



# Enforcement News

## Central Valley Regional Water Quality Control Board

<http://www.waterboards.ca.gov/centralvalley/>

### Shasta County Property Owner to pay \$100,000 Over Water Quality Violations Related to Marijuana Grow

**FOR IMMEDIATE RELEASE**

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**SACRAMENTO** – The Central Valley Regional Water Quality Control Board (Central Valley Water Board) approved a settlement agreement ordering property owner Brent Alan Vanderkam to pay a penalty of \$100,000 for the unauthorized discharge of waste from marijuana cultivation into surface waters near Millville in Shasta County.

The Board's Prosecution Team believed Vanderkam's lessee developed the property to support a large scale marijuana growing operation. Vanderkam was unwilling to identify the lessee, and as owner of the property, Vanderkam was ultimately held responsible for the discharges of waste that emanated from his property and bears all responsibility for the penalty and cleanup.

The settlement stems from a March 2015 Administrative Civil Liability Complaint that alleged storm water violations associated with unpermitted grading of approximately 2.24 acres, resulting in the unauthorized discharge of more than 700,000 gallons of sediment laden storm water. Along with the unpermitted grading were dredge and fill violations related to 200 linear feet of disturbed streambed in an unnamed tributary to Clover Creek that resulted in the discharge of an estimated 427 cubic yards of fill materials. These discharges were in



Photo courtesy of Department of Fish and Wildlife.  
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violation of the Federal Clean Water Act, California Porter-Cologne Water Quality Control Act, the Central Valley Water Board's Basin Plan Prohibitions, and California Department of Fish and Wildlife Code.

Due to significant and potential long-term sediment discharges at the site, Vanderkam is also subject to a Cleanup and Abatement Order issued on March 25, 2015, to remediate ongoing problems within the property. The Order requires the discharger to obtain all necessary permits; prepare an interim erosion and sediment control plan; prepare a restoration, mitigation, and monitoring plan; and conduct long-term monitoring. Vanderkam's consultant estimates it will cost \$95,000 to comply



with the Order, in addition to the \$100,000 penalty.

Photo courtesy of Central Valley Water Board.  
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"The failure of Mr. Vanderkam or his lessee to obtain the necessary permits prior to developing the property for marijuana cultivation resulted in significant impacts to water quality," said Clint Snyder, assistant executive officer for the Central Valley Water Board. "Had these individuals obtained the proper permits and conducted the grading activities in accordance with those permits, impacts to water quality and the subsequent enforcement actions would have been avoided. The settlement terms reflect the egregious nature of these violations and the importance of holding landowners accountable."

The investigation and enforcement actions are the result of a multiagency cannabis pilot project formed specifically to address the adverse environmental impacts caused by marijuana cultivation. The project includes staff from the State and Regional Water Boards and the Department of Fish and Wildlife. Assistance in this case was also provided by the Shasta County Department of Resource Management.

For complete details on the settlement, please visit the Central Valley Water Board's [webpage](#).

The Central Valley Water Board is a California state agency responsible for the preservation and enhancement of the quality of California's water resources. For more information, visit the Regional Water Board's [website](#).

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