The RMMP shall contain, at a minimum, design specifications and drawings, an implementation schedule, and a monitoring plan. The RMMP shall incorporate use of appropriate native or endemic species in any re-vegetation efforts.
 - c. The implementation schedule in the RMMP shall include detailed project milestones that take into account the time anticipated to obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order. The time for providing that notice and obtaining that agreement should be considered and accounted for when developing a RMMP that complies with the deadlines provided in this Order.
5. **By 1 May 2016**, begin implementation of the RMMP.
6. **By 15 October 2016**, complete all approved restoration and mitigation measures described in the proposed RMMP.
7. **By 1 December 2016**, submit a **Completion Report** for the RMMP. The Completion Report shall accurately depict all construction and/or mitigation measures and document that the above plan to restore, compensate for, and minimize any further impacts to the Main Drainage and Canyon Creek have been fully implemented.
8. **By October 1 of each year** (starting 1 October 2017) submit an annual monitoring report. The Annual Monitoring Report shall summarize monitoring results of RMMP and shall continue until at least three years after successful completion of the RMMP, or until

a report, acceptable to the Assistant Executive Officer, is submitted showing the discharger has met the requirements of the RMMP.

GENERAL REQUIREMENTS AND NOTICES

9. **Duty to Use Qualified Professionals:** The Discharger shall provide documentation that plans, and reports required under this Order are prepared under the direction of appropriately qualified professionals. As required by the California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. The Discharger shall include a statement of qualification and registration numbers, if applicable, of the responsible lead professionals in all plans and reports required under this Order. The lead professional shall sign and affix their registration stamp, as applicable, to the report, plan, or document. The required activities must be implemented by the appropriately qualified/licensed professionals as otherwise required by law.

10. **Signatory Requirements:** All technical reports submitted by the Discharger shall include a cover letter signed by the Discharger, or a duly authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to their knowledge, the report is true, complete, and accurate. The Discharger shall also state if it agrees with any recommendations/proposals and whether it approves implementation of said proposals. Any person signing a document submitted under this Order shall make the following certification:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

11. **Notice of Onsite Work:** The Discharger or his authorized agent(s) shall notify Board staff at least 48 hours prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation and is not routine monitoring, maintenance, or inspection.

12. **Notice of Change in Ownership or Occupancy:** Report Any Changes in Ownership or Occupancy: The Discharger shall file a written report on any changes in the Site’s ownership or occupancy. This report shall be filed with the Central Valley Water Board no later than 30 days prior to a planned change and shall reference the number of this Order.

13. **Submissions:** All monitoring reports, technical reports or notices required under this Order shall be submitted to:

Ashley Hampton
364 Knollcrest Dr., Ste. 205
Redding, CA 96002
(530) 224-6130

14. **Other Regulatory Requirements:** The Discharger shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning the work. For example, FGC section 1602 requires a person or entity to notify CDFW before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; and/or 4) depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake. The failure to notify CDFW constitutes a violation of FGC section 1602.
15. **Cost Recovery:** Pursuant to Water code section 13304, the Regional Water Board is entitled to, and may seek reimbursement for, all reasonable costs it actually incurs investigating and abating the effects of the unauthorized discharges of waste and to oversee/supervise the cleanup of such waste, or other remedial action, required by this Order. The Discharger shall enroll in the State Water Board's Cost Recovery Program and shall reimburse the State of California for all reasonable costs actually incurred by the Regional Board.
16. **Delayed Compliance:** If for any reason, the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Assistant Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as a delay is recognized and prior to the compliance date. An extension may be granted by revision of this Order or by a letter from the Assistant Executive Officer. The Regional Water Board acknowledges that local, state, and federal permits may cause a delay beyond the control of the Discharger and will take all the available relevant facts into consideration when considering whether or not to grant an extension request.
17. **Potential Liability:** If the Discharger fails to comply with the requirements of this Order, this matter may be referred to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability. Failure to comply with this Order may result in the assessment of an administrative civil liability up to \$10,000 per violation per day, pursuant to California Water Code sections 13268, 13350, and/or 13385. The Regional Water Board reserves its right to take any enforcement actions authorized by law, including but not limited to, violation of the terms and condition of this Order.
18. **No Limitation of Water Board Authority.** This Order in no way limits the authority of the Regional Water Board to institute additional enforcement actions or to require additional investigation and cleanup of the Site consistent with the Water Code. This Order may be revised as additional information becomes available.
19. **Modifications.** Any modification to this Order shall be in writing and approved by the Regional Water Board, including any potential extension requests.
20. **Requesting Review by the State Water Board:** Any person aggrieved by this or any final action of the Regional Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and Title 23, California Code of Regulations, section 2050 et al. The State Water Board must receive the petition

by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

This Order is effective upon the date of signature.

Original signed by

Clint E. Snyder, P.G.
Assistant Executive Officer

14 October 2015

(Date)

Attachment 1 – 8 April 2015, Hanover Properties Inspection Report

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CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

INSPECTION REPORT

15 October 2015

PROPERTY OWNERSHIP: Butte County APN: 061-540-052-000
Hanover Properties LLC, 8287 Sherwood Blvd, Los Molinos, CA 96055

Butte County APN: 061-540-060-000
Hanover Properties LLC, 8287 Sherwood Blvd, Los Molinos, CA 96055

CONTACT(S): N/A

RESIDENT(S) PRESENT: No residents present during the inspection.

INSPECTION DATE & TIME: 7 April 2015 at approximately 1000 hours

INSPECTED BY: Ashley Hampton, ES, Central Valley Water Board
Kevin Pfeiffer, EG, Central Valley Water Board
Roy (Trey) Sherrell, ES, Central Valley Water Board

CONSENT/WARRANT: This inspection was conducted in accordance with an administrative inspection warrant issued 6 April 2015 by the Butte County Superior Court.

ACCOMPANIED BY: Lt. DeWayne Little, Warden, California Department of Fish & Wildlife
Steven Crawl, Warden, California Department of Fish & Wildlife
Brendan Lynch, Warden, California Department of Fish & Wildlife
Mark Imdahl, Warden, California Department of Fish & Wildlife
Tobi Freeny, Environmental Scientist, California Department of Fish & Wildlife

EQUIPMENT USED: 2 Garmin Rino 655t GPS Units
Measuring Tape 200 feet
Nikon Coolpix AW120 GPS Camera
Clinometer

ATTACHMENTS: Appendix A – Figures 1 & 2
Appendix B – Inspection Photographs 1-69
Appendix C – Warrant and Affidavit in Support of Warrant
Appendix D – Butte County Documents

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| Approved : | original signed by Clint Snyder |
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SITE DESCRIPTION

On 7 April 2015 Central Valley Regional Water Quality Control Board (Central Valley Water Board) and California Department of Fish and Wildlife (CDFW) staffs inspected two parcels (referred to as the "Site") off Pritchett Drive in Berry Creek, Butte County:

Butte County APN: 061-540-052-000

Hanover Properties LLC, 8287 Sherwood Blvd, Los Molinos CA 96055

Butte County APN: 061-540-060-000

Hanover Properties LLC, 8287 Sherwood Blvd, Los Molinos CA 96055

The Site, located off Oroville Quincy Highway and Pritchett Drive in Berry Creek, lies less than a quarter of a mile due west of Canyon Creek, a blue line stream draining directly to Lake Oroville. Grading completed at the Site has created several platforms with steep slopes on highly erosive soils. The graded platforms and road construction at the Site lack adequate erosion control measures which have led to the discharge of fine sediment to Canyon Creek approximately 3 miles upstream from the tributary's confluence with Lake Oroville.

A summary of the inspection and water quality concerns associated with the Site are included below. Appendix A includes: 1) a general Site location map identifying access roads and specifying water courses and their relation/proximity to the Site, as well as key features and Waypoints (Figure 1); and 2) a detailed map of the cultivation areas with Waypoints (Figure 2). Corresponding photographs documenting Site details and water quality concerns are included as Appendix B. The warrant and affidavit in support of the warrant are included as Appendix C. Butte County documents identifying road easements and grading violations are included as Appendix D.

BACKGROUND

On 9 March 2015, Warden Steven Crowl of CDFW conducted an overflight of Butte County with Pat Vellines, engineering geologist with the Central Valley Water Board and observed a large scale grading operation off of Pritchett Drive with the corresponding Global Positioning System (GPS) coordinates of 39° 37.829'N 121°26.280'W. Two parcels were identified as being impacted by grading as observed in the overflight. The properties, Butte County APNs: 061-540-052-000 and 061-540-060-000, are both owned by Hanover Properties LLC. A business entity search with the California Secretary of State lists Mr. David M. Waite as the registered agent for the company (Agent). Based on his training and experience, Warden Crowl recognized the presence of infrastructure commonly associated with marijuana cultivation sites. He believed that the grading and excavation work completed at the Site may be deleterious to fish and aquatic life pursuant to Fish and Game Code section 5650 and recommended that the Central Valley Water Board participate with CDFW in a follow-up on-site inspection.

According to Google Earth imagery, grading, clearing, and road expansion appears in May 2013, shortly after the property had been acquired by Hanover Properties. Information gathered from Butte County Department of Public works indicates that notices of violation were issued for APNs: 061-540-052-000 and 061-540-060-000 for grading violations and lack of erosion and sediment control plans. Grading permit applications have not been received by Butte County for either parcel. These notices of violation, issued 10 October 2013, also notified the Agent of construction storm water permit requirements of the California Regional Water Quality Control Board, for which no applications have been received by Central Valley Water Board staff.

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Based on the photographic evidence and declaration of Warden Crowl, Central Valley Water Board staff obtained an administrative inspection warrant from the Butte County Superior Court on 6 April 2015 to inspect the property in question and to document any water quality violations including, but not limited to:

- a) Entering the premises and observing the physical conditions,
- b) Taking photographs and video of the physical conditions of the site and documenting any processes or activities being conducted,
- c) Questioning or conferring with persons present on the property privately,
- d) Measuring the pumping rate of surface water diversion, water diversion area, height and facilities
- e) Collecting and analyzing samples of water potentially impacted by contaminants of concern,
- f) Testing water for pollutants including sediment, fertilizers, pesticides, and
- g) Inspecting and duplicating any writings and records of spills or emergencies, business plans, contingency plans, etc.

On 7 April 2015 at 0730 hours the above identified Central Valley Water Board and CDFW staffs met at Oroville Wildlife Refuge to conduct a pre-inspection briefing. At 0953 hours those staffs met onsite to conduct the inspection. Central Valley Water Board staff (Staff) carried the original signed warrant and copies of the signed warrant were attached to the gate after exiting the property. No persons were present upon arrival or during the inspection.

OBSERVATIONS:

During the onsite inspection, Staff noted field conditions as wet and saturated with moderate to heavy precipitation and temperatures just above freezing.

Staff collected information at GPS Waypoint locations 076-092 using a Garmin Rino 655t GPS unit (Garmin), collected 2 soil samples for classification and 5 surface water samples to be analyzed for turbidity. Staff also collected two GPS perimeter tracks around the upper and lower cultivation sites (perimeter of the disturbed area) to estimate the acreage of graded soil associated with the grow sites on each parcel (Figures 1 & 2). Photographs were taken to document the conditions of the Site at the time of the inspection.

Butte County APN: 061-540-060-000

During inspection of parcel 061-540-060-000, Staff identified several primary areas of concern:

- Main Access Road
- Upper Cultivation Site

Main Access Road

Staff arrived at approximately 1000 hours to a locked gate accessing the property immediately noting a poorly maintained, inadequately drained, and badly eroded access road (Main Access Road) that led up to the Site (Photo 1; Waypoint 076). Staff collected two runoff samples and a soil sample from the Main Access Road, GPS Waypoint information, as well as photographs to document the road and its condition. Map and parcel information (Figure 1) indicate that a portion of the road may cross over onto the southwest corner of a separate parcel, Butte County APN: 061-540-062-000. Further investigation with Butte County Department of Public Works

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revealed documents to attest that in the subdivision of a larger parcel the road was created as a private easement for access and is solely contained within the boundaries of parcel 061-540-060-000 (see Appendix D).

Upon arrival, evidence of turbid storm water runoff was observed by Staff prior to entry through the access gate. The road did not exhibit any effective erosion control measures nor did it exhibit any evidence of proper construction for an active rural road such as water control ditches, rolling dips, or out sloping to prevent sheet flow erosion on the road prism. Minimal straw waddling was installed to limit sediment transport (Photos 2-3), but was ineffective in preventing sediment-laden storm water runoff or was otherwise absent on the majority of the road. The grade of the Main Access Road varied from 35% for the lower majority to 15% at the top where rilling began (Waypoint 084). The Main Access Road is, on average, 16.25 feet wide and as measured on ArcGIS 10.2 was approximately 0.23 miles from the locked gate to the top of the road estimating the total graded roadway beyond the gate to be approximately 0.46 acres. The Main Access Road extending through the parcel measured approximately 0.61 miles making the entire graded road area 1.19 acres. The presence of deep rilling and erosional scars (Photos 4-9) indicate poor drainage, while the rainy conditions at the time of the Site visit demonstrated that fine sediments from the road were being transported and discharged off-site as turbid storm water.

Staff collected a soil sample at Waypoint location 086 from the Main Access Road surface for classification. The sample was classified by Central Valley Water Board Engineering Geologist Kevin Pfeiffer using the Visual Classification of Soils - Unified Soil Classification System, ASTM Standard D 2488-00, Standard Practice for Description and Identification of Soils (Visual-Manual Procedure). The soil sample is interpreted to be the native soil present in the area and is physically described as follows:

Group Symbol: SC

Description: Clayey Sand; About 90% high plasticity fines; trace poorly graded, fine sands; Trace gravels, cobbles and boulders absent.

Additional Notes:

Low dilatency, sample maintains water fairly well, poorly consolidated but easily compacted, red/brown color, organics are present. Organics include roots and twigs. Soil does not rapidly absorb moisture and is easily eroded.

This classification was cross referenced with the United States Department of Agriculture (USDA) Web Soil Survey, and the soil type is identified as mounthope-hartsmill soil series – a well-drained soil with high to severe susceptibility to erosion.

Staff collected two water samples from the Main Access Road to establish a turbidity background for storm water runoff. One sample was collected at the top of the road at Waypoint 083 (sample ID: 001 – Top of Road), and another mid-way down the road at Waypoint 085 (sample ID: 002 – Road). Samples were submitted for analysis to an accredited laboratory. Active erosion was evident as shown by an increase in turbidity between the sample collected at the top of the road and the sample collected further down the Main Access Road (see Table 1). Staff traced the storm water course down the Main Access Road to assess the final point of discharge from the road. Staff tracked the turbid runoff which exited the Main Access Road entering a wooded area that had been littered with tires and trash before re-joining with a lower section of the road (Photos 10-16; Waypoints 087 & 088). The sediment-laden

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storm water finally exited the Main Access Road at Waypoint 089 flowing northeast via a Class III drainage towards Canyon Creek (Photo 17).

Staff acquired permission from property owners James Brown, Melvin Hiller, and Robert Burns along Canyon Creek to access the stream to collect samples for turbidity. At 1255 hours James Brown (with the Canyon Creek Roadhouse) and Melvin Hiller granted permission to access Canyon Creek from their properties to collect water samples. Staff observed Canyon Creek turbid with fine sediment flowing southwest towards Lake Oroville. Staff collected a downstream turbidity sample (sample ID: 003 – Downstream) at Waypoint 090 after all confluences of road runoff from the Site behind Canyon Creek Roadhouse. Using topographical data on the Garmin GPS units, Staff identified the Class III drainage course for the tracked storm water discharging from the Main Access Road. Staff established the confluence of the drainage with Canyon Creek to be located on parcel 061-540-062-000 owned by Mr. Robert Burns. Staff was granted permission at 1305 by Mr. Burns for access, to collect samples, and to take photographs of the creek on his property. Staff observed a distinctly low upstream turbidity in Canyon Creek followed by turbid discharge from the Class III drainage that significantly affected downstream turbidity (Photo 19). Staff then collected turbidity samples at Waypoints 091 and 092 upstream and downstream of the confluence of the Class III drainage with Canyon Creek (sample IDs: 004 – Upstream & 005 – Downstream). The two downstream samples (003 – Downstream & 005 – Downstream) exceeded the Canyon Creek background sample (004 - Upstream) by far greater than the maximum allowed by objectives prescribed in the Water Quality Control Plan, Fourth Edition (Revised October 2011), for the Sacramento and San Joaquin River Basins (Basin Plan). The Basin Plan allows for a maximum of a 20% increase where natural turbidity is between 5 and 50 nephelometric turbidity units (NTUs).

Table I – Laboratory Analyzed Turbidity Samples

| | Natural Turbidity | Increases Shall Not Exceed |
|--|-------------------------------------|-----------------------------------|
| Basin Plan Objectives | <i>Between 1 and 5 NTUs</i> | <i>1 NTU</i> |
| | <i>Between 5 and 50 NTUs</i> | 20% |
| | <i>Between 50 and 100 NTUs</i> | <i>10 NTU</i> |
| | <i>Greater than 100 NTUs</i> | <i>10%</i> |
| Sample ID | Sample Turbidity (NTU) | Exceedance (If Applicable) |
| 001 -Top of Road | 203 | N/A |
| 002 - Road | 528 | N/A |
| 003 - Downstream (~776 ft. downstream from sample 004) | 200 | 419.5% |
| 004 - Upstream | 38.5 | Background Sample |
| 005 - Downstream (~23 ft. downstream from sample 004) | 99.1 | 157.4% |
| NTU, Nephelometric Turbidity Unit | | |

Lack of adequate erosion and sediment controls along the steeply graded Main Access Road have caused high velocity sheet flow of storm water on highly erosive soils. This has caused the discharge of fine sediments via storm water from the road surface to a Class III watercourse draining to Canyon Creek causing violation of Basin Plan objectives for water quality.

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Documents provided by Butte County Public Works indicate that Pritchett Drive (Main Access Road) and adjunctive roads on the parcel were created as a private easement for parcel access when parcels were subdivided in 1977. Thus, the maintenance of these roads falls under the responsibility of the property owner(s) or Agent of such property.

Upper Cultivation Site

After hiking the badly eroded Main Access Road to the top of the parcel, Staff observed a large graded cultivation site and supporting areas (Upper Cultivation Site) encompassing an area of approximately 0.60 acres as measured using the Garmin area function. As observed by Staff, the Upper Cultivation Site contained several water tanks, 6 raised grow beds, trash, stockpiled and spilled potting soils, liquid fertilizers in jugs and plastic drums, gas cans, several unfinished sheds, a hauling trailer, 2 camper/travel trailers, a tent, a large trench of unidentified purpose (possibly for installation of piping or utility), and what appeared to be an outdoor area for processing marijuana products. The presence of gardening tools and freshly turned soil in the raised beds indicated recent work had taken place at the Site. Additionally, Staff noted the presence of badly worn sediment control measures indicating site runoff was a likely-known issue by whoever installed those measures. Staff collected an additional soil sample, GPS Waypoints and Tracks, measurements, and photographs to document conditions of the Upper Cultivation Site.

Water Supply – Waypoint 078; Photos 24-28

At the top of the Upper Cultivation Site Staff observed two 2,500 gallon water storage tanks that flanked an additional 1,050 gallon tank that may have been used for additional water storage or for pre-mixing for fertilizers. Staff noted electrical lines wired to supply power to the pump switch up from the Main Access Road. Tracing the piping and the electrical down the Main Access Road, Lt. DeWayne Little commented that the water appeared to be pumped up from a source well on the property.

Grow Boxes – Photos 29-33

On the Upper Cultivation Site, Staff counted and measured six Grow Boxes or raised growing beds (several in disrepair) containing cover plants and potting soils. Piled wood planks were left lying around the area to the southwest end of the Grow Boxes, indicating additional Grow Boxes may have been present in the past and have since been removed. The six Grow Boxes were all approximately 11 feet in width and varied from 45 feet to 178 feet in length. Using the measurements of the Grow Boxes and a soil fill of approximately 12-18 inches in depth, it is estimated that approximately 400 cubic yards of potting soil is contained by the structures, not including spilled potting soils covering the ground in and around the Grow Box area. The cover plants were effective in stabilizing the loose potting soils through the rainy season but their overgrowth may have contributed to sidewall structural failure in some of the Grow Boxes which has led to spilled potting soil. The far southwestern Grow Box appeared to have been recently worked as there was evidence of freshly turned soils, pulled cover plants, and gardening tools near and within the bed.

Soil Amendments, Fertilizers, and Trash – Waypoint 077; Photos 34-48

The Upper Cultivation Site was littered with improperly stored materials and trash, including soil amendments, fertilizers and gas cans.

A large pile of potting soil left uncovered and unprotected from storm water and erosion was prominent near the top of the Main Access Road (Photo 33). At Waypoint 077, what appeared

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to be a large compost or soil amendment stockpile was also left unprotected and subject to weathering (Photo 35).

Behind the water storage tanks on the Upper Cultivation Site, Staff found at least 10 1-gallon jugs of Nectar for the Gods Bloom Khaos kelp extract liquid foliar spray lacking any type of secondary containment or proper disposal, while just beside the water tanks sat a large wooden trash bin with contents including containers with worn labels with language that may indicate improper disposal of potentially hazardous waste (Photo 33). Additionally, adjacent to the wooden trash bin stood a small open sided shed containing several unlabeled buckets of unknown substances. Staff noted approximately 10 55-gallon plastic drums labeled Herculean Harvest Liquid Bone Meal, an organic plant fertilizer rich in calcium and phosphorus. The manufacturer's suggestion for Herculean Harvest of 1 ounce product per gallon of water dilution, suggests either large-scale cultivation or potential over-application of the product considering the volume stored on the property. While calcium in waters contributes to overall hardness, phosphorus is often the nutrient responsible for accelerated eutrophication in lakes and reservoirs. Overabundance of nutrients such as phosphorus in water can result in algal blooms, lowered dissolved oxygen concentrations and potential fish kills. Given that the Site lays above several drainages to Canyon Creek, a direct tributary to Lake Oroville, along with the knowledge that drainage issues exist (as indicated by heavily worn erosion/sediment control measures), there exists a significant threat of nutrient discharge to Canyon Creek from the Site.

The Upper Cultivation Site was littered with trash, discarded materials, and gas cans (of unknown volume or content) lacking proper storage. Gasoline and other fuel products released into waterways can contribute to toxicity in aquatic organisms and can increase treatment costs or cause municipal water treatment facilities to fail in reaching public health standards. Trash and discarded materials that make their way into waterways can also have detrimental effects to beneficial uses, including limiting aesthetic enjoyment and other recreational activities, causing pollution from leaching, or entrapment of aquatic organisms and wildlife.

Erosion and Sediment Control – Photos 35, 49-50; Waypoints 081-082

During inspection of the Upper Cultivation Site, Staff noted several areas in which sediment control waddles had been installed indicating anticipated problems with sediment discharge and site runoff. Most of these waddles were badly seasoned and in need of replacement. While these sediment control measures were present, their placement/dispersal at the Upper Cultivation site was minimal and their effectiveness was severely limited by their condition. Staff also noted the presence of slash from clearing in several areas (as can be seen behind discarded wire mesh in photo 41), a common best management practice (BMP) used in sediment control.

Staff collected a soil sample at Waypoint 082 from a pile of excavated fill that appeared to be remnants from clearing and excavation on the Upper cultivation Site. The sample was found to be consistent in composition with the soil sample collected from the road at Waypoint 086 and is interpreted to be native soil as identified for the area. Considering the soil's erosional potential and classification, additional measures should be taken to prevent runoff and sediment discharge by installing additional erosion/sediment control and replacing worn and ineffective controls.

Butte County APN: 061-540-052-000

During inspection of parcel 061-540-052-000, Staff identified several primary areas of concern:

- Terrace Access Road (a portion of which exists on parcel 061-540-060-000)

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- Lower Cultivation Site

Terrace Access Road

Along the western border of the Upper and Lower Cultivation Sites, Staff observed a road connecting the two Cultivation Sites (Terrace Access Road). Staff collected several cross sectional measurements on the Terrace Access Road to determine an average width of 13 feet, while inclinometer measurements along the road varied from 2%-25% grade. The steeper sections of the Terrace Access Road exhibited scarring from channelization of storm water and continued erosional damage to the road prism, as can be seen in Photos 51 & 52; Waypoint 080. Considering the soil type for the area (which appeared consistent with soils collected for classification on the upper parcel) and the slope of the road, more robust erosion control measures should be taken to prevent erosion and sediment discharge during the rainy season.

Lower Cultivation Site

Down the Terrace Access Road just south of the Upper Cultivation Site, on parcel 061-540-060-000, Staff observed an additional cultivation site and supporting areas (Lower Cultivation Site) encompassing an area of approximately 0.74 acres as measured using the Garmin area function. The Lower Cultivation Site consisted of five graded terraces with unprotected cut banks, water storage tanks, a camper trailer, improperly stored fertilizers and soil amendments, bulldozed earthen material and slash, and scattered trash associated with cultivation and habitation.

Terraces: Photos 53-64

Staff observed five terraces cut into the southern slope of the hillside to create the Lower Cultivation Site. The terraces were graded into the hillside of the Lower Cultivation Site left largely unprotected from erosion causing sediment discharge to an area that appeared to act as a sediment trap on the bottom terrace. This bottom-most terrace was bordered by manzanita slash and non-compacted bulldozed soils. The supposed sediment trap lies to the southwest end and can be seen in Photo 54. Using a Clinometer Staff estimated the slope from bottom terrace to the second at 20%. The cut-slope between the first and second terrace is comprised of loose rock and soil with very little vegetation to stabilize the slope.

The second terrace contained several canvas “grow bags” along with large mounds of excess potting soil near the edge of the cut-slope down to the bottom terrace. Standing water was present laden with sediment. Staff measured the slope from the second to third terrace, estimating a 40% hillside slope.

The third and fourth terraces both each contain grow bags with cover crop stabilizing potting soils. Irrigation piping transects each of the terraces supplying irrigation water to plants from water storage tanks above. Staff measured the slope from the third to fourth terrace at 40%. The cut-bank of the third terrace again was largely unprotected, however vegetation overgrowth on the terrace above may aid in dispersing runoff energy, reducing the impact of rainfall, and absorbing water. The cut-bank from the fourth to fifth terrace was permeated with roots; however, evidence of erosion was evident from observation of tailings sloughed off at the base of the cut-bank. The fourth terrace also housed greenhouse framing structures and a travel trailer with Washington plates. There was evidence of household trash littered over the terrace and an outdoor cook area/fire pit. As measured by Staff, the slope from the fourth terrace to the top terrace was approximately 43%.

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Water Supply and Fertilizers; Photos 65-69

On the uppermost terrace, Staff observed a single 1,100 gallon water tank with an additional 250 gallon water tote to the side. It appeared these water tanks were supplied from the Upper Cultivation Site and gravity fed irrigation water to the terraces below. The water tote may have been used to pre-mix fertilizers and nutrients as there were several containers nearby, including: Age Old Organics Age Old Bloom (high in phosphorus), Earth Juice GodSilica (liquid silica and potassium supplement), and Down to Earth Liquid Bone Meal (bone meal derived phosphorus supplement). Also nearby, Staff found open bags of Organic Solutions All-purpose Dry Fertilizer rich in nitrogen, phosphorus, and potassium, and Down to Earth Granular Humic Acids 50%.

The inspection concluded at 13:16 hours. Staff left a copy of the signed warrant in a plastic bag attached to the gate at the entrance to the site.

SUMMARY AND CONCLUSION

Based on the results of this investigation the greatest potential threat to waters of the state is the poor quality of the Main Access Road on parcel 061-540-060-000. Sediment load from turbid storm water running off of the Site via the Main Access Road into Canyon Creek has caused turbidity level increases to exceed those prescribed by the Basin Plan. Knowledge of at least minimal sediment/erosion control practices were evidenced by the presence of staked waddling along a few areas of the road and several other areas at the Site. These implemented control measures demonstrate knowledge of the Site's problematic condition and at least some knowledge as to the requirements for protecting from sediment-laden storm water discharges.

Staff have determined that the following items need to be addressed to prevent future discharge from the Site:

- The Main Access Road requires significant redesign/maintenance including installation of adequate erosion and sediment control measures.
- Other sensitive areas on the Site need to be stabilized, including additional road maintenance to the Terrace Access Road preventing discharges off Site as well as stabilization of cut-banks from the terraced Lower Cultivation Site.
- Existing erosion control measures need to be maintained to be effective.
- Potting soil, other soil amendments, and fertilizers need to be properly stored to prevent spills and unauthorized discharges.
- Used containers need to be disposed of properly and at the proper disposal facility.
- Staff recommends continued use of cover crop during the rainy season to stabilize nutrient rich potting soils.

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ENFORCEMENT DISCRETION

Due to the effects of turbid storm water runoff and resulting violations of Basin Plan Objectives, Staff recommend the issuance of a Cleanup and Abatement Order for the Main Access Road and other areas of the property discharging sediment or contributing to the discharge of sediment laden storm water to surface water on APNs: 061-540-060-000 and 061-540-052-000.

Observations in this report will be assessed for additional violations of the California Water Code. The Regional Water Board and the State Water Board reserve the right to take any enforcement action authorized by law.

Original signed by _____
Ashley Hampton
Environmental Scientist

Original signed by _____
Kevin Pfeiffer, GIT
Engineering Geologist

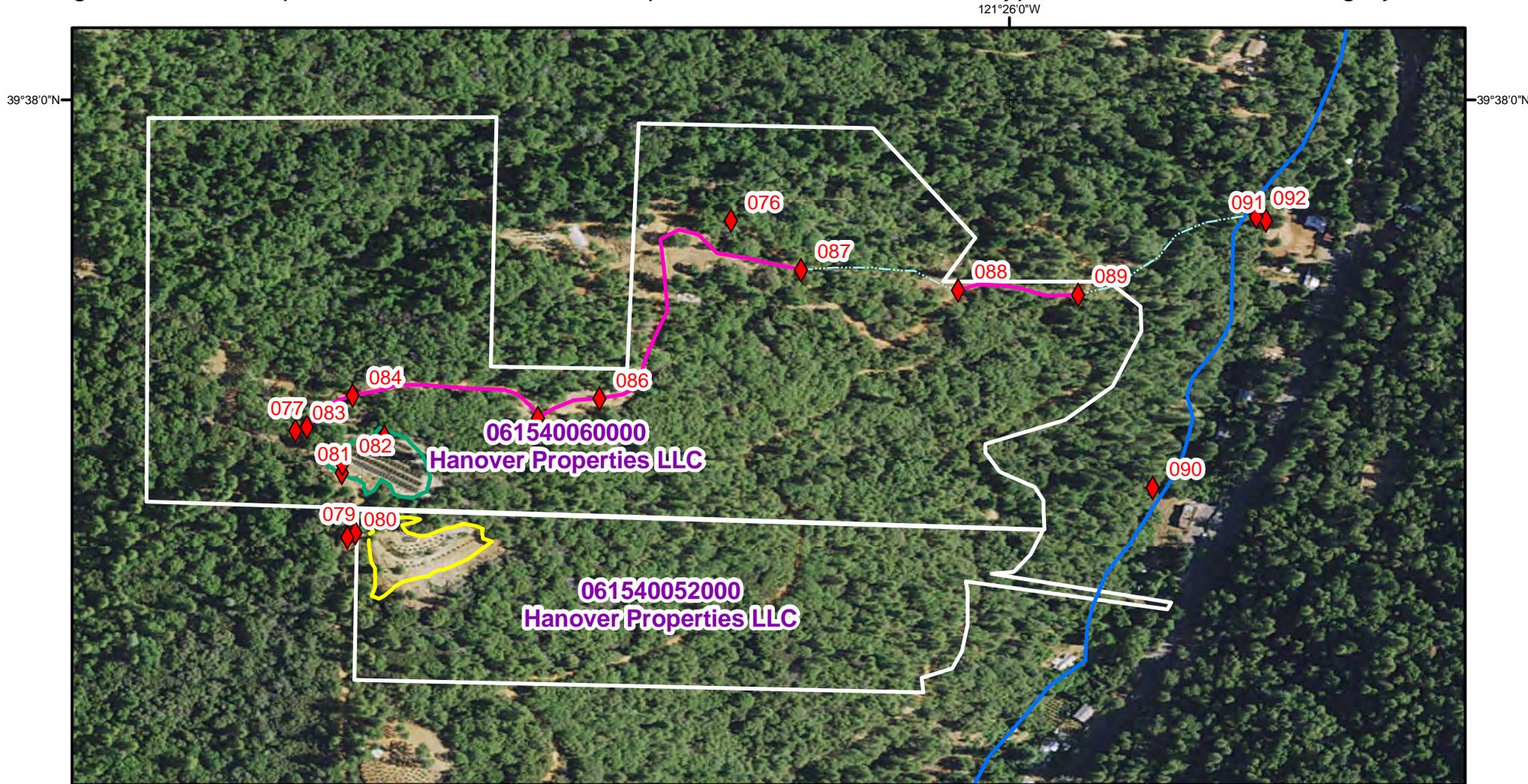
Original signed by _____
Roy Sherrell, MFR
Environmental Scientist

| | | |
|---------------|--|--|
| Approved : | | |
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Appendix A – Hanover Properties Inspection

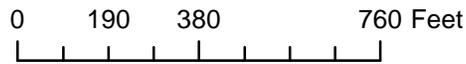
Figures 1 & 2

Figure 1: Waite Inspection, 04/07/2015, Area Map with Watercourses and Waypoints; On NAIP 2014 Imagery; NAD 83



Legend

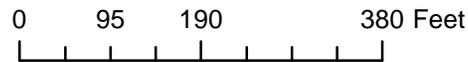
-  Waypoints
-  Upper Cultivation Site
-  Lower Cultivation Site
-  Sheet Flow on Road
-  Class III Watercourses
-  Butte County Watercourses
-  Inspected Parcels



Map Drafted By: Kevin Pfeiffer G.I.T
 Engineering Geologist
 Watershed Enforcement Team
 Central Valley Regional Water Quality Control Board
 Date: 7/6/2015



Figure 2: Waite Inspection, 04/07/2015, Cultivation Sites with Waypoints; On NAIP 2014 Imagery; NAD 83



Legend

-  Waypoints
-  Inspected Parcels

Map Drafted By: Kevin Pfeiffer G.I.T
Engineering Geologist
Watershed Enforcement Team
Central Valley Regional Water Quality Control Board
Date: 7/6/2015

Appendix B – Hanover Properties Inspection

Inspection Photographs

Photo 1. Access gate Way Point 076 – turbid storm water runoff evident on road prior to entry.



Photo 2. Sediment control straw waddling near failure.



Photo 3. Straw wadding installed for sediment control.



Photo 4. Main Access Road exhibiting heavy sheet flow, erosional scarring, and lack of erosion control measures.



Photo 5. Main Access Road exhibiting heavy sheet flow, erosional scarring, and lack of erosion control measures.



Photo 6. Erosion on Main Access Road discharging turbid storm water runoff.



Photo 7. 6-8 inch deep rills formed from storm water runoff and erosion of clay soils.



Photo 8. View North East - Extensive erosion on Main Access Road up to the Site. Vehicle access severely restricted from deep erosional scarring.



Photo 9. View East – Close-up view of extensive erosion on Main Access Road up to the Site.



Photo 10. View east: turbid sheet flow exiting road into forested drainage. Way Point 087.



Photo 11. Turbid sheet flow exiting road into forested drainage through ineffective slash. Way Point 087.



Photo 12. Turbid sheet flow exiting road into forested drainage through ineffective slash. Way Point 087.



Photo 13. Following runoff flow through wooded area.



Photo 14. Following runoff flow through wooded area.



Photo 15. Turbid runoff rejoins the road. Way Point 088.



Photo 16. Turbid runoff rejoins and continues down the road. Way Point 088.



Photo 17. Looking northeast, turbid runoff exits road and property flowing towards Canyon Creek. Way Point 089.



Photo 18. Canyon Creek. Sample collected: 003 - Downstream at Waypoint 090. Sample collected downstream of all road drainage confluences with Canyon Creek.



Photo 19. Convergence of Class III drainage from Main Access Road to Canyon Creek. Samples collected: 004 – Upstream at Waypoint 091, and 005 – Downstream at Waypoint 092. Photo depicts comparatively clear waters in Canyon Creek picking up sediment-laden storm water from the convergence of the road drainage—significantly affecting turbidity downstream of the confluence.



Photos 20: Northwest from Waypoint 078 - view of encampment on Upper Cultivation Site, trailers, sheds, and tent.



Photos 21-22: Trench to the north of the site.



Photo 23: Outdoor "honey oil" lab as identified by CDFW staff.



Photo 24. View north east – two 2500 gallon water tanks flanking additional 1050 gallon water storage/mixing tank. Waypoint 078.



Photo 25. View east. Water storage tanks with irrigation piping, hoses and debris. Plywood trash bin to the rear of the photo.



Photo 26: Irrigation pipes from the storage tanks. Weathered staked straw waddles installed behind the water tanks—providing little protection from runoff and erosion.

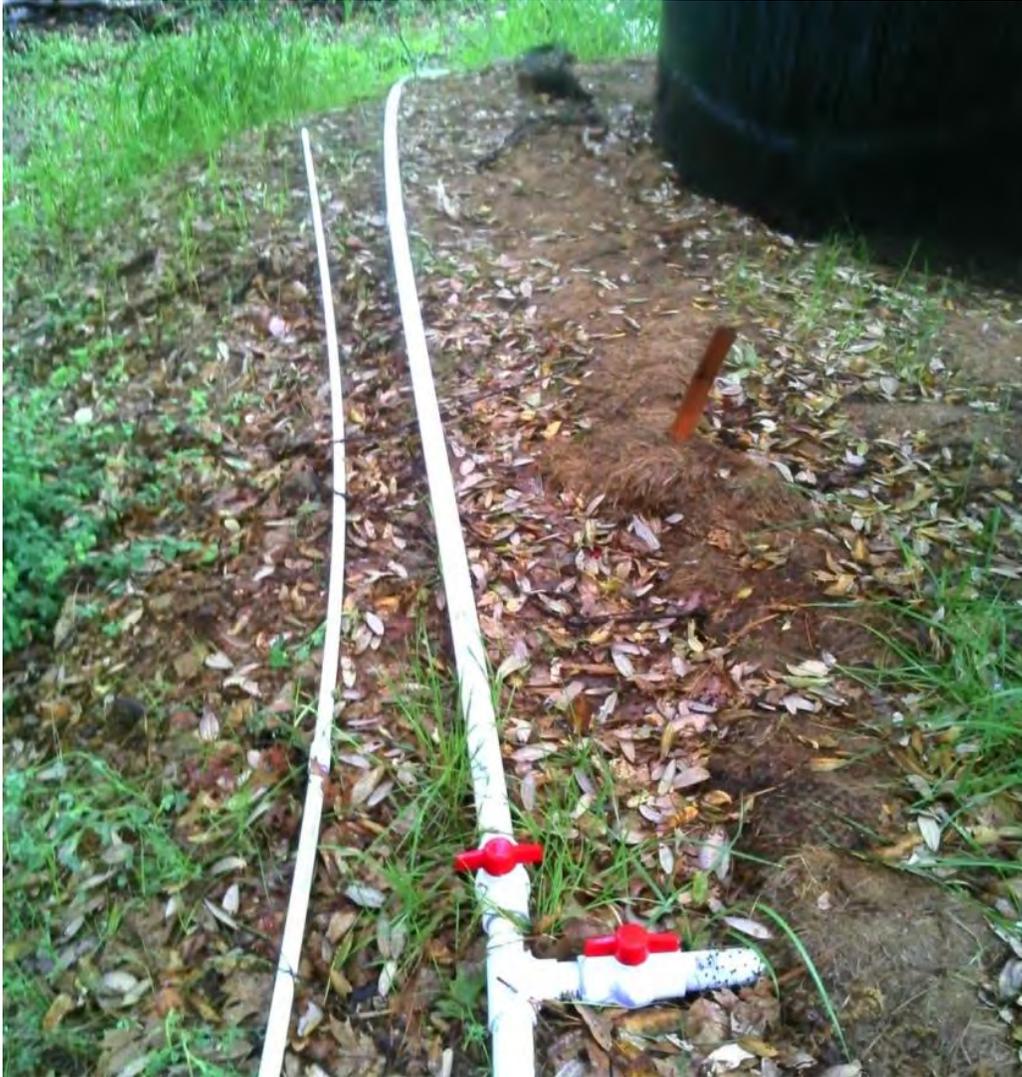


Photo 27: Power and water supply lines up to the storage tanks from along the Main Access Road. Photo taken behind storage tanks.



Photo 28: Well supplying water for cultivation. Solar panel providing power to the well pump and pump switch on the Upper Cultivation Site.

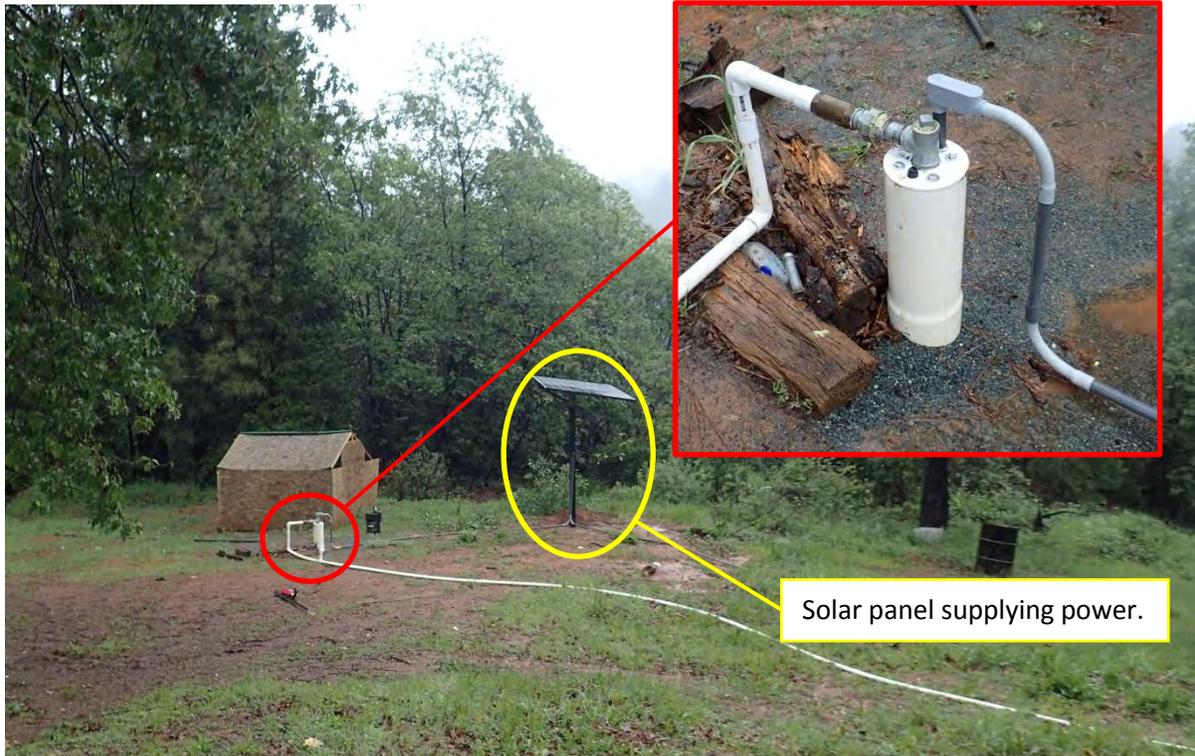


Photo 29: View East. Grow boxes with cover crops.



Photo 30: Discarded wooden sidewalls to the southwest of the Grow Boxes indicating additional Grow Boxes may have existed on the Site.



Photo 31: View Southeast. Stressed Grow Box sidewall, freshly pulled cover crop, and freshly turned soils in southeast box.



Photo 32: Southwestern Grow Box being prepared for planting.



Photo 33. Failing Grow Box with spilled soil amendments and standing water.



Photo 34: Unprotected stockpiled potting soil.



Photo 35: Additional potting soil contained by straw waddles.



Photo 36: Possible onsite compost pile or soil amendment stockpile to the northwest of the Upper Cultivation Site exposed to rain and storm runoff; Waypoint 077.



Photo 39: Lean to with unlabeled buckets – several on their side.



Photo 40: Approximately ten 55-gallon plastic drums labeled as Hurculean Harvest Liquid Bone Meal.



Photo 41: Close up of one of the 55-gallon drums and label.

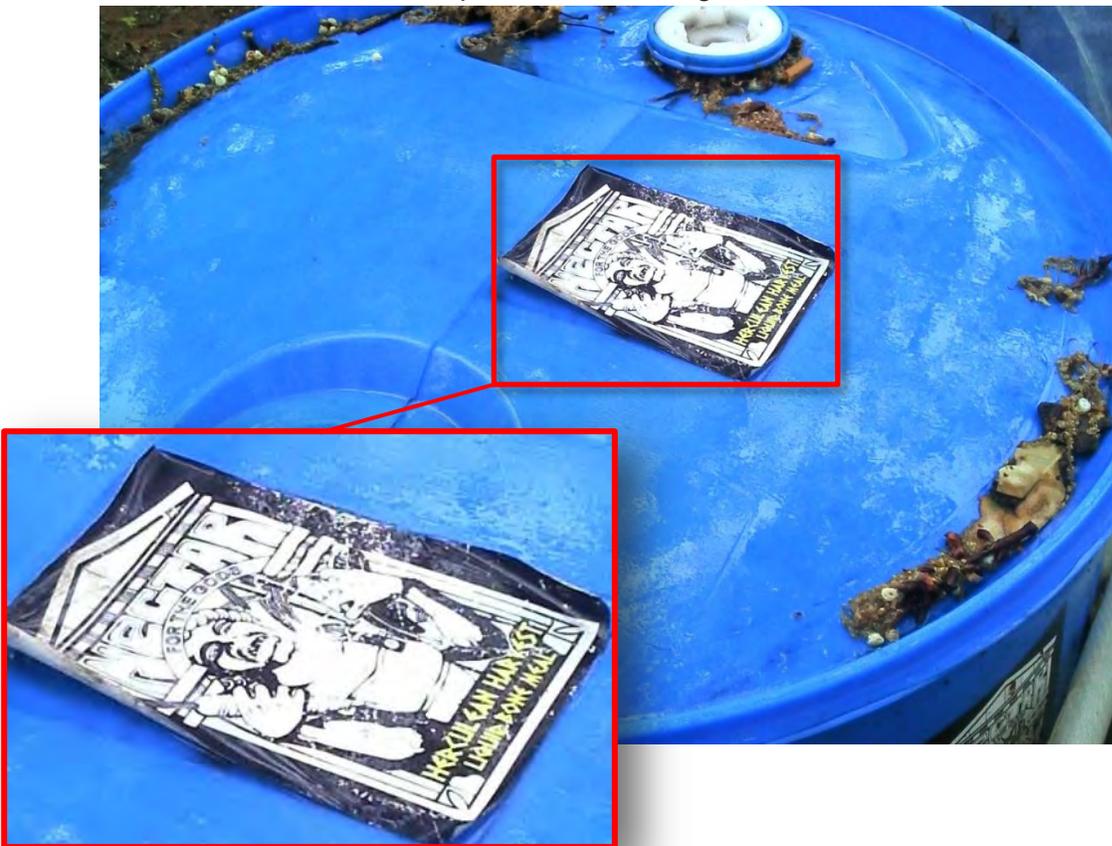


Photo 42: Trash and numerous gas cans lying on their sides underneath camper/trailer on Upper Cultivation Site (upper parcel).



Photo 43: Gas can with weed whacking equipment near “compost pile”/Waypoint 077.



Photo 44: More gas cans of unknown volume/content behind sheds.



Photo 45: Discarded plastic netting often used to keep larger animals out of garden areas.



Photo 46: Discarded wire mesh/screen and slash.



Photo 47: Discarded trash and debris.



Photo 48: Wire caging and wood scraps.



Photo 49-50: Severely weathered sediment control waddles.



Photo 51: Terrace Access Road on western end of properties showing channelization and rilling.



Photo 52: Terrace Access Road on western end of properties.



Photo 53: Looking downhill from the fourth terrace (southwest) on the second and third terraces.

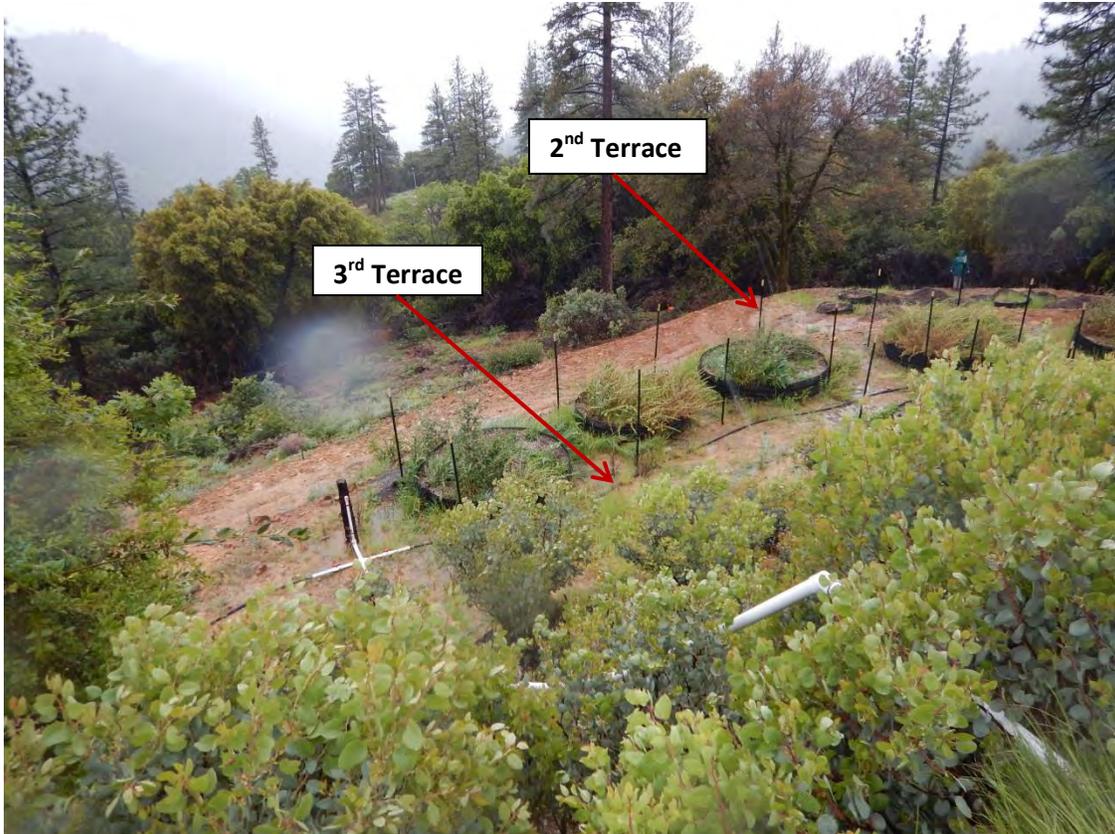


Photo 54: Bottom terrace. Note "sediment trap: to the left and slash to the background.



Photo 55: Bulldozed earthen materials and manzanita slash bordering bottom terrace.



Photo 56: Unprotected cut-slope from bottom terrace to second terrace.



Photo 57: Second terrace with piled potting soils and canvas grow bags.



Photo 58: Standing water and sediment on second terrace.



Photo 59: Unprotected cut-slope from second terrace to third terrace.



Photo 60: Third terrace with steep, minimally protected, cut-bank and canvas “grow bags”.



Photo 61: Terrace four. “Grow bags” with cover plants. Gravity irrigation supplying the terraces.



Photo 62: Cut-bank from terrace four to the top terrace.



Photo 63: Travel trailer and trash on fourth terrace.

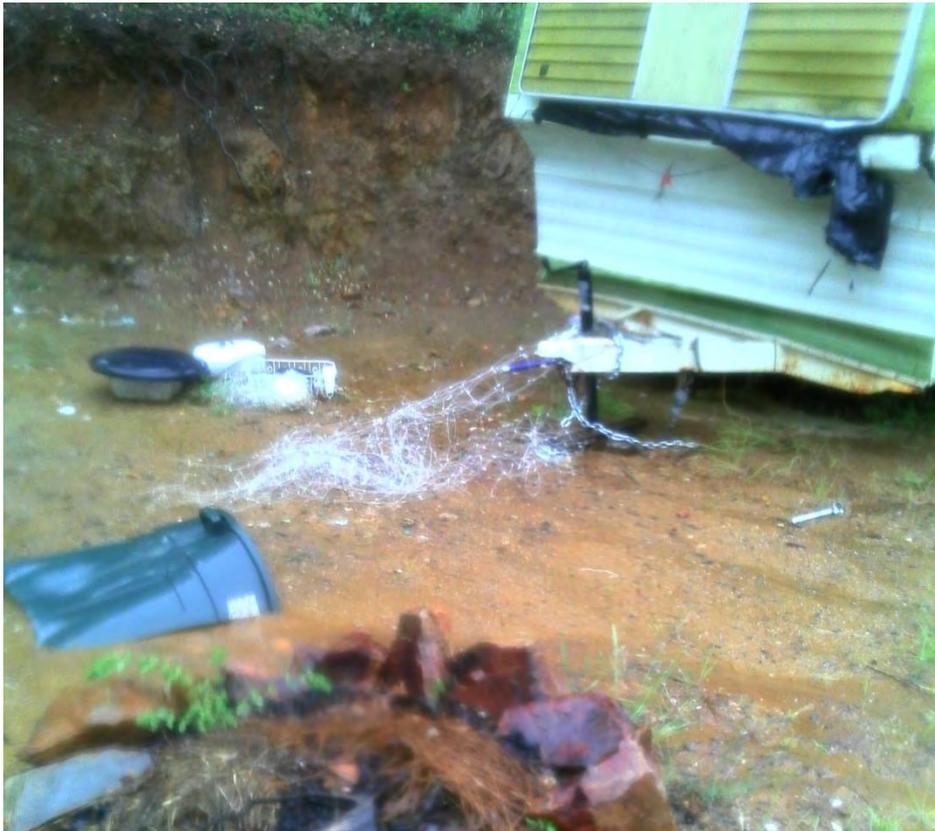


Photo 64: Greenhouse supports on terrace four alongside travel trailer.



Photo 65: Water storage tanks on the upper most terrace on the Lower Cultivation Site. One 1,100 gallon tank and 250 gallon water tote gravity irrigating terraces below.



Photo 66: Water storage tanks for the Lower Cultivation Site.



Photo 67: Liquid fertilizers by the water supply on the Lower Cultivation Site.



Photo 68: All-purpose dry fertilizer stored near the water source on the Lower Cultivation Site.



Photo 69: Weathered open bag of Down to Earth Granular Humic Acid by water tanks.



Appendix C – Hanover Properties Inspection

Warrant and Affidavit in Support of Warrant

SUPERIOR COURT OF CALIFORNIA

COUNTY OF BUTTE

FILED Superior Court of California County of Butte APR 24 2015 Kimberly Elenet, Clerk Deputy

SEARCH WARRANT RETURN AND INVENTORY

Search Warrant No. BSW 15-141
Issuing Magistrate: Hon. James Reilley
Date warrant issued: 04/06/15
Date warrant executed: 04/07/15
Address(es) of place(s) searched: APN 061-540-052-000 APN 061-540-060-000
Person(s) served and title: N/A
Manner of service: [X] Personal Service [] Mail [] Fax

During the execution of the search warrant, the following property was seized:

- [] Property listed in Exhibit A, which is a document attached hereto and incorporated by reference.
[X] Property listed below:
Various water and soil samples obtained from the property and surface water flowing on and through it

I, Clint Snyder, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on the warrant.

04/24/15 Date Officer/Affiant

Sworn to and subscribed before me, this 24 day of April, 20 15

Judge of the Superior Court, County of Butte JAMES F. REILLEY

Superior Court of California
County of Butte
APR 24 2015
Kimberly Flener, Clerk
~~J. J. J. J.~~ Deputy

1 Christian Carrigan, Director, SBN 197045
2 Yvonne M. West, Attorney IV, SBN 221414
3 Office of Enforcement
4 California State Water Resources Control Board
5 1001 I St., 16th Floor
6 Sacramento, CA 95814
7 Phone (916) 322-3626
8 Fax (916) 341-5896

9 Attorneys for Applicant:
10 California Regional Water Quality Control Board,
11 Central Valley Region

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **IN AND FOR THE COUNTY OF BUTTE**

14 IN THE MATTER OF THE INSPECTION OF:) No. **BSW 15-141**
15)
16 Pritchett Drive – Hanover Properties, LLC) INSPECTION WARRANT
17 APNs: 061-540-052-000 and 061-540-060-000) (Code Civ. Proc., § 1822.50 et seq.)
18) (Wat. Code, §§ 1051, 13267)
19)
20)

21 THE PEOPLE OF THE STATE OF CALIFORNIA TO:

22 PAMELA C. CREEDON, Executive Officer of the California Regional Water Quality
23 Control Board, Central Valley Region (Central Valley Water Board), and her authorized
24 representatives:

PROOF, by affidavit, having been made before me by Mr. Clint Snyder:

THAT THERE IS REASON TO BELIEVE that there may exist on property located
along Pritchett Drive, Butte County Assessor’s Parcel Numbers (APN): 061-540-052-000 and
061-540-060-000 (collectively referred to as the “Property”), conditions of and/or threatened
conditions of, pollution or nuisance resulting from discharges of waste to waters of the State and

1 of the United States resulting from the cultivation of marijuana and associated activities
2 including, but not necessarily limited to, chemicals and/or hazardous wastes from pesticides,
3 fertilizers and leaking fuel tanks or other chemical storage containers, stream dredging, in-stream
4 dams, grading, road construction, and construction debris from constructing structures and roads,
5 in violation of the Porter-Cologne Water Quality Control Act (Wat. Code § 13000 et seq.) and
6 the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.); AND the diversion, use,
7 and/or storage of water in violation of the California Water Code (Wat. Code §§ 1052(a) and
8 5101);

9 AND that there is authorization for an inspection by the Central Valley Water Board
10 pursuant to Water Code section 1051 and Water Code section 13267, subdivision (c), with
11 respect to the Property identified in **Exhibit A** to the accompanying Affidavit by Central Valley
12 Water Board staff, attached hereto and incorporated herein by this reference as required by
13 California Code of Civil Procedure section 1822.50 et seq. for the issuance of an inspection
14 warrant:

15 YOU ARE THEREFORE COMMANDED TO INSPECT, INVESTIGATE, AND
16 SEARCH.

17 SAID INVESTIGATION SHALL INCLUDE entering upon and conducting a visual
18 inspection of the entire Property and conducting and documenting such inspection by taking such
19 samples and reviewing such writings and records that are kept and maintained on the Property as
20 is necessary to determine compliance with the statutory provisions cited above.

1 The inspection shall include, but is not limited to the following:

- 2 a) entering the Property, observing the physical conditions of the Property, and any
3 equipment located thereon and any operations, processes or other activities being
4 conducted thereon, including, but not limited to, water diversions, graded areas,
5 cultivated areas, road crossings, disposal areas, ponds, surface drainages, watercourses,
6 material stockpiles, storage, and buildings located on the Property;
- 7 b) taking photographs and video of the physical conditions of the Property and any
8 equipment located thereon and any operations, processes or other activities being
9 conducted thereon;
- 10 c) questioning of or conferring with persons present on the property privately to obtain
11 information bearing on whether violations of the laws and regulations occurred;
- 12 d) the measurement of the pumping rate, if extant; the measurement of each reservoir's area,
13 dam height, and diversion facilities, if extant;
- 14 e) collecting and analyzing samples of water, raw, graded, processed or stored materials,
15 chemical, fuel, waste, and/or other stored or contained materials;
- 16 f) testing for water pollutants, including but not limited to sediment, fertilizers and
17 pesticides, from any source whether mechanical, process or natural; and
- 18 g) inspecting and duplicating any writings and records of spills or emergencies, business
19 plans, contingency plans, or any other information authorized under California Water
20 Code section 13267, subdivision (c).

21 Central Valley Regional Board staff is not aware of residential structures located on the
22 Property; and this inspection warrant does not authorize the entry or inspection of any residence
23 that may be located on the Property. This inspection shall be reasonably conducted so as to

1 effect as minimal an intrusion as possible on the normal operations of the business. You shall not
2 interfere with the property owner's observation of the inspection. Water Board staff will be
3 accompanied by California Department of Fish and Wildlife Law Enforcement Division and
4 Watershed Enforcement Team staff.

5 The inspection shall be made during the daylight hours between 8:00 a.m. and 6:00 p.m.
6 In the event that the inspection cannot be completed in a single day, you may return and reenter
7 the Property for further inspection as you find necessary on a subsequent day or days, subject to
8 the daylight-hours restriction above, prior to the expiration of this inspection warrant.

9 The inspection may be made in the absence of the owner and/or occupant.

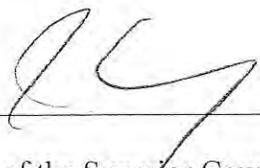
10 The inspection may be made without 24-hour notice to the owner and/or occupant that
11 the warrant has been issued.

12 Forcible entry may be used to gain access to the Property.

13 This inspection shall be for the entirety of the Property located on Pritchett Drive, Butte
14 County, APNs: 061-540-052-000 and 061-540-060-000 and more particularly described on
15 **Exhibit A** of the accompanying Affidavit by Central Valley Water Board staff.

16 This inspection warrant shall be effective for 14 days, unless extended or renewed, and
17 shall be executed within the 14-day period and returned to this Court within 20 days from the
18 date of execution, or within the period of extension or renewal.

19 Given under my hand and dated this 6 day of April, 2015.

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23 _____
JAMES F. REILLEY
Judge of the Superior Court

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Attachments:

Affidavit of Clint Snyder and Exhibits thereto

Exhibit A – ParcelQuest Map of Property

Exhibit B – Declaration from Warden Crowl of California Department of Fish and Wildlife
Management in Support of Inspection Warrant.

AUTHORIZATION TO EXECUTE IN ABSENCE OF OWNER OR OCCUPANT

FOR GOOD CAUSE SHOWN BY AFFIDAVIT, execution of this INSPECTION

WARRANT in the absence of the owner or occupant is hereby authorized, as set forth above and
in the affidavit.

Dated: 4/6/15



JAMES F. REILLEY
JUDGE OF THE SUPERIOR COURT,
BUTTE COUNTY

FILED Superior Court of California
County of Butte
APR 24 2015
Kimberly Flener, Clerk
By I. WILSON Deputy

1 Christian Carrigan, Director, SBN 197045
2 Yvonne West, Attorney II, SBN 221414
3 Office of Enforcement
4 California State Water Resources Control Board
5 1001 I St., 16th Floor
6 Sacramento, CA 95814
7 Phone (916) 341-5445
8 Fax (916) 341-5896

6 Attorneys for Applicant:
7 California Regional Water Quality Control Board,
8 Central Valley Region

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF BUTTE

10 IN THE MATTER OF THE INSPECTION OF:) No. BSW 15-141
11)
12 Pritchett Drive – Hanover Properties, LLC) DECLARATION OF PAT
13 APNs: 061-540-052-000 and 061-540-060-000) VELLINES IN SUPPORT OF
14) RETURN OF INSPECTION
15) WARRANT
16)

14 I, Pat Vellines, declare as follows:

15 1. Attached hereto as Exhibit A is the original inspection warrant issued in this matter, dated
16 April 6th 2015, and issued by Superior Court Judge James F. Reilley.

17 2. I am an Engineering Geologist on the Watershed Enforcement Team of the Regional
18 Water Quality Control Board for the Central Valley Region (“Central Valley Water Board” or
19 “Board”) and I work out of the Board’s Redding office.

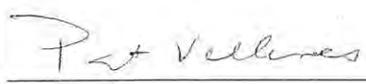
20 3. On 04/07/2015 at 9:00 am, I executed the inspection warrant issued by this Court on
21 April 6, 2015 for the properties located along Pritchett Drive in Butte County, Assessor’s Parcel
22 Numbers 061-540-052-000 and 061-540-060-000 collectively referred to as the “Property”. The
23 inspection warrant was executed in the absence of the property owners as authorized.

24 Photographs of the physical conditions of the Property and any equipment located thereon and

1 any operations, processes or other activities being conducted thereon were taken. Two soil
2 samples were collected and taken from the APN 061-540-060-000. Two water samples were
3 collected from the APN 061-540-060-000. The inspection did not involve seizing of any other
4 materials, documents, or items.

5 4. I declare under penalty of perjury that the foregoing is true and correct. Executed at
6 Oroville, Butte County, California, on 4/23, 2015.

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Pat Vellines, P.G.

Superior Court of California
County of Butte
APR 06 2015
Liberty Fierro, Clerk
A. LARSEN

1 Christian Carrigan, Director, SBN 197045
2 Yvonne West, Attorney IV, SBN 221414
3 Office of Enforcement
4 California State Water Resources Control Board
5 1001 I St., 16th Floor
6 Sacramento, CA 95814
7 Phone (916) 322-3626
8 Fax (916) 341-5896

9 Attorneys for Applicant:
10 California Regional Water Quality Control Board,
11 Central Valley Region

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF BUTTE**

14 IN THE MATTER OF THE INSPECTION OF:) No. **BSW 15-141**
15)
16 Pritchett Drive Parcels) AFFIDAVIT IN SUPPORT OF
17 APNs: 061-540-052-000 and 061-540-060-000 ,) INSPECTION WARRANT
18) (Code Civ. Proc., § 1822.50 et seq.)
19) (Wat. Code, §§ 1051, 13267)

20 I, Clint Snyder, declare as follows:

21 1. I am employed by the Regional Water Quality Control Board for the Central Valley
22 Region ("Central Valley Water Board" or "Board") in the Board's Redding office. I have a
23 Bachelor of Science in Geology from the California State University, Chico. I have been
24 employed by the Central Valley Water Board since 2008. Prior to working for the Central
Valley Water Board, I had been employed by VESTRA Resources, Inc. from January 2002 to
May 2008 and SHN Consulting Engineers and Geologists, Inc., from July 2001 to January 2002.
During my employment with VESTRA Resources, I was a Senior Geologist, principal, and
member of the Board of Directors.

25 2. During my time with the Central Valley Water Board, I have worked in various
26 programs, including permitting, enforcement, inspections, site cleanup, underground storage
27 Affidavit in Support of
28 Inspection Warrant
29 Pritchett Drive Parcels

1 tanks (USTs), and landfills. From January 2011 through February 2013, I was the Supervising
2 Senior for the UST, Site Cleanup, and Land Disposal Unit of the Central Valley Water Board. I
3 am currently the Assistant Executive Officer in the Redding Office of the Central Valley Water
4 Board and manage the Redding office.

5 3. As Assistant Executive Officer of the Central Valley Water Board's Redding office, I
6 provide Executive Management oversight for all programs conducted by the Board including,
7 Point Source and Non-Point Source Discharge Programs, Water Quality Certification, Storm
8 Water, Timber Harvest, Mines, Site Cleanup, Underground Storage Tanks, Land Disposal,
9 Dairies, Irrigated Lands, and Enforcement Programs. My duties at the Central Valley Water
10 Board include oversight of environmental investigations at various facilities and properties
11 throughout the region for the type and character of water code violations that are frequently
12 associated with marijuana cultivation, such as, discharges of wastes including, but not limited to,
13 earthen materials, chemical reagents, cement wastes, or petroleum products, affect or threaten to
14 affect the quality of waters of the state.

15 4. I am also the Central Valley Water Board's Lead Prosecution Officer for all matters
16 originating from the Redding Office. This includes Administrative Civil Liability Complaints,
17 Cleanup and Abatement Orders issued pursuant to Water Code section 13304, and all orders for
18 technical reports issued pursuant to Water Code section 13267, and water quality certifications
19 issued pursuant to section 401 of the federal Clean Water Act.

20 5. This affidavit is made in support of the Central Valley Water Board's request for an
21 Inspection Warrant pursuant to Code of Civil Procedure section 1822.50 et seq., Water Code
22 section 13267, subdivision (c), and Water Code section 1051; to establish reason to believe that
23 conditions of nonconformity with the Water Code regarding the cultivation of marijuana and

1 related activities may exist at the property described below; and to set forth reasons why it is
2 necessary to have law enforcement personnel accompany the Central Valley Water Board for the
3 inspection.

4 **PROPERTY**

5 The properties to be inspected are located along Pritchett Drive in Butte County, Assessor's
6 Parcel Number (APNs): 061-540-052-000 and 061-540-060-000 (collectively referred to as the
7 "Property"). Plats and aerial photographs of the Property are attached as Exhibit A and B
8 hereto. The Property to be inspected is within the jurisdiction of the Central Valley Water Board.
9 According to County records, the current owner of the individual parcels that makes up the
10 Property is as follows:

| 11 APN | Owner | Address |
|--------------------|-------------------------|---|
| 12 061-540-052-000 | Hanover Properties, LLC | 8287 Sherwood Blvd. 13 Los Molinos, CA 96055 |
| 14 061-540-060-000 | Hanover Properties, LLC | 8287 Sherwood Blvd. 15 Los Molinos, CA 96055 |

17 **SUMMARY OF INFORMATION**

18 6. Central Valley Water Board staff has received information from representatives from the
19 Department of Fish and Wildlife that a person or persons on the Property likely conducted
20 unpermitted marijuana cultivation operations, along with associated activities including grading,
21 road construction, construction debris, construction of stream crossings, storage and use of
22 chemicals and/or fertilizers, fuel tanks, stream diversion, stream dredging, and structures.

23 **Exhibit B** is a report prepared at my direction summarizing the investigation and information

1 obtained to date. I incorporate Exhibit B as if set forth fully here. I have discussed the content
2 of exhibit B with Warden Steve Crowl from the California Department of Fish and Wildlife
3 (CDFW). I am fully apprised of the investigation he conducted as set forth in Exhibit B. I
4 declare that Exhibit B is a true and correct summary of that investigation to the best of my
5 knowledge and belief.

6 7. In my experience and judgment, marijuana cultivation and unpermitted grading activities
7 like those documented in the photographs provided in Exhibit B, may be associated with
8 conditions of and/or threatened conditions of, pollution or nuisance resulting from discharges of
9 waste to waters of the State and of the United States involving chemicals and/or hazardous
10 wastes from pesticides, fertilizers and leaking fuel tanks or other chemical storage containers,
11 earthen materials from grading, road construction, stream dredging, in-stream dams, and
12 construction debris from constructing structures and roads, in violation of the Porter-Cologne
13 Water Quality Control Act (Wat. Code § 13000 et seq.) and the Federal Water Pollution Control
14 Act (33 U.S.C. § 1251 et seq.). Such activities may also be associated with the diversion, use,
15 and/or storage of water in violation of the California Water Code (Wat. Code §§ 1052(a) and
16 5101).

17 **CENTRAL VALLEY WATER BOARD LEGAL AUTHORITY**

18 8. Water Code section 13050, subdivision (d) defines waste as “any and all other waste
19 substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human
20 or animal origin, or from any producing, manufacturing, or processing operation, including waste
21 placed within containers of whatever nature prior to, and for purposes of, disposal.”

22 9. Pursuant to Water Code section 13260, any person discharging waste, or proposing to
23 discharge waste, that could affect the quality of the waters of the state must file a report of waste

1 discharge. A report of waste discharge provides technical information necessary to evaluate the
2 waste discharge, including, but not limited to, waste characteristics, geologic and climatologic
3 characteristics of the discharge site and surrounding region, installed features, operation plans for
4 waste containment, and precipitation and drainage controls.

5 10. Water Code section 13267, subdivision (a) authorizes the Central Valley Water Board to
6 “investigate the quality of any water of the state” within the Central Valley Region. Section
7 13267, subdivision (c) states that the Central Valley Water Board “may inspect the facilities of
8 any person to ascertain whether the purposes of [the Porter-Cologne Water Quality Control Act
9 (Cal. Wat. Code § 13000 et seq.)] are being met.”

10 11. Pursuant to Water Code section 1052, subdivision (a), “the diversion or use of water
11 subject to [Division 2 of the Water Code] other than as authorized [in Division 2] is a trespass.”
12 Water Code section 5101 requires that persons who divert water shall file annual statements of
13 diversion and use with the State Water Resources Control Board (State Water Board).

14 12. Water Code section 1051 authorizes the State Water Board to investigate streams and
15 stream systems, take testimony in regards to water rights or water use, and to “ascertain whether
16 or not water heretofore filed upon or attempted to be appropriated is appropriated under the laws
17 of this State.”

18 **SCOPE OF INSPECTION**

19 13. The purpose of the Inspection Warrant is to determine the existence of and, if extant, the
20 sources of waste discharge or threat of discharge to surface waters, surface water drainage
21 courses, or ground water and the compliance of those sources with the Porter Cologne Water
22 Quality Control Act (Wat. Code § 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. §

1 1251 et seq.), and to determine the existence of diversions of surface waters and, if extant, the
2 compliance of those diversions with the California Water Code (Wat. Code § 1000 et seq.).

3 14. The inspection shall include entering upon and conducting a visual inspection of the
4 entire Property and conducting and documenting such inspection by taking such samples and
5 reviewing such writings and records that are kept and maintained on the Property as is necessary
6 to determine compliance with the statutory provisions cited above. The inspection may include:

7 (a) entering the Property, observing the physical conditions of the Property, and any
8 equipment located thereon and any operations, processes or other activities being
9 conducted thereon, including, but not limited to, water diversions, graded areas,
10 cultivated areas, road crossings, disposal areas, ponds, surface drainages, watercourses,
11 material stockpiles, storage, and buildings located on the Property;

12 (b) taking photographs and video of the physical conditions of the Property and any
13 equipment located thereon and any operations, processes or other activities being
14 conducted thereon;

15 (c) questioning of or conferring with persons present on the Property privately to
16 obtain information bearing on whether violations of the laws and regulations occurred;

17 (d) the measurement of the pumping rate, if extant; the measurement of each
18 reservoir's area, dam height, and diversion facilities, if extant;

19 (e) collecting and analyzing samples of water, raw, graded, processed or stored
20 materials, chemical, fuel, waste, and/or other stored or contained materials;

21 (f) testing for water pollutants, including but not limited to sediment, fertilizers and
22 pesticides, from any source whether mechanical, process or natural;

1 (g) inspecting and duplicating any writings and records of spills or emergencies,
2 business plans, contingency plans, or any other information authorized under California
3 Water Code section 13267, subdivision (c).

4 15. The nature of marijuana cultivation operations raise concerns regarding the timeliness of
5 executing the warrant, particularly the need to ensure that the owners or occupants do not tamper
6 with evidence, making it reasonably necessary to obtain this Inspection Warrant prior to seeking
7 consent and to execute the Inspection Warrant without providing at least twenty-four hour notice.

8 I request that permission be given to conduct the inspection without notifying the owners or
9 operators of the Property in advance of executing the warrant.

10 16. The Central Valley Water Board anticipates the execution of the Inspection Warrant may
11 be adversarial if someone is present onsite. I request that permission be given to conduct the
12 inspection accompanied by the Sheriff and/or other law enforcement personnel, and CDFW's
13 Law Enforcement Division.

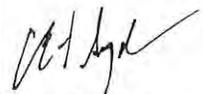
14 17. Due to the nature of the marijuana cultivation operations, and the nature of the potential
15 violations, I request that permission be given to conduct the inspection with force including but
16 not limited to, cutting chains or forcing open gate locks necessary to execute this Inspection
17 Warrant, authorizing law enforcement personnel to detain any persons on the Property who
18 resist, obstruct, or interfere with Central Valley Water Board staff or law enforcement personnel
19 in executing this Inspection Warrant.

20 **WHEREFORE**, I respectfully request an Inspection Warrant be issued pursuant to Code of
21 Civil Procedure sections 1822.50 et seq. to Pamela C. Creedon, Executive Officer of the
22 California Regional Water Quality Control Board, Central Valley Region, her agents, and

1 employees to permit an inspection and investigation of the Property named above, as set forth
2 fully in the Inspection Warrant.

3 I declare under penalty of perjury that the foregoing is true and correct to the best of my
4 knowledge, information, and belief.

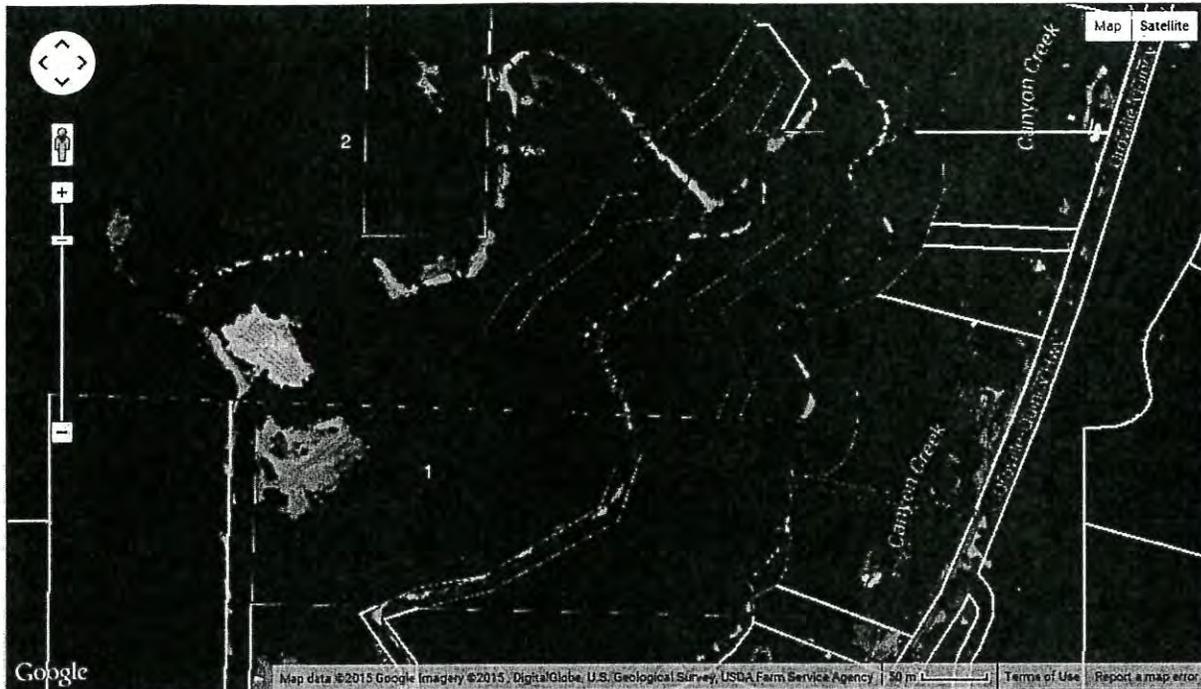
5 Executed this 6 day April 2015 at Butte County, California.

6 
7 Mr. Clint Snyder
8 Assistant Executive Officer
9 California Regional Water Quality Control Board,
10 Central Valley Region

10 Subscribed and sworn before me on this 6 day of April 2015.

11 
12 _____
13 Judge **JAMES F. REILLEY**
14 of the Superior Court, Butte County

Exhibit A
Parcel Quest Map for Hanover/Waite Property



Lat: 39.631787° Zoom
Lon: -121.440082° 17

Type: **List View** Page Layout: **Show Map** Total Pages: 1 [page: 1]

| ID | Co | APN | Lot Acres | Owner | M Street Address | M City State Zip | Mail Name |
|----|-----|-----------------|-----------|------------------------|--------------------|----------------------|--------------------|
| 2 | BUT | 061-540-060-000 | 44.450 | HANOVER PROPERTIES LLC | 8287 SHERWOOD BLVD | LOS MOLINOS CA 96055 | HANOVER PROPERTIES |
| 1 | BUT | 061-540-052-000 | 13.420 | HANOVER PROPERTIES LLC | 8287 SHERWOOD BLVD | LOS MOLINOS CA 96055 | HANOVER PROPERTIES |

Exhibit B

Declaration of CDFW Warden Steve Crowl and Aerial Site Photographs

On 03-09-15, I conducted an overflight of Shasta County with Pat Vellines (Geologist with Regional Water Quality Control Board). During the flight, I observed a large scale grading operation on Pritchett Dr. with the corresponding GPS coordinates of 39° 37.829'N 121°26.280'W. The properties are owned by Hanover Properties (David M. Waite, Registered Agent for Hanover Properties) with APN's: 061-540-052,061-540-060 according to LandVision. The site is approximately .25 miles above Canyon Creek a tributary to Lake Oroville. Incorporated within the graded area; I saw what based on my training and experience; I recognized as infrastructure commonly found in marijuana cultivation sites. The graded area appeared to be on steep slopes in excess of one acre, and substantially altered the terrain. There appeared to be no erosion control measures taken at the site. Based my training and experience, I believe the large scale alteration of the terrain, placement of spoils, and the potential for fertilizers and or chemicals commonly used for marijuana cultivation at the site, could be deleterious to wildlife. Pat Vellines contacted Butte County Code Enforcement, and found that no grading permits were issued for the site. See attached images below taken by myself from a CDFW plane on March 9th 2015.



Photo 1: Shows large scale grading, and infrastructure commonly used for cultivation of marijuana.

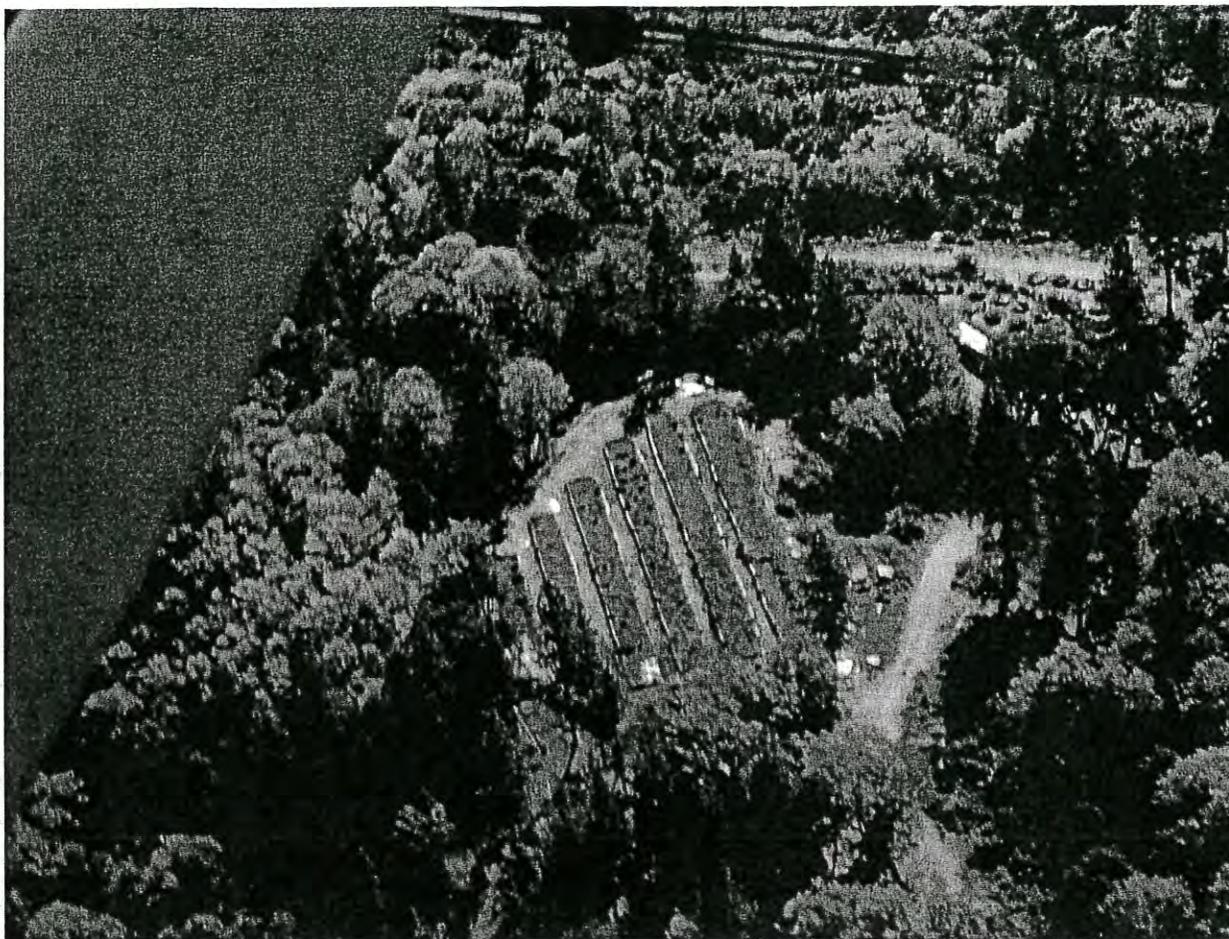


Photo 2: Shows large scale grading, infrastructure commonly used for marijuana cultivation, No obvious erosion control.

Based on my training and experience, I believe that the work done may be deleterious to fish and aquatic life pursuant to Fish and Game code section 5650.

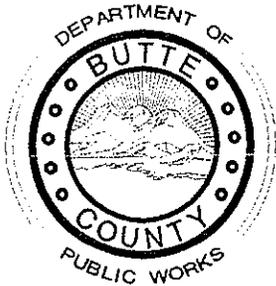
I declare that this summary and the above photos I took on March 9th 2015, are a true, correct and an accurate representation of the investigation and site conditions that I witnessed on that day.

A handwritten signature in cursive script, appearing to read "Steven Crowl".

Steven Crowl
Warden
Watershed Enforcement Team
California Department of Fish and Wildlife
601 Locust Street
Redding, CA 96001
(530) 225-2300

Appendix D – Hanover Properties Inspection

Butte County Documents



Department of Public Works

County of Butte

J. Michael Crump, *Director*
Shawn H. O'Brien, *Assistant Director*

LAND DEVELOPMENT DIVISION
7 County Center Drive
Oroville, CA 95965
(530) 538-7266
(FAX) 538-7171

October 10, 2013

Hanover Properties, LLC
8287 Sherwood Blvd.
Los Molinos, CA 96055

Attn: David M. Waite, Agent

RE: Grading on APN 061-540-052; Pritchett Dr., Berry Creek

Dear Mr. Waite:

It has come to the attention of the Butte County Department of Public Works that grading is being performed on your property located on Pritchett, Berry Creek. Please be aware that the County Grading Ordinance (Ch. 13 Butte County Code) makes it unlawful to grade more than fifty (50) cubic yards of soil, including cut and/or fill, without either being granted an exemption or being issued a permit prior to grading. We have no record of you or your agent seeking a determination of exemption with the Butte County Department of Public Works. Further our inspector has determined that the grading being performed on your property exceeds seven thousand eight hundred (7,800) cubic yards. Enclosed is a copy of the county grading permit application for your review and future compliance.

Because we have determined that the grading being performed on your property is in violation of the Butte County Code it is therefore a statutory nuisance. You are hereby ordered to cease and desist from all grading activities. Other county departments have been notified that a grading violation has occurred and a hold will be placed on current and future permits until a grading permit or valid grading exemption is approved. Please take the necessary measures within the next 14 days to address this violation. If this notice is received during the winter rainy season, you must also provide a storm water stabilization plan to protect water quality and adjacent property owners from the continuing nuisance conditions created by the grading activity.

If you are not exempt, Butte County requires sediment and erosion controls for all grading permits. The California Regional Water Quality Control Board (CRWQCB) also requires a construction storm water permit for activities where clearing, grading, filling and excavation result in a land disturbance of one or more acres. You must provide our office with a copy of the required State Storm Water Pollution Prevention Plan (SWPPP). You may contact the Redding office of the CRWQCB at (530) 224-4845 for more information regarding state storm water permits.

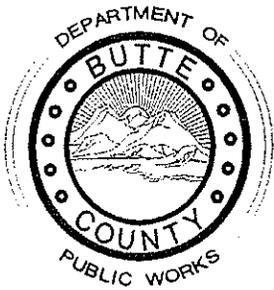
If you have any questions, please contact this office at (530) 538-7266, Monday through Friday, 8:00 a.m. to 4:00 p.m.

Sincerely,

Thomas A. Fossum, P.E.
Manager, Land Development Division

cc: Eric Schroth, Associate Engineer, Land Development Division

encl.



Department of Public Works

County of Butte

J. Michael Crump, *Director*
Shawn H. O'Brien, *Assistant Director*

LAND DEVELOPMENT DIVISION
7 County Center Drive
Oroville, CA 95965
(530) 538-7266
(FAX) 538-7171

October 10, 2013

Hanover Properties, LLC
8287 Sherwood Blvd.
Los Molinos, CA 96055

Attn: David M. Waite, Agent

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If you have any questions, please contact this office at (530) 538-7266, Monday through Friday, 8:00 a.m. to 4:00 p.m.

Sincerely,

Thomas A. Fossum, P.E.
Manager, Land Development Division

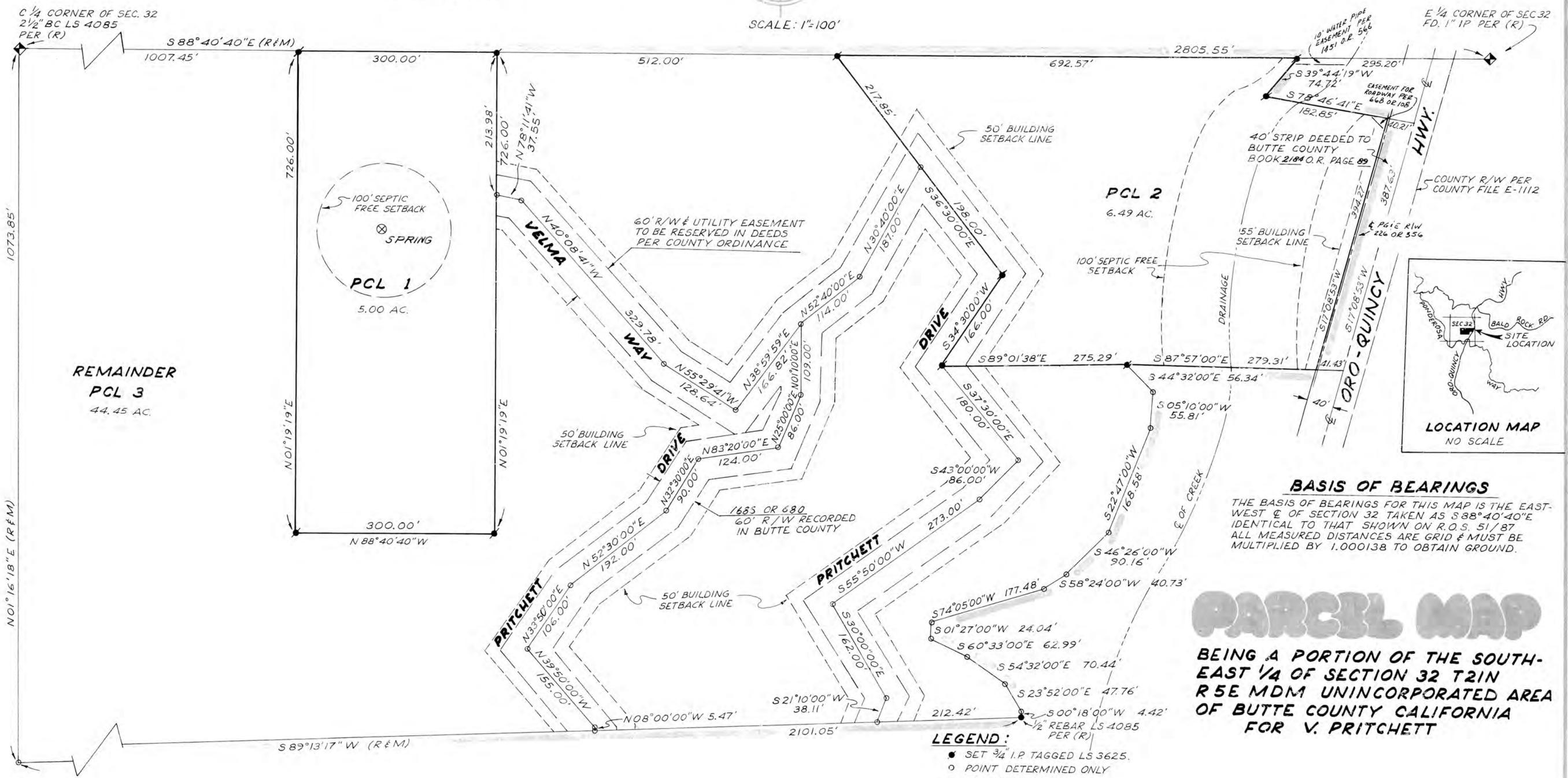
cc: Eric Schroth, Associate Engineer, Land Development Division

encl.

NOTE:
NO EVIDENCE OF DOMESTIC WATER AVAILABLE.
No further division of these parcels is to be made until traversable access is provided



SCALE: 1"=100'



BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS MAP IS THE EAST-WEST \bar{C} OF SECTION 32 TAKEN AS $S88^{\circ}40'40''E$ IDENTICAL TO THAT SHOWN ON R.O.S. 51/87 ALL MEASURED DISTANCES ARE GRID & MUST BE MULTIPLIED BY 1.000138 TO OBTAIN GROUND.

PARCEL MAP

BEING A PORTION OF THE SOUTH-EAST $\frac{1}{4}$ OF SECTION 32 T21N R5E MDM UNINCORPORATED AREA OF BUTTE COUNTY CALIFORNIA FOR V. PRITCHETT

- LEGEND:**
- SET $\frac{3}{4}$ " I.P. TAGGED LS 3625.
 - POINT DETERMINED ONLY
 - FOUND AS NOTED
 - ◆ $\frac{1}{4}$ CORNER FD. AS NOTED
 - (R) 51/87

NOTE: AN AFFIDAVIT OF OWNERSHIP IS BEING CONCURRENTLY RECORDED IN THE OFFICE OF THE BUTTE COUNTY RECORDERS UNDER SERIAL NUMBER 11724

SURVEYOR'S CERTIFICATE
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AT THE REQUEST OF V. PRITCHETT ON 17 MAY 1977. I HEREBY STATE THAT THE MAP PROCEDURES OF THE LOCAL AGENCY HAVE BEEN COMPLIED WITH AND THIS PARCEL MAP CONFORMS TO THE APPROVED TENTATIVE MAP CONDITIONS OF APPROVAL THEREOF WHICH WERE REQUIRED TO BE FILLED IN PRIOR TO THE FILING OF THE PARCEL MAP.

WILLIAM W. GEDDIS
WILLIAM W. GEDDIS, S.S. 3625
STATE OF CALIFORNIA

COUNTY SURVEYOR'S CERTIFICATE
THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

DATED: 27 September 1977

Clay Castleberry
CLAY CASTLEBERRY REC 14224
COUNTY SURVEYOR

RECORDERS CERTIFICATE
FILED THIS 28 DAY OF Sept. 1977 AT 10:57A
IN BOOK 62 OF MAPS, AT PAGE 73, AT THE REQUEST OF
Velma Pritchett
Serial # 11726

LOUISE KLUENDER
LOUISE KLUENDER
COUNTY RECORDER

GRAVES
GEDDIS
DRISCOLL

ENGINEERING
SURVEYING
PLANNING
1535 WINTOON STREET
OROVILLE, CALIF. 95965
(916) 533-8268

SHEET 1 of 1 SHEET 76-189