

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
NORTH COAST REGION**

**Cleanup and Abatement and  
Investigative Order No. R1-2024-0034**

**for  
Yesenia Carrillo and Raul Carrillo  
Assessor Parcel Numbers 032-294-03-00 and 032-180-45-00  
Mendocino County**

This Cleanup and Abatement and Investigative Order (No. R1-2024-0034, the Order) is issued to Yesenia Carrillo and Raul Carrillo (hereafter referred to as the Dischargers) based on provisions of Water Code section 13304, which authorizes the North Coast Regional Water Quality Control Board (Regional Water Board) to issue a cleanup and abatement order, and Water Code section 13267, which authorizes the Regional Water Board to issue investigative orders requiring the preparation and submittal of technical and monitoring reports.

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

**PURPOSE OF THE ORDER**

1. This Order requires the Dischargers to clean up and abate the effects of sediment and other cultivation waste from inadequately constructed or maintained cultivation pads, roads and stream crossings on Mendocino County Assessor's Parcel Numbers (APNs) 032-294-03-00 and 032-180-45-00 (hereafter the Property) to eliminate the threat of future discharges to tributaries of Black Butte River and the Middle Fork Eel River. Investigation and cleanup actions required under this Order shall be conducted to comply with the Porter-Cologne Water Quality Control Act (Wat. Code § 13000 *et seq.*), the *Water Quality Control Plan for the North Coast Region* (Basin Plan<sup>1</sup>), State Water Resources Control Board (State Water Board) Resolution 92-49 *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304* (Resolution 92-49), and other applicable State and Regional Water Board plans, policies, and regulations.

**Property Location and Description**

2. The Property consists of two separate parcels located within three miles of each other east of the town of Covelo in Mendocino County. APN 032-294-03-00 is located less than two miles north of Black Butte River, approximately three miles east and upstream from its confluence with the Middle Fork Eel River. APN 032-180-45-00 is located less than one mile north and upstream from the confluence of the Black Butte River with the Middle Fork Eel River. The Middle Fork Eel River, Black Butte River and the tributaries there-to are waters of the state, as well as waters of the United States (references hereafter to waters of the United States are

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<sup>1</sup> The [Basin Plan](https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/) can be found at:  
([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/basin\\_plan/](https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/))

also waters of the state).<sup>2</sup> The Middle Fork Eel River is Clean Water Act section 303(d)-listed as impaired due to elevated sedimentation and temperature. In December of 2003, the U.S. Environmental Protection Agency established Total Maximum Daily Loads (TMDLs) for temperature and sediment for the Middle Fork Eel River and its tributaries. The TMDLs indicate that the cold freshwater habitat is the most sensitive of beneficial uses in the watershed. As such, protection of this beneficial use is presumed to protect any of the other beneficial uses that might also be harmed by sedimentation.

### **Responsible Parties**

3. This Order finds that the Dischargers are responsible parties for creating conditions that are threatening to cause or permit the discharge of waste creating a condition of pollution. The Dischargers are all jointly and severally liable based on the following:
  - a. Parcel information available from the Mendocino County Assessor's Office, as accessed via Digital Map Products' LandVision™ online service, indicates that the Dischargers purchased APN 032-294-03-00 on August 28, 2020 and APN 032-180-45-00 on December 7, 2020. The Dischargers owned the Property during Regional Water Board staff's (hereinafter Staff) inspections in 2023 and they are the current owner of the Property.
  - b. For purposes of this Order, the Regional Water Board is naming the Dischargers as responsible parties on the basis that they owned the Property at the time of the discharges and currently own the Property where there exists threatened discharges that would cause or permit the discharge of waste creating a condition of pollution or nuisance. The Dischargers had or should have had knowledge of the activities that resulted in the discharges and threatened discharges. The Dischargers also had legal responsibility and authority to prevent the discharges and threatened discharges from occurring on the Property.

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<sup>2</sup> 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 water 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 provides the Regional Water Board additional authority to regulate discharges of waste into "waters of the state." (Wat. Code § 13260) The term "waters of the state" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." (Wat. Code § 13050 subd. (e).) All waters of the United States that are within the borders of California are also waters of the state for purposes of the Porter-Cologne Water Quality Control Act.

- c. The Regional Water Board reserves the right to amend this Order, or issue a subsequent Order, to add additional responsible parties when/if those parties are identified.

#### **Factual Basis of Order**

4. Staff inspected APN 032-294-03-00 on May 9, 2023 and APN 032-180-45-00 on May 22, 2023, during the execution of search warrants obtained by California Department of Fish and Wildlife (CDFW) law enforcement. The purpose of the Staff inspections was to evaluate onsite development and conditions, and to identify and assess any impacts or threatened impacts to the quality and beneficial uses of waters of the state. On June 22, 2023 and August 11, 2023, the Regional Water Board transmitted reports of the inspections and Notices of Violation to the Dischargers (Attachments 1 and 2). The conditions observed at the Property, as documented in the Regional Water Board inspection reports, included the following:
  - a. On APN 032-293-00:
    - i. Controllable sediment sources<sup>3</sup> associated with poorly designed access roads, graded cultivation pads and a culverted stream crossing from where sediment threatens to discharge to receiving watercourses;
    - ii. Cannabis cultivation waste including soil pots, plastic netting, and lumber discharged into a watercourse;
    - iii. Unauthorized alteration of the channel bank and fill of sediment into a watercourse.
  - b. On APN 032-180-45-00:
    - i. Controllable sediment sources associated with graded cultivation pads, road fords<sup>4</sup> and poorly designed or maintained culverted stream crossings;
    - ii. Cannabis cultivation waste discharged to land and burned where it threatens to discharge pollutants into watercourses.

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<sup>3</sup> Controllable sediment sources are generally areas that are discharging or have the potential to discharge sediment to waters of the state, that are caused or affected by human activity, and may feasibly and reasonably respond to prevention and minimization management measures.

<sup>4</sup> A ford is a shallow portion of stream used as a crossing by a vehicle. Fords may be unimproved (crossing of the natural streambed) or improved (crossing over material brought in to modify the streambed).

### **Beneficial Uses, Basin Plan Prohibitions, and Water Quality Objectives**

5. The Basin Plan designates beneficial uses, establishes water quality objectives, contains implementation programs for achieving objectives, and incorporates by reference the plans and policies adopted by the Regional Water Board.
  - a. Existing and potential beneficial uses for the Black Butte River Hydrologic Subarea within the Eel River Hydrologic Unit include the following: Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Industrial Service Supply (IND), Industrial Process Supply (PRO), Freshwater Replenishment (FRSH), Navigation (NAV), Hydropower Generation (POW), Water Contact Recreation (REC1), Non-Contact Water Recreation (REC2), Commercial or Sport Fishing (COMM), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), Wildlife Habitat (WILD), Rare, Threatened, or Endangered Species (RARE), Migration of Aquatic Organisms (MIGR), Spawning, Reproduction, and/or Early Development (SPWN), and Aquaculture (AQUA). Beneficial uses of any specifically identified water body generally apply to all its tributaries. Additionally, Native American Culture (CUL); Flood peak attenuation/Flood Water Storage (FLD); and Wetland habitat (WET) applies to all watersheds where those uses exist and have the potential to exist.
  - b. The Basin Plan contains specific standards and provisions for maintaining high-quality waters of the state that provide protection to the beneficial uses listed above. The Basin Plan's Action Plan for Logging, Construction, and Associated Activities (Action Plan) includes two waste discharge prohibitions (See section 4.2.1 of the Basin Plan):
    - i. Prohibition 1 – “The discharge of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature into any stream or watercourse in the basin in quantities deleterious to fish, wildlife, or other beneficial uses is prohibited.”
    - ii. Prohibition 2 – “The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature at locations where such material could pass into any stream or watercourse in the basin in quantities which could be deleterious to fish, wildlife, or other beneficial uses is prohibited.”
  - c. Chapter 3 of the Basin Plan contains water quality objectives not to be exceeded as a result of waste discharges. The water quality objectives that are considered of particular importance in protecting the beneficial uses from unreasonable effects due to waste discharges from land development include the following:



- i. Sediment: “The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.”
- ii. Settleable Material: “Waters shall not contain substances in concentrations that result in deposition of material that causes nuisance or adversely affect beneficial uses.”
- iii. Suspended Material: “Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.”
- iv. Turbidity: “Turbidity shall not be increased more than 20 percent above naturally occurring background levels. Allowable zones of dilution within which higher percentages can be tolerated may be defined for specific discharges upon the issuance of discharge permits or waiver thereof.”

### **Regional Water Board and State Water Board Resolutions**

6. As part of the Regional Water Board’s efforts to control sediment waste discharges and restore sediment-impaired water bodies, the Regional Water Board adopted the *Total Maximum Daily Load Implementation Policy Statement for Sediment Impaired Receiving Waters in the North Coast Region*, which is also known as the Sediment TMDL Implementation Policy, on November 29, 2004. This Policy was adopted through Resolution R1-2004-0087. The Sediment TMDL Implementation Policy directs the Executive Officer to use “all available authorities, including existing regulatory standards and permitting and enforcement tools, to more effectively and efficaciously pursue compliance with sediment-related standards by all dischargers of sediment waste.” The goals of the policy are to control sediment waste discharges to impaired water bodies so that the TMDLs are met, sediment water quality objectives are attained, and beneficial uses are no longer adversely affected by sediment.
7. To address sources of elevated water temperature to reduce impairments to waters of the state and prevent further impairment, the Regional Water Board adopted the *Policy for Implementation of the Water Quality Objective for Temperature in the North Coast Region* (Temperature Implementation Policy) through Resolution R1-2014-0006. To attain and maintain the water quality objectives for temperature, the policy directs the Regional Water Board to implement programs and collaborate with others to prevent, minimize, and mitigate temperature alterations associated with certain activities, including, but not limited to, activities that result in either the removal of riparian vegetation that provide shade to a waterbody, sediment discharges, impoundments and other channel alterations, reduction of instream summer flows, and/or reduction of cold water sources.
8. State Water Board 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 that 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 and cleanup and abatement 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.

### **Legal Basis of the Order**

9. 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 or 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.”
10. “Waste,” as defined by Water Code section 13050, subdivision (d), includes “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 the purpose of, disposal.” Earthen material, including sediment, when discharged to waters of the state, is a “waste” as defined in Water Code section 13050, subdivision (d). The Dischargers have caused or permitted waste to be discharged or deposited where it is or probably will be, discharged to tributaries of the Middle Fork Eel River.
11. “Pollution” is defined in Water Code section 13050, subdivision (l)(1), as an alteration of the quality of the waters of the state by waste to a degree that unreasonably affects either the waters for beneficial use, or facilities which serve these beneficial uses. Earthen material from unauthorized cannabis cultivation activities on the Property has discharged, and still has the potential to discharge, into unnamed watercourses tributary to the Middle Fork Eel River, creating or threatening

to create a condition of pollution by unreasonably affecting the beneficial uses of waters of the state.

- a. 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 watercourse bed or banks, and localized accumulation of deleterious materials. Additionally, such discharges directly threaten wildlife habitat and aquatic species (Beneficial Uses impacted: RARE, MIGR, SPWN, COLD, COMM, 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 (Beneficial Uses impacted: AGR and MUN). Sediment laden storm water discharges to surface water and the resulting turbidity can also affect the recreational and aesthetic enjoyment of the surface waters (Beneficial Uses impacted: REC-1 and REC-2).
- b. The discharge of organic and earthen material in the Eel River watershed is especially problematic because, as noted above, the Middle Fork Eel River is listed as an impaired water body under Section 303, subdivision (d), of the Clean Water Act due to several pollutants, including sedimentation/siltation and high-water temperatures. Sediment delivery impacts the migration, spawning, reproduction, and early development of cold-water fish.
- c. Suspended sediment in surface waters can cause harm to aquatic organisms by abrasion of surface membranes and interference with respiration and sensory perception in aquatic fauna. Suspended sediment can reduce photosynthesis in and survival of aquatic life by limiting the transmittance of light. The Basin Plan contains a water quality objective for sediment which requires that the suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses. Suspended sediment can result in (1) increased turbidity (loss of clarity) resulting in decreased light transmittance, biological productivity, and aesthetic value; and (2) physical suffocation through burial of bottom dwelling (benthic) organisms, salmonid eggs, and alevin (newly spawned salmon or trout still carrying its yolk). Sediment can also physically damage gills causing fish mortality; increase physiological stress; reduce reproduction; impair normal feeding and predator avoidance behaviors, resulting in impacts to commercial and recreational fishing resources; increase water temperature; and fill in lagoons and wetlands converting them from aquatic to terrestrial habitat. These water quality impacts occur both during sediment transport and sediment deposition.

- d. Sediment is also a known transport mechanism for toxics (e.g., metals and synthetic organics), which bind to sediment particles (Beneficial Uses impacted: REC1, REC-2, COLD, SPWN, RARE, MIGR, COMM, MUN, and WILD).
12. Cleanup and abatement is necessary to ensure that any existing condition of pollution is cleaned up, that the threat of unauthorized discharges to waters of the state from the Property are prevented, background water quality conditions are restored, and that any impacts to beneficial uses are mitigated. Issuance of a cleanup and abatement order pursuant to Water Code section 13304 is appropriate and consistent with the policies of the Regional Water Board and State Water Board.

### **Technical Reports Required**

13. Water Code section 13267, subdivision (a), provides that the Regional Water Board, “in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement authorized by this division [Division 7], may investigate the quality of any water of the state within its region.” 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 burden, including costs, of these technical reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. Staff estimate the total cost of technical reports required by this Order to be between \$11,340 to \$42,680<sup>5</sup> over six years. The costs of the technical or monitoring reports required by this Order bear a reasonable relationship to the need for these reports and the benefit to be gained by these reports, as discussed below:
  - a. The Cleanup, Restoration and Monitoring Plan (CRMP) is a technical report that is necessary to: (1) assess impacts to waters of the state resulting from the cannabis cultivation, alteration of the bed and bank of watercourses, and the discharge and threatened discharge of sediment and cannabis cultivation waste; (2) determine the appropriate restoration and abatement work to correct

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<sup>5</sup> The State Water Board considered the estimated costs associated with various technical reports regarding site characterization, stabilization, and restoration during the adoption and amendment of the State Water Resources Control Board Cannabis Cultivation Policy Principles and Guidelines for Cannabis Cultivation and General Order. Estimated costs for technical reports were presented in the [State Water Board's 2017 Direct Cost Analysis For the Proposed Cannabis Cultivation Policy \(2017 Direct Cost Analysis\)](https://waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/20171017_cannabis_cultivation_policy_cost_analysis.pdf) (waterboards.ca.gov/water\_issues/programs/cannabis/docs/policy/20171017\_cannabis\_cultivation\_policy\_cost\_analysis.pdf). The costs to develop the technical reports required in this Order are anticipated to be comparable to the preparation of reports presented in the 2017 Direct Cost Analysis, as detailed in Paragraph 24, subparagraphs a-d.

those impacts; and (3) create a plan along with an implementation schedule that will guide the scope of work to clean up and abate the discharges and threat of discharges of waste on the Property. By requiring the Dischargers to submit a CRMP, the Regional Water Board or its delegated officer will have the opportunity to review and approve the scope of the proposed restoration and corrective actions to confirm that the proposed work will adequately remediate site conditions and prevent the discharges of sediment and other wastes from further impacting the beneficial uses of sensitive water bodies. As previously mentioned, the Middle Fork Eel River and its tributaries are Clean Water Act section 303(d)-listed as impaired due to elevated sedimentation/siltation and elevated temperature, thereby heightening the need for this technical report in order to reduce further impairment to waters of the state. The CRMP requirements (i.e., field inspection and report preparation) are comparable to that of preparing a combined Site Management Plan, Site Erosion and Sediment Control Plan, and Disturbed Area Stabilization Plan as presented in the 2017 Direct Cost Analysis<sup>5</sup>, which is estimated to cost between \$4,860 and \$14,120.

- b. A Completion Report is necessary to demonstrate that the Dischargers have successfully completed implementation of the CRMP in a timely manner in accordance with this Order. The benefit derived from a Completion Report is the Regional Water Board's, or its delegated officer's, ability to verify that remedial activities and best management practices were adequately implemented to ensure that cleanup and abatement activities remedy all water quality threats and impacts. The cost of a Completion Report (i.e., field inspection and report preparation) is comparable to that of a Site Closure Report as described in the 2017 Direct Cost Analysis described above, which is estimated to cost between \$1,080 and \$4,760 each.
- c. Annual Monitoring Reports are necessary to allow the Regional Water Board, or its delegated officer, to confirm the long-term stability of restored areas, to identify any areas where restoration is failing or needs improvement, and to demonstrate the effectiveness of erosion control measures in preventing sediment discharges to waters of the state. Given the condition of the Property as a result of the Dischargers' activities, observation and maintenance of the completed project for a period of five years is needed to ensure that the anticipated water quality benefits are achieved in the long-term and that CRMP components continue to function and remain effective. The cost to prepare an Annual Monitoring Report (i.e., field inspection and report preparation) are comparable to that of a Site Closure Report as presented in the 2017 Direct Cost Analysis, which is estimated to cost between \$1,080-\$4,760. Therefore, the cost to prepare five Annual Monitoring Reports is estimated to be between \$5,400 and \$23,800.

14. The Dischargers named in this Order currently own the Property and/or owned the Property at the time of Regional Water Board staff's inspections during which the discharges and threatened discharges were observed, and thus are appropriately responsible for providing the reports.

### **California Environmental Quality Act**

15. Issuance of this Order is an enforcement action by a regulatory agency to enforce the regulatory provisions of the Basin Plan, and is exempt from provisions of the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15321. This action may also be considered exempt because it is an action by a regulatory agency for the protection of natural resources (Cal. Code Regs., tit. 14, § 15307) and an action by a regulatory agency for the protection of the environment (Cal. Code Regs., tit. 14, § 15308). 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, such actions are exempt from provisions of CEQA pursuant to California Code of Regulations, title 14, section 15333. Should additional environmental review be required by the Regional Water Board in connection with future discretionary regulatory actions at the Property, the Regional Water Board may recover the costs associated with preparing and processing environmental documents from the Dischargers (Pub. Resources Code, § 21089).

### **REQUIRED ACTIONS**

**IT IS HEREBY ORDERED**, pursuant to Water Code sections 13267 and 13304, that the Dischargers shall clean up the wastes and abate the impacts to water quality in accordance with the scope and schedule set forth below and provide the following information.

1. **Submit a Cleanup, Restoration, and Monitoring Plan:** By ~~July 15, 2024~~, **September 15, 2024** the Dischargers shall submit to the Regional Water Board for approval, a proposed Cleanup, Restoration, and Monitoring Plan (CRMP) acceptable to the Regional Water Board or its delegated officer. The CRMP shall include but not be limited to:
  - a. An assessment of any direct and indirect impacts to any waters of the state on the Property, including, but not limited to, rivers, streams, seeps, springs, bogs, and wetlands, caused by developed features used for cannabis cultivation activities such as greenhouse/cultivation areas, roads and all other disturbed areas on the Property; and identify controllable sediment sources that can be practicably treated/stabilized to prevent future discharges to receiving waters. The assessment shall characterize the location and quality of the watercourses and wetlands on the Property before the impacts occurred and their current conditions. The assessment

shall be completed by an appropriately qualified professional and must, at a minimum, address surface water hydrology, bed and bank stability, riparian and aquatic habitat and loss thereof, channel slope stability, active or potential erosion and sedimentation sites, stability of graded and disturbed features, culverts, and other stream crossings, as well as roads and all disturbed areas on the Property.

The assessment shall include aerial photographs and/or satellite images, photographs, topographic maps, or drawings, etc., of existing Property conditions, and include a detailed map of features accurately depicting the Property's topography, all graded surfaces, all waters of the state and waters of the United States, drainages, stream crossings, instream structures, and the functional status of these features. Assessment findings shall serve as the basis for the CRMP;

- b. A plan for Property restoration, including a description of how long-term impacts from erosion and sedimentation sources will be abated (e.g., re-grading and reengineering, graveling or paving road surface, etc.), as well as a proposal to restore beneficial uses of any waters of the state on the Property that were adversely impacted or threatened by unauthorized site development/disturbance activities, including the tributaries to the Eel River and any springs, seeps, bogs, or wetlands (e.g. restoration of the stream channels and any adjoining wetlands). The plan shall contain, at a minimum, design specifications for: roads, graded areas, any water crossing, in-stream structures, riparian and aquatic habitat restoration, surface drainage controls, and erosion and sediment controls. The CRMP shall comply with the design standards and requirements included in the Cannabis Cultivation Policy<sup>6</sup> and the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (State Wetland Definition and Procedures<sup>7</sup>).
- c. An implementation schedule that includes a time schedule for submitting permit applications to all applicable local, state<sup>8</sup> and federal agencies

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<sup>6</sup> The [Cannabis Cultivation Policy](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf) can be found at:  
([https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/docs/policy/final\\_cannabis\\_policy\\_with\\_attach\\_a.pdf](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf))

<sup>7</sup> The [State Wetland Definition and Procedures](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/procedures.pdf) can be found online at:  
[https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/2021/procedures.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/procedures.pdf)

<sup>8</sup> The Dischargers shall obtain a Water Quality Certification /Waste Discharge Requirements (WQC/WDR) prior to implementing the instream work associated with the

necessary, detailed project milestones to fulfill the requirements of this Order once those permits are obtained, and a deadline for having fully implemented and completed the CRMP.

2. **Modifications to the approved CRMP:** The Dischargers shall notify and obtain approval from the Regional Water Board or its delegated officer at least 30 days prior to making any modifications to the approved CRMP.
3. **Complete the Cleanup and Restoration:** By October 15, 2024, the Dischargers shall complete all work to clean up and abate the Property contained in the CRMP as approved by the Regional Water Board or its delegated officer.
4. **Completion Report for the CRMP:** No more than 60 days after completing implementation of the CRMP, the Dischargers shall submit a Completion Report for the CRMP for approval by the Regional Water Board or its delegated officer. The Completion Report shall include accurate depictions, documentation, and as-built designs of all completed restoration construction and/or abatement measures included in the approved CRMP to demonstrate the CRMP has been fully implemented. This report shall also include pre- and post-construction photographs taken at each photo point, as depicted on site maps/figures.
5. **Annual Monitoring Reports:** Upon completion of the restoration and mitigation under the CRMP, the Dischargers shall submit annual monitoring reports by January 31 of each year, beginning in 2026, for at least five years or until the Regional Water Board or its delegated officer approves a request to discontinue monitoring. Such a request may be submitted when the approved success criteria in the CRMP are met with supporting documentation. Each annual monitoring report shall include, at a minimum, a completed inspection checklist, photos of areas restored, a description of any locations where restoration is failing and/or needs to be corrected to achieve the success criteria.

### GENERAL REQUIREMENTS AND NOTICES

1. **Duty to Use Qualified Professionals:** The Dischargers shall provide documentation that identifies 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 Dischargers shall include a statement of qualification and registration numbers of the responsible lead

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CRMP. [The application for WQC / WDR](https://www.waterboards.ca.gov/northcoast/water_issues/programs/water_quality_certification/pdf/Final20201210_ADA401Application.docx) can be found at:  
([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/water\\_quality\\_certification/pdf/Final20201210\\_ADA401Application.docx](https://www.waterboards.ca.gov/northcoast/water_issues/programs/water_quality_certification/pdf/Final20201210_ADA401Application.docx))



professionals in all plans and reports required under this Order. The lead professional shall sign and affix their registration stamp to the report, plan, or document. The required activities must be implemented by the appropriately qualified/licensed professional as otherwise required by law.

2. **Signatory Requirements:** All technical reports submitted by the Dischargers shall include a cover letter signed by the Dischargers, or a duly authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to his/her knowledge, the report is true, complete, and accurate. The Dischargers shall also state in the cover letter whether he/she will implement the recommendations/proposals provided in the report and the schedule for implementation. 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.”*

3. **Notice of Onsite Work:** The Dischargers, or a duly authorized agent, shall notify Regional Water 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. The Dischargers shall contact Brian Fuller at (707) 576-2806 or by email [Brian.Fuller@waterboards.ca.gov](mailto:Brian.Fuller@waterboards.ca.gov).
4. **Notice of Change in Ownership or Occupancy:** The Dischargers shall file a written report on any changes in the Property’s ownership or occupancy. This report shall be submitted to Regional Water Board staff no later than 30 days prior to a planned change and shall reference the number of this Order.
5. **Reasonable Access:** The Dischargers shall allow the State Water Board and Regional Water Board, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to enter at reasonable times to inspect the Property and any records that must be kept under the conditions of this Order for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code.
6. **Submissions:** The CRMP and all monitoring reports, technical reports, or notices required under this Order shall be submitted to Regional Water Board staff at the addresses provided below.

By email (preferred) to:

Brian Fuller, Engineering Geologist  
[Brian.Fuller@waterboards.ca.gov](mailto:Brian.Fuller@waterboards.ca.gov)

Or by mail to:

North Coast Regional Water Quality Control Board  
Attn: Brian Fuller  
5550 Skylane Boulevard, Suite A,  
Santa Rosa, CA 95403

7. **Other Regulatory Requirements:** The Dischargers shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning the work.
8. **Cost Recovery:** Pursuant to Water code section 13304, the State or Regional Water Board is entitled to all reasonable costs it actually incurs to investigate and abate the effects of unauthorized discharges of waste and to oversee/supervise the cleanup of such waste, or other restoration action, required by this Order. If requested by the Regional Water Board or State Water Board, the Dischargers 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 State Water Board and Regional Water Board.
9. **Delayed Compliance:** If for any reason, the Dischargers are 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 Regional Water Board or its delegated officer, the Dischargers 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 only be granted by modification of this Order or by a letter from the Executive Officer. The Regional Water Board acknowledges that local, state, and federal permits may cause a delay beyond the control of the Dischargers and will take all the available relevant facts into consideration when considering whether or not to exercise its enforcement authority.
10. **Modifications:** Any modification to this Order shall be in writing and approved by the Regional Water Board or its delegated officer including any potential extension requests.
11. **Enforcement Authority:** If the Dischargers fails to comply with the requirements of this Order, this matter may be referred to the Attorney General for judicial enforcement or a complaint for administrative civil liability may be issued by the

Regional Water Board. Failure to comply with this Order may result in the assessment of an administrative civil liability of up to \$10,000 per violation per day and/or up to \$10 per gallon when the violation results in the discharge of waste, pursuant to 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 conditions of this Order.

12. **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 Property consistent with the Water Code. This Order may be modified if additional information becomes available.
13. **Requesting Review by the State Water Board:** Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition no later than 5:00 p.m., 30 days following 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: ([https://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/)) or will be provided upon request.

This Order is effective upon the date of signature.

---

Valerie Quinto  
Executive Officer

Attachments:

1. NOV and Report of May 9, 2023 Inspection of APN: 032-294-03-00
2. NOV and Report of May 22, 2023 Inspection of APN: 032-180-45-00



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## North Coast Regional Water Quality Control Board

August 11, 2023

Certified Mail No. 7021 0950 0001 6500 1223

Raul and Yesenia Carrillo  
34320 Mendocino Pass Road  
Covelo, CA 95428

Dear Raul and Yesenia Carrillo:

**Subject: Notice of Violation, Transmittal of Report for May 9, 2023 Inspection of Mendocino County Assessor's Parcel Numbers 032-294-03-00**

**File:** Cannabis Program Inspections, Mendocino County, 2023, Raul and Yesenia Carrillo, CIWQS Place ID 889633

### **THIS LETTER REQUIRES THAT YOU ACT WITHIN 30 DAYS**

This letter is to notify you of observed violations of the requirements listed below, and cited in Attachment A, at the property identified as Mendocino County Assessor's Parcel Number 032-294-03-00 (the Property):

1. Water Quality Control Plan for the North Coast Region (Basin Plan) Section 4.2.1, Prohibition 2;
2. California Water Code (Water Code) Sections 13260 and 13264
3. State Water Resources Control Board (State Water Board) Cannabis Cultivation Policy Principals and Guidelines for Cannabis Cultivation (Cannabis Policy).

According to our records, the cannabis cultivation operation located on this Property is not enrolled for coverage under Order No. WQ 2019-0001-DWQ General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order). On May 9, 2023, North Coast Regional Water Quality Control Board (Regional Water Board) staff (Staff) inspected the Property and observed cannabis cultivation covering an area of approximately 8,000 square feet. Accordingly, this letter directs you to address the violations noticed herein. Within 30 days, please contact Staff to discuss your plan to correct the observed violations.

---

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

## **Background**

Land Vision records show Yesenia and Raul Carrillo purchased the Property on August 28, 2020. According to review by Staff on August 7, 2023, of aerial imagery available from Google Earth, the greenhouses identified in the inspection report at WQ3 and WQ6 were constructed between February 26, 2020 and July 1, 2021.

On May 9, 2023, during the execution of a criminal search warrant served by the California Department of Fish and Wildlife (CDFW), Staff, accompanied by personnel from CDFW, the Department of Cannabis Control, the State Water Resources Control Board Division of Water Rights, and various law enforcement agencies, inspected the Property. The purpose of the inspection was to evaluate onsite development and conditions, and to identify and assess any impacts or threatened impacts to the quality and beneficial uses of waters of the state. During the inspection, Staff observed cannabis cultivation operations of sufficient size and scope to require regulatory coverage under the Cannabis General Order. According to CDFW personnel, the requisite state and local authorizations for commercial cannabis cultivation are not associated with the Property.

Attached is a copy of the water quality inspection report (Attachment B – Property Inspection Report). Please review the inspection report carefully and completely. The inspection report contains recommendations for correcting observed violations and advises you of the Regional Water Board permits necessary for instream work and projects/activities that result in discharges of waste to receiving waters.

## **Relevant Requirements**

During the inspection, Staff identified several features and conditions on the Property that represent violations of water quality requirements and regulations. Attachment A – Regulatory Citations, provides references to these, and related, requirements and regulations.

## **Observed Violations**

As documented in the report of the May 9, 2023 inspection, Staff observed: violations of the of the Basin Plan Section 4.2.1 Prohibition 2 at locations of WQ1, WQ3, WQ4 and WQ5 for threatened discharge of organic and earthen material to the Black Butte River; Staff observed large-scale cannabis cultivation and associated activities that were being conducted without first obtaining regulatory coverage for associated waste discharges, in violation of Water Code section 13260 in the vicinities of WQ3 and WQ6; Staff observed violations of the California Water Code section 13264 for unauthorized discharges of cannabis cultivation waste into a water of the state of California at locations WQ3, WQ4 and WQ5; and site conditions at WQ1, and WQ3 through WQ6 that violate the Cannabis Policy.

## Legal Requirements

The State Water Board adopted the Cannabis Policy and the Cannabis General Order on October 17, 2017, and updates on February 5, 2019, which remain in effect today. The purpose of the Cannabis Policy is to ensure that the discharge of waste and diversion of water associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, and springs. The Cannabis Policy applies to cannabis cultivation activities throughout California including, Commercial Recreational, Commercial Medical, and Personal Use Medical. The Policy does not apply to recreational cannabis cultivation for personal use, which is limited to six plants under the Adult Use of Marijuana Act (Proposition 64, approved by California voters in November 2016).

The Cannabis General Order is the statewide water quality permit that implements the Cannabis Policy through the overarching general Waste Discharge Requirements (WDRs) in accordance with the California Water Code and is available for eligible cannabis cultivators to enroll under. The Cannabis General Order regulates waste discharges from cultivation sites including sediment, irrigation runoff, fertilizers, pesticides/herbicides, petroleum, agricultural related chemicals, cultivation related waste, and refuse. Threats of waste discharge may be from irrigation runoff, over fertilization, pond failure, road construction, grading activities, domestic and cultivation related waste, refuse placement, etc. All commercial cannabis cultivators must obtain coverage under the Cannabis General Order, including for both indoor and outdoor cultivation.

Cultivation activities on the Property requires conformance with the Cannabis Policy and enrollment under the Cannabis General Order. For more information, please visit our [website](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/) at:  
([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/))

As documented in the inspection report, the site conditions observed on the Property do not meet the requirements of the Cannabis Policy. Please provide a written response supporting documentation, including photos if relevant, explaining how the Property will be restored in compliance with the Policy.

As documented in the inspection report, there is a stream crossing at WQ4 and alterations to the bed and bank of the watercourse at WQ5 which must be corrected to comply with the Basin Plan. The work to correct these violations will require a water quality certification/waste discharge requirements prior to conducting instream work.

The [application for the water quality certification/waste discharge requirements](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf) for cannabis cultivation-related projects is available here:  
([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/pdf/200204/RB1\\_Cannabis\\_WQC\\_401\\_App.pdf](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf))

### **Additional Potential Liabilities**

The Regional Water Board is in the process of considering whether the violations of the Basin Plan, Cannabis Policy and Water Code warrant further enforcement. We encourage you to take steps to correct the violations as soon as possible, and secure any applicable permits from this and other agencies prior to conducting work. Please note that the existing conditions, as observed and documented in the Inspection Report, may represent continuing violations of the Basin Plan, Cannabis Policy and Water Code.

Please note that correcting the conditions of non-compliance at the Property does not preclude enforcement for the violations alleged in this notice. As noted above, the Regional Water Board reserves its right to fully enforce the law against any violation and threatened violation by taking enforcement actions such as a cleanup and abatement order, time schedule order, administrative civil liabilities, and referral to the California Attorney General's office. Administrative civil liabilities may be assessed on a daily basis in the amount up to \$5,000 for each day the violation occurs or up to \$10 per gallon, but not both, pursuant to Water Code section 13350.

### **Inspection Report Recommendations**

As mentioned above, the Inspection Report provides recommendations to correct the alleged violations, as well as to address features and conditions that threaten to impact water quality. **Within 30 days of this letter**, please advise Staff Brian Fuller of your intentions, plan, and schedule to implement recommendations in the inspection report. If you have questions about what is required of you to comply with the requirements outlined above, and to advise as to your plan and schedule to correct the alleged violations, please contact Staff Brian Fuller by email at [Brian.Fuller@waterboards.ca.gov](mailto:Brian.Fuller@waterboards.ca.gov) or by phone at 707-576-2806.

Future correspondence regarding this matter will be sent to you at this address unless an alternative address is provided to the Regional Water Board. Failure to accept mail from the Regional Water Board is not a valid excuse for non-compliance with any future enforcement orders, and a failure to respond or otherwise appear at a future enforcement proceeding could subject you to a default order and the imposition of administrative civil liability.

You may also contact me at [Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov) or by phone at 707-576-2835. Additionally, we are available to meet with you if you wish to discuss this letter or our waste discharge regulatory programs in further detail.



Sincerely,

Original signed by Jeremiah Puget on August 11, 2023

Jeremiah Puget  
Senior Environmental Scientist  
Enforcement Unit

Attachments: Attachment A – Regulatory Citations  
Attachment B – Inspection Report

Certified Mail – Return Receipt requested.

**cc: North Coast Regional Water Quality Control Board**  
[Northcoast.Cannabis@waterboards.ca.gov](mailto:Northcoast.Cannabis@waterboards.ca.gov)  
Claudia Villacorta, [Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)  
Kason Grady, [Kason.Grady@waterboards.ca.gov](mailto:Kason.Grady@waterboards.ca.gov)  
Jeremiah Puget, [Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)

**Division of Water Rights**

Zachary Gomer, [Zachary.Gomer@Waterboards.ca.gov](mailto:Zachary.Gomer@Waterboards.ca.gov)  
Jessica Monroy, [Jessica.Monroy@Waterboards.ca.gov](mailto:Jessica.Monroy@Waterboards.ca.gov)  
Stormer Feiler, [Stormer.Feiler@waterboards.ca.gov](mailto:Stormer.Feiler@waterboards.ca.gov)  
Taro Murano, [Taro.Murano@waterboards.ca.gov](mailto:Taro.Murano@waterboards.ca.gov)

**Department of Fish and Wildlife**

Daniel Harrington, [Daniel.Harrington@Wildlife.ca.gov](mailto:Daniel.Harrington@Wildlife.ca.gov)  
Paul Garrison, [Paul.Garrison@Wildlife.ca.gov](mailto:Paul.Garrison@Wildlife.ca.gov)  
Warden Grace Nunn, [Grace.Nunn@Wildlife.ca.gov](mailto:Grace.Nunn@Wildlife.ca.gov)  
Warden Justin Rhoades, [Justin.Rhoades@wildlife.ca.gov](mailto:Justin.Rhoades@wildlife.ca.gov)  
Captain Douglas Willson, [Douglas.Willson@wildlife.ca.gov](mailto:Douglas.Willson@wildlife.ca.gov)

**Mendocino County Sheriff's Office**

Sergeant Clinton Wyant, [WyantC@mendocinocounty.org](mailto:WyantC@mendocinocounty.org)

**Mendocino County**

[cannabisprogram@mendocinocounty.org](mailto:cannabisprogram@mendocinocounty.org)  
Megan Dukett, [dukettm@mendocinocounty.org](mailto:dukettm@mendocinocounty.org)



Carrillo Property  
APN: 032-294-03-00  
Notice of Violation

- 6 -

August 11, 2023

**Department of Cannabis Control**

Travis White, [Travis.White@cannabis.ca.gov](mailto:Travis.White@cannabis.ca.gov)

Jaime Masuda, [Jaime.Masuda@cannabis.ca.gov](mailto:Jaime.Masuda@cannabis.ca.gov)

## Attachment A – Regulatory Citations

Regulatory Section	Citation
<a href="#">Basin Plan</a> Section 4.2.1, Prohibition 2	<p>Prohibits “[t]he placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature at locations where such material could pass into any stream or watercourse in the basin in quantities which could be deleterious to fish, wildlife, or other beneficial uses.”</p> <p>Available at: (<a href="https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/">https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/</a>)</p>
California Water Code Section 13260	<p>“(a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:</p> <p style="padding-left: 40px;">(1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.</p> <p style="padding-left: 40px;">(2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.”</p>
California Water Code Section 13261(a)	<p>“A person who fails to furnish a report or pay a fee under Section 13260 when so requested by a regional board is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).”</p>

<b>Regulatory Section</b>	<b>Citation</b>
California Water Code Section 13264(a)	“No person shall initiate any new discharge of waste or make any material changes in any discharge, or initiate a discharge to, make any material changes in a discharge to, or construct, an injection well, prior to the filing of the report required by Section 13260 and no person shall take any of these actions after filing the report but before whichever of the following occurs first: (1) The issuance of waste discharge requirements pursuant to Section 13263. (2) The expiration of 140 days after compliance with Section 13260 if the waste to be discharged does not create or threaten to create a condition of pollution or nuisance and any of the following applies:... (3) The issuance of a waiver pursuant to Section 13269.”
California Water Code Section 13265(a)	“Any person discharging waste in violation of Section 13264, after such violation has been called to his attention in writing by the regional board, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b). Each day of such discharge shall constitute a separate offense.”
Cannabis Policy and General Order No. WQ 2019-0001-DWQ	<p>State Water Resources Control Board <a href="#">Cannabis Cultivation Policy</a> and <a href="#">General Waste Discharge Requirements Order No. WQ 2019-0001-DWQ for Discharges of Waste Associated with Cannabis Cultivation Activities</a></p> <p>Available at:            (https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf) and            (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf)</p>



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## North Coast Regional Water Quality Control Board

TO: Jeremiah Puget

FROM: Brian Fuller

DATE: August 11, 2023

**Report of May 9, 2023 Warrant Inspection,  
Mendocino County  
Assessor's Parcel Number (APN) 032-294-03-00 (the "Property")**

File: Cannabis Program Inspections, Mendocino County, 2023, Yesenia and Raul Carrillo, CIWQS Place ID 889633

**Property information:**

Watershed: Eel River Hydrologic Unit; Middle Fork Eel River Hydrologic Area; Black Butte River Hydrologic Subarea; (HU/HA/HSA 111.73; see Table 2-1 of the Water Quality Control Plan for the North Coast Region (Basin Plan), for beneficial uses)

**Inspection information:**

Date/time: May 9, 2023 / morning

Weather: sunny

Type: Warrant Inspection

**Background/Objective:**

Objectives for Regional Water Board staff included observing site development and activities and identifying and assessing onsite features or conditions that are causing or may cause adverse impacts to the quality and beneficial uses of receiving waters, including surface and ground water.

**Inspection Map:**

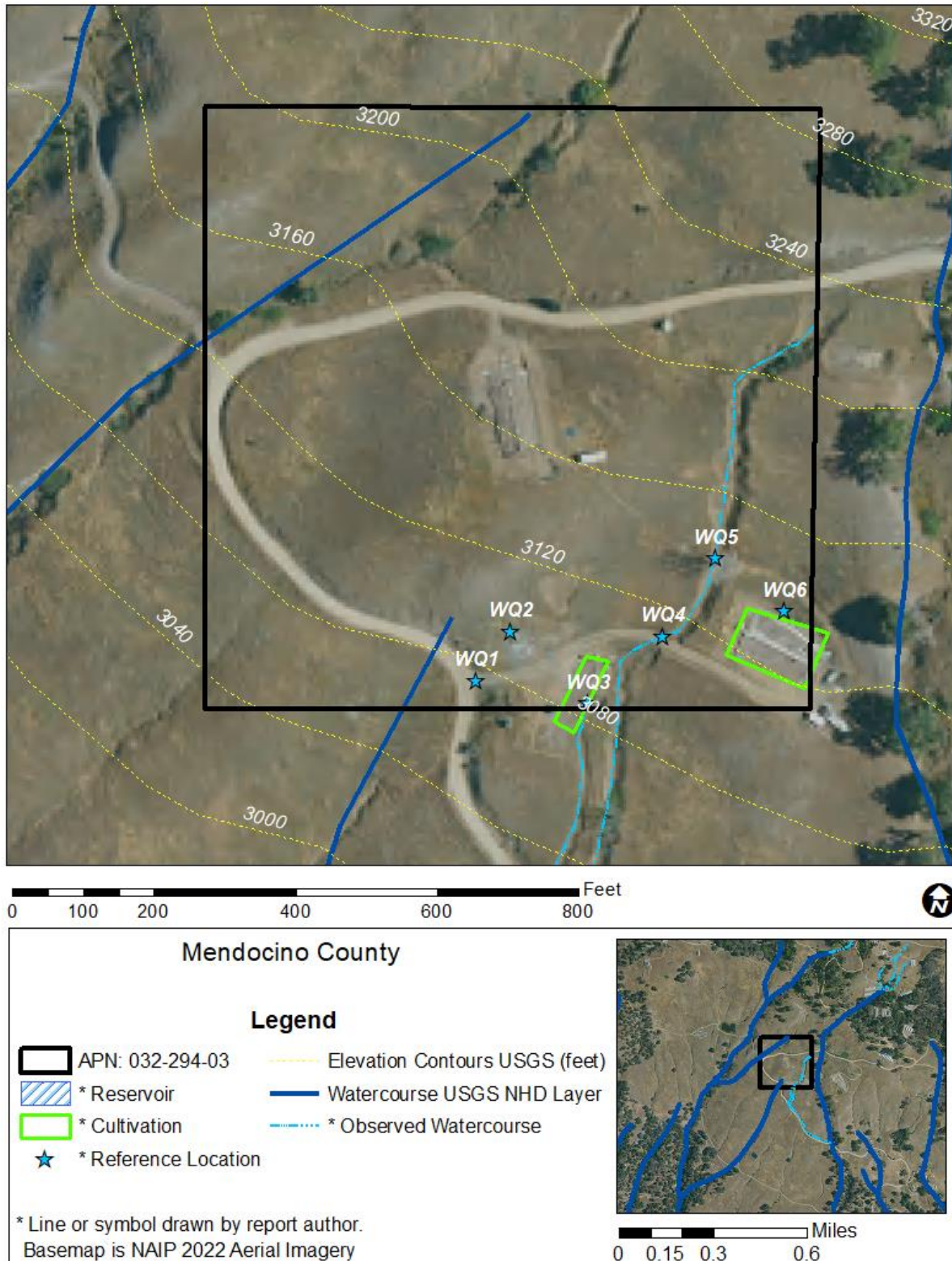


Figure 1—Aerial image/map showing inspection points discussed in this report.

**Inspection Narrative:**

The inspection was associated with a criminal search warrant, and I viewed only portions of the Property. See the above Inspection Map and below Photo Appendix for locations and details about features of concern to water quality. I entered the Property from the south along a shared-use access road. I observed a gated access road at WQ1 with rills on the road surface. North of the gated access, at WQ2, I observed a groundwater well with no casing or cap which leaves groundwater susceptible to contaminants from the surface. At WQ3, I observed a 3,000 square-foot greenhouse adjacent to a watercourse and I observed cannabis cultivation wastes including empty pots within the stream channel. I followed the watercourse downstream where I observed it connecting to a ditch that follows the shared-use road before discharging into a USGS mapped blue line stream that is tributary to Black Butte River.

I observed another channel east of, and parallel to, the watercourse passing by WQ3. This channel also discharges to the roadside ditch that discharges to the USGS mapped blue line stream that is tributary to Black Butte River. I walked north along this channel to WQ4, where I observed a ten-inch diameter culverted road crossing that was perched at its outlet. Farther upstream, at WQ5, I observed a small earthen pad extending into the watercourse with a water storage tank placed on the pad. I measured approximately eighteen cubic feet of earthen fill that was placed in the watercourse as part of the pad construction.

Southeast of WQ5, I observed a 5,000 square foot greenhouse on an earthen pad that had been cut into the hillslope at WQ6. I observed cannabis cultivation wastes including plastic netting scattered around the greenhouse. I observed a human habitation area southeast of WQ6 with uncontained refuse. The area of uncontained refuse appears east of the mapped boundary in Figure 1, but it is west of a fence marking the property boundary in the field.

**Recommendations for the Discharger:**

1. Immediately collect all refuse and wastes which have discharged and/or threaten to discharge to receiving waters and which can be collected by hand. You are not authorized to use heavy equipment in a water of the state of California (Water of the State) or modify the bed bank or channel of a Water of the State without a permit from the Regional Water Board (see recommendation 6 below). Properly dispose of these wastes at a licensed waste collection facility.
2. Retain a licensed professional to inventory, assess, all aquatic resources including any wetlands or watercourses that are Waters of the State on the Property, and to develop a workplan and schedule to implement measures to ensure that all developed features, roads and watercourse crossings throughout the Property are corrected, restored, and/or maintained in conditions that comply with the Cannabis Cultivation Policy<sup>1</sup>.
3. Retain a qualified professional to either close or complete the groundwater well at WQ2 according to Mendocino County's well ordinance and well standards.
4. Dispose of all development and restoration-related earthen spoils in a manner to prevent/minimize transport and delivery to receiving waters.
5. Prior to cultivating cannabis or developing a property for cannabis cultivation, enroll for coverage under the Cannabis General Order<sup>2</sup>.
6. Prior to conducting work in a Water of the State, submit an application and pay the required application fee for a Water Quality Certification/Waste Discharge Requirement<sup>3</sup>:

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<sup>1</sup> The [Cannabis Cultivation Policy](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf) can be found at:  
[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/docs/policy/final\\_cannabis\\_policy\\_with\\_attach\\_a.pdf](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf)

<sup>2</sup> [Details about enrolling](https://public2.waterboards.ca.gov/mt/Home/Index) in the Cannabis General Order can be found at:  
<https://public2.waterboards.ca.gov/mt/Home/Index>

<sup>3</sup> The [application for instream work](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf) can be found at:  
[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/pdf/200204/RB1\\_Cannabis\\_WQC\\_401\\_App.pdf](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf)



**Aerial Imagery:**



*Figure 2—Aerial image of the Property taken on February 26, 2020, obtained from Google Earth. Other than a shared-use road and access driveway, the property appears undeveloped.*



*Figure 3—Aerial image of the Property taken on July 1, 2021, obtained from Google Earth. Hoop-type greenhouses are visible including the 3,000 square foot greenhouse at WQ3 and the 5,000 square-foot pair of greenhouses at WQ6. The pair of greenhouses in the northern part of the property had been disassembled when the site was inspected on May 9, 2023.*



**Photo Appendix<sup>4</sup>:**



*Figure 4—Looking south at WQ1 at the intersection of the gated access to the Property to the left and the shared-use access road to the right. The road has been graded such that stormwater will flow across the road instead of through the culvert pictured in the left of the image.*



*Figure 5—Looking southwest across the gated access to the Property at WQ1. Ruts have eroded into the road-surface.*

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<sup>4</sup> Timestamp on photos is slow by one hour.





*Figure 6—Looking southwest at WQ2. A white pipe protrudes up from the ground in the middle of the image and an orange submersible pump is visible to the left of the white pipe. Plastic sheeting covers holes used to collect water in the top back of the image.*



*Figure 7—Looking down at a four-inch diameter plastic pipe in a twelve-inch diameter hole at WQ2. The well hole does not have a casing or cap to protect groundwater from any pollutants that could be introduced at the surface.*





*Figure 8—Looking south from WQ3. Cannabis cultivation is occurring adjacent to a watercourse and soil pots and other cultivation waste are within the banks of the watercourse.*



*Figure 9—Looking southwest at a ten-inch diameter culverted watercourse crossing at WQ4. The watercourse upstream and to the back of the photographer is approximately three-feet wide.*





*Figure 10—Looking north at culverted watercourse crossing at WQ4. The culvert is perched approximately two feet above the channel bed.*



*Figure 11—Looking upstream from WQ4. A pad with a water tank is visible adjacent to the watercourse at WQ5. A standing dead tree is visible in the middle of the watercourse.*





*Figure 12—Looking west where an earthen pad extends into the watercourse at WQ5. The dead tree in the left of the image is also visible in the previous image. Approximately 18 cubic feet of earthen fill has been placed into the channel; a patch six feet square averaging six inches deep.*

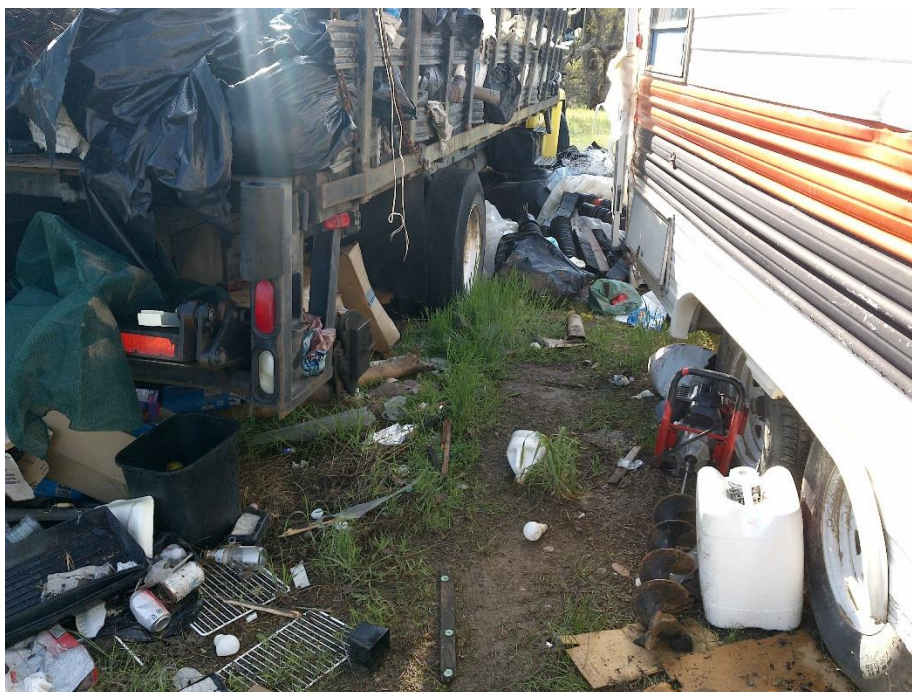


*Figure 13—Looking east along the northern edge of the pair of greenhouses at WQ6. Plastic netting and other cultivation wastes are visibly scattered around the area.*





*Figure 14—Looking inside greenhouses at WQ6. Cannabis plants are growing in the earthen floor.*



*Figure 15—Photo showing piles of refuse in the back of a truck and uncontained outside of the truck in the vicinity of WQ6.*



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North Coast Regional Water Quality Control Board

June 17, 2024

Yesenia Carrillo and Raul Carrillo  
PO Box 650  
Covelo, CA 95428

Certified Mail No. 7021-0950-0001-6500-1131

Dear Yesenia and Raul Carrillo:

**Subject: Notice of Violation, Transmittal of Inspection Report for May 22, 2023, Inspection of Mendocino County Assessor's Parcel No. 032-180-45-00, and Requirement to Respond within 30 days**

File: Cannabis Program Inspections, Mendocino County, May 22, 2023,  
CIWQS Place ID 888912

**THIS LETTER REQUIRES THAT YOU ACT WITHIN 30 DAYS**

This letter is to notify you of observed violations of the requirements listed below, and cited in Attachment A, at the property identified as Mendocino County Assessor's Parcel Number 032-180-45-00 (the Property):

1. State Water Resources Control Board Order No. WQ 2019-0001-DWQ *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (Cannabis General Order) and State Water Resources Control Board (State Water Board) *Cannabis Cultivation Policy Principals and Guidelines for Cannabis Cultivation* (Cannabis Policy) various provisions
2. Water Quality Control Plan for the North Coast Region (Basin Plan) Section 4.2.1
3. California Water Code (Water Code) Section 13260 and 13264

According to our records, the cannabis cultivation operation located on this Property is not enrolled for coverage under the Cannabis General Order No. WQ 2019-0001-DWQ.

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HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

On May 22, 2023, North Coast Regional Water Quality Control Board (Regional Water Board) staff inspected the Property and observed active outdoor cannabis cultivation.

### **Background**

LandVision records show that the Property was sold to Yesenia and Raul Carrillo on December 7, 2020.

On May 22, 2023, staff from the Regional Water Board, accompanied by staff of the California Department of Fish and Wildlife (CDFW), and personnel of various law enforcement agencies, inspected the Property. The purpose of the inspection was to evaluate onsite development and conditions, and to identify and assess any impacts or threatened impacts to the quality and beneficial uses of waters of the state. During the inspection, staff observed cannabis cultivation operations of sufficient size and scope to require regulatory coverage under the Cannabis General Order.

Attached is a copy of the water quality inspection report (Attachment B – Property Inspection Report). Please review the inspection report carefully and completely. The inspection report contains recommendations for correcting observed violations and advises you of the Regional Water Board permits necessary for instream work and projects/activities that result in discharges of waste to receiving waters.

### **Relevant Requirements**

During the inspection, Regional Water Board staff identified several features and conditions on the Property that represent violations of water quality requirements and regulations. Attachment A – Regulatory Citations, provides references to these, and related requirements and regulations.

### **Observed Violations**

As documented in the May 22, 2023, inspection report, Regional Water Board staff observed violations of the California Water Code, section 13264 (a), and Basin Plan Prohibition, section 4.2.1. In addition, staff observed violations of the Cannabis General Order Attachment A, Section 1 - General Requirements and Prohibitions Nos. 1, 25, 32, and 37; and Section 2 - Requirements Related to Water Diversions and Waste Discharge for Cannabis Cultivation Nos. 3-4, 7, 15-17, 22-24, 26, 31, 38, 39, 48-57, 66, 69, 73, 90, 117, 119-120, 123, and 130. Staff observed these violations at Property locations identified in the inspection report as WQ1 through WQ38.

### **Legal Requirements**

The State Water Board adopted the Cannabis Policy and the Cannabis General Order on October 17, 2017, and updates on February 5, 2019, which remain in effect today. The purpose of the Cannabis Policy is to ensure that the discharge of waste and diversion of water associated with cannabis cultivation does not have a negative impact



on water quality, aquatic habitat, riparian habitat, wetlands, and springs. The Cannabis Policy applies to cannabis cultivation activities throughout California including, Commercial Recreational, Commercial Medical, and Personal Use Medical. The Policy does not apply to recreational cannabis cultivation for personal use, which is limited to six plants under the Adult Use of Marijuana Act (Proposition 64, approved by California voters in November 2016).

The Cannabis General Order is the statewide water quality permit that implements the Cannabis Policy through the overarching general Waste Discharge Requirements (WDRs) in accordance with the California Water Code and is available for eligible cannabis cultivators to enroll under. The Cannabis General Order regulates waste discharges from cultivation sites including sediment, irrigation runoff, fertilizers, pesticides/herbicides, petroleum, agricultural related chemicals, cultivation related waste, and refuse. Threats of waste discharge may be from irrigation runoff, over fertilization, pond failure, road construction, grading activities, domestic and cultivation related waste, refuse placement, etc. All commercial cannabis cultivators must obtain coverage under the Cannabis General Order, including for both indoor and outdoor cultivation.

Cultivation activities on the Property requires conformance with the Cannabis Policy and enrollment in under the Cannabis General Order. For more information, please visit our website at: [Cannabis Cultivation Waste Discharge Regulatory Program | California Northcoast Regional Water Quality Control Board](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/)  
([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/))

As documented in the inspection report, the site conditions observed on the Property do not meet the requirements of the Cannabis Policy. Please provide a written response supporting documentation, including photos if relevant, explaining how the Property will be restored in compliance with the Policy.

As documented in the inspection report, there are numerous existing stream crossings that must be upgraded or decommissioned to comply with the Basin Plan, which will require a water quality certification prior to conducting instream work.

The application for the water quality certification for cannabis cultivation-related projects is available at: [North Coast Cannabis Water Quality Certification Application](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf)  
([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/pdf/200204/RB1\\_Cannabis\\_WQC\\_401\\_App.pdf](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf))

### **Additional Potential Liabilities**

The Regional Water Board is in the process of considering whether the violations of the California Water Code and the Basin Plan warrant further enforcement. We encourage you to take steps to correct the violations as soon as possible, securing any applicable permits from this and other agencies prior to conducting work. Please note that the

existing conditions, as observed and documented in the Inspection Report, may represent continuing violations of the California Water Code and Basin Plan.

Please note that correcting the conditions of non-compliance at the Property does not preclude enforcement for the violations alleged in this notice. As noted above, the Regional Water Board reserves its right to fully enforce the law against any violation and threatened violation by taking enforcement actions such as a cleanup and abatement order, time schedule order, administrative civil liabilities, and referral to the California Attorney General's office. Administrative civil liabilities may be assessed on a daily basis in the amount up to \$5,000 for each day the violation occurs or up to \$10 per gallon, but not pursuant to Water Code section 13350.

### **Inspection Report Recommendations**

As mentioned above, the Inspection Report provides recommendations to correct the alleged violations, as well as to address features and conditions that threaten to impact water quality.

**Within 30 days of this letter**, please advise Regional Water Board staff Ermias Berhe of your intentions, plan, and schedule to implement recommendations in the inspection report. If you have questions about what is required of you to comply with the requirements outlined above, and to advise as to your plan and schedule to correct the alleged violations, please contact Regional Water Board staff Ermias Berhe by email at [Ermias.Berhe@Waterboards.ca.gov](mailto:Ermias.Berhe@Waterboards.ca.gov) or by phone at 707-445-6128.

Future correspondence regarding this matter will be sent to you at this address unless an alternative address is provided to the Regional Water Board. Failure to accept mail from the Regional Water Board is not a valid excuse for non-compliance with any future enforcement orders, and a failure to respond or otherwise appear at a future enforcement proceeding could subject you to a default order and the imposition of administrative civil liability.

You may also contact me at [Mona.Dougherty@waterboards.ca.gov](mailto:Mona.Dougherty@waterboards.ca.gov) or by phone at 707-445-6129. Additionally, we are available to meet with you if you wish to discuss this letter or our waste discharge regulatory programs in further detail.

Sincerely,

Original signed by Mona Dougherty on June 22, 2023.

Mona Dougherty, P.E.

Senior Water Resources Control Engineer

Filename 230522\_Yesenia and Raul Carrillo\_NOV\_Report

Attachments: Attachment A - Regulatory Citations  
Attachment B - Facilities Inspection Report  
Attachment C – Inspection Map and Photo Log

Certified Mail – Return Receipt requested

**cc: North Coast Regional Water Quality Control Board**  
[Northcoast.Cannabis@waterboards.ca.gov](mailto:Northcoast.Cannabis@waterboards.ca.gov)  
Claudia Villacorta, [Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)  
Kason Grady, [Kason.Grady@waterboards.ca.gov](mailto:Kason.Grady@waterboards.ca.gov)  
Jeremiah Puget, [Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)  
Ermias Berhe, [Ermias.Berhe@Waterboards.ca.gov](mailto:Ermias.Berhe@Waterboards.ca.gov)

**Division of Water Rights**

Taro Murano, [Taro.Murano@waterboards.ca.gov](mailto:Taro.Murano@waterboards.ca.gov)

**Department of Fish and Wildlife**

Daniel Harrington, [Daniel.Harrington@Wildlife.ca.gov](mailto:Daniel.Harrington@Wildlife.ca.gov)  
Cheri Sanville, [cheri.sanville@wildlife.ca.gov](mailto:cheri.sanville@wildlife.ca.gov)  
Grace Nunn, Nunn, [Grace.Nunn@Wildlife.ca.gov](mailto:Grace.Nunn@Wildlife.ca.gov)

**Mendocino County Sheriff's Office**

Sergeant Clinton Wyant, [WyantC@mendocinocounty.org](mailto:WyantC@mendocinocounty.org)

**Mendocino County Planning and Permitting**

General email, [cannabisprogram@mendocinocounty.org](mailto:cannabisprogram@mendocinocounty.org)  
Megan Dukett, [dukettm@mendocinocounty.org](mailto:dukettm@mendocinocounty.org)

**Department of Cannabis Control**

Jaime Masuda, [jaime.masuda@cannabis.ca.gov](mailto:jaime.masuda@cannabis.ca.gov)

## Attachment A – Regulatory Citations

Regulatory Section	Citation
Basin Plan Section 4.2.1, Prohibition 1	Prohibits “[t]he discharge of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature into any stream or watercourse in the basin in quantities deleterious to fish, wildlife, or other beneficial uses.”
Basin Plan Section 4.2.1, Prohibition 2	Prohibits “[t]he placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature at locations where such material could pass into any stream or watercourse in the basin in quantities which could be deleterious to fish, wildlife, or other beneficial uses.”
California Water Code Section 13260	<p>“(a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:</p> <p style="padding-left: 40px;">(1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.</p> <p style="padding-left: 40px;">(2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.”</p>
California Water Code Section 13261(a)	“A person who fails to furnish a report or pay a fee under <a href="#">Section 13260</a> when so requested by a regional board is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).”
California Water Code Section 13264(a)	“No person shall initiate any new discharge of waste or make any material changes in any discharge, or initiate a discharge to, make any material changes in a discharge to, or construct, an injection well, prior to the filing of the report required by Section 13260 and no person shall take any of these actions after filing the report but before whichever of the following occurs first: (3) The issuance of waste discharge requirements pursuant to Section 13263. (2) The expiration of 140 days after compliance with Section 13260 if the waste

<b>Regulatory Section</b>	<b>Citation</b>
	to be discharged does not create or threaten to create a condition of pollution or nuisance and any of the following applies... (3) The issuance of a waiver pursuant to Section 13269.”
Cannabis Policy and General Order No. WQ 2019-0001-DWQ	State Water Resources Control Board Cannabis Cultivation Policy and General Waste Discharge Requirements Order No. WQ 2019-0001-DWQ for Discharges of Waste Associated with Cannabis Cultivation Activities <a href="https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf">Cannabis Cultivation Policy</a> ( <a href="https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf">https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf</a> ) and <a href="https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf">Cannabis General Order WQ 2019-0001-DWQ</a> ( <a href="https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf">https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf</a> )

## **Attachment B – Facilities Inspection Report**

## FACILITIES INSPECTION REPORT

Region/Office: 1	Status: Performed	Reg. Measure ID: 453111

### Discharger Information

Party ID: 640132	Discharger Organization Name: Carrillo, Yesenia and Carrillo, Raul		
Address: Po Box 650	City, State, Zip: Covelo, CA 95428		
Discharger Contact Person:	Multiple Contacts	Discharger Contact Phone:	
Discharger Contact Email Address:			

### Facility Information

Place ID 888912	Facility Name: Yesenia and Raul Carrillo property		
Address: 34320 Mendocino Pass Road	City, State, Zip: Covelo, CA 95428		
County: Mendocino	Latitude: 39.83848	Longitude: -123.08679	Method:

### Lead Inspector Information

Lead Inspector Party ID: 591567	Lead Inspector Name: Ermias Berhe		
Inspector Type:	<input checked="" type="checkbox"/> State	<input type="checkbox"/> State Contractor	<input type="checkbox"/> EPA Contractor
	<input type="checkbox"/> EPA and State (EPA Lead)	<input type="checkbox"/> EPA and State (State Lead)	<input type="checkbox"/> EPA (Regional)

## INSPECTION TYPE

Inspection Type: Miscellaneous inspection

## VIOLATIONS

Were Violations noted during this inspection?  Yes  No

Violation ID	Violation Type	Occurrence Date	Rank	Description
1117966	Basin Plan Prohibition	05/22/2023	B	Basin Plan Section 4.2.1, Prohibition 2 at WQ5
1117967	Order Conditions	05/22/2023	B	State Water Resources Control Board Cannabis Cultivation Policy and General Waste Discharge Requirements Order No. WQ 2019-0001-DWQ for Discharges of Waste Associated with Cannabis Cultivation Activities at WQ1 through WQ38
1117968	Other Codes	05/22/2023	B	California Water Code (Water Code) Section 13260 and 13264 for cultivation without permit



### INSPECTION SUMMARY (REQUIRED) (500 character limit)

Recommendations:

1. Remove all cannabis cultivation related activities at WQ4. If you intend to continue cannabis cultivation, enroll under the Cannabis General Order WQ 2019-0001-DWQ through the Cannabis Program Portal at: <https://public2.waterboards.ca.gov>
2. Hire a qualified professional to address the water quality issues at watercourse crossings.
3. Work with the Division of Water Rights and seek permits for water diversions.
4. Apply for any proposed instream work.

### GENERAL NOTES (OPTIONAL) (2000 character limit)

General Notes:

I observed an outdoor cannabis cultivation of sufficient size, approximately 13,500 square feet, and scope to require enrollment under the Cannabis General Order DWQ-2019-0003-WQ. The cannabis cultivation area was also within the required setback of a watercourse. I also observed seven watercourse crossings, and a few of these watercourse crossings are either improperly installed or failing and/or threatening sediment delivery to surface waters. I observed an uncontained generator, gasoline tanks, a water pump, and improperly disposed trash and soil. I also observed surface water diversions and water storage tanks.

For Internal Use (Optional)					
Reviewed By:	(1)	(2)	(3)		
CIWQS Entry Date:		Regional Board File Number:		CIWQS Inspection ID:	

Attachment C – Inspection Map and Photo Log

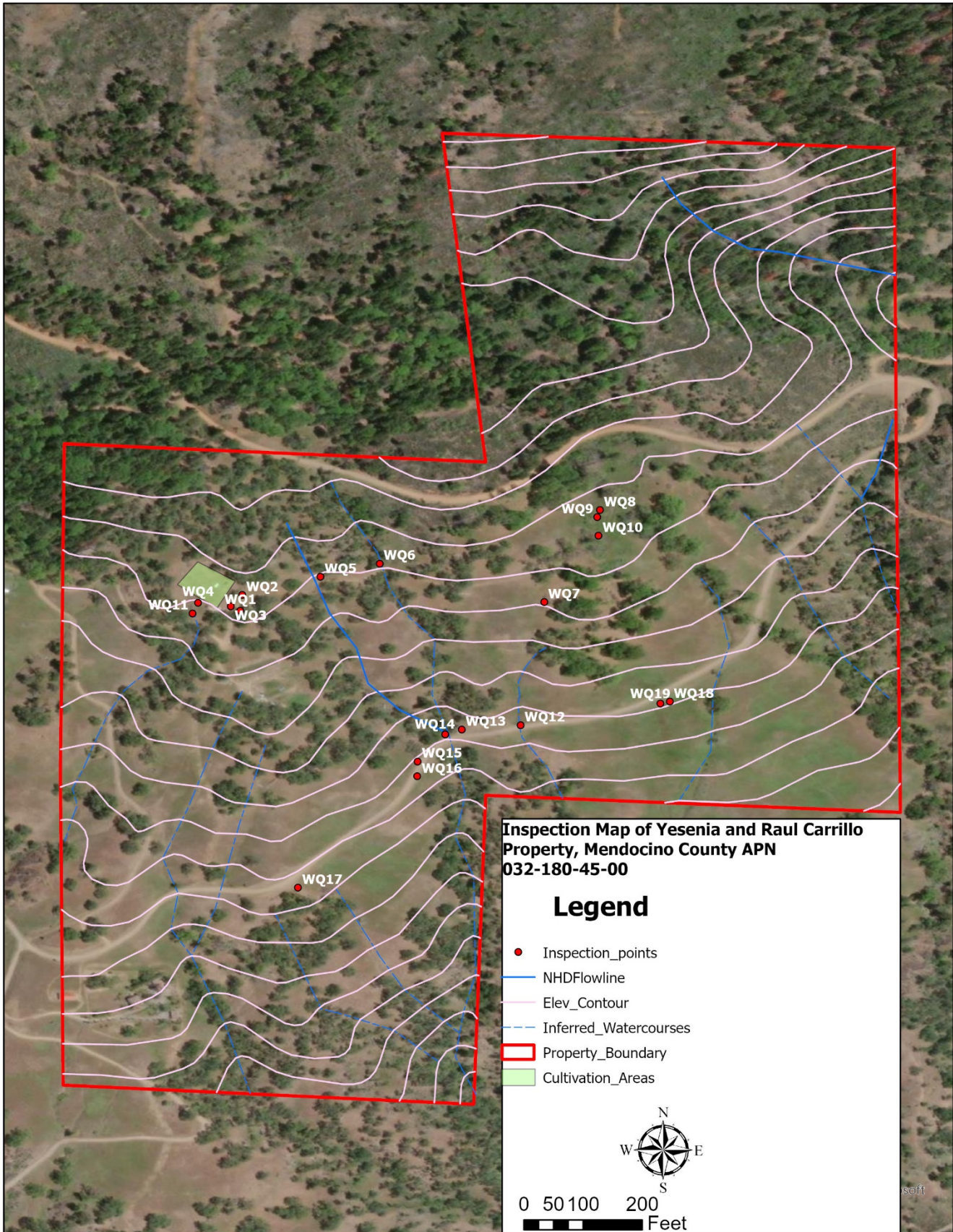


Figure 1 inspection map



Photo Log of May 22, 2023, Inspection of Yesenia and Raul Carrillo Property, Mendocino County APN 032-180-45-00. Photos taken by Ermias Berhe unless noted otherwise.



Photo 1: Outdoor kitchen and trash at WQ1



Photo 2: Water storage tanks at WQ3



Photo 3: Uncontained gasoline tank pump near water storage tanks at WQ3



Photo 4: Burned trash in the vicinity of cultivation area at WQ2



Photo 5: Cultivation area at WQ4



Photo 6: Soil and trash in the vicinity of cultivation area at WQ4





Photo 7: Uncontained gasoline containers, and a generator in the vicinity of cultivation area at WQ4



Photo 8: Rocked fill watercourse crossing at WQ5



Photo 9: Rocked fill stream crossing at WQ6



Photo 10: Uncontained pump and water storage tank at WQ7



Photo 11: Water storage in the vicinity of WQ9



Photo 12: A second water storage structure connected to a water supply pipe in the vicinity of WQ9





Photo 13: A third water storage structure in vicinity of WQ8



Photo 14: A partially buried water pipe connected to the second water storage tank at WQ10 and potentially diverting water from a spring



Photo 15: Inlet of a culverted watercourse crossing at WQ11



Photo 16: Outlet of a culverted watercourse crossing at WQ11



Photo 17: Cultivation area within the riparian setback of the headwaters of a watercourse at WQ11



Photo 18: Historical cultivation area southeast of WQ3





Photo 19: Inlet of a culverted watercourse at WQ12; it appears to be functioning properly



Photo 20: Outlet of a culverted watercourse crossing at WQ12



Photo 21: Water diversion structure at WQ13



Photo 22: Inlet of a partially rusted culverted watercourse crossing at WQ14



Photo 23: Outlet of a culverted watercourse crossing at WQ14



Photo 24: Inlet of a culverted watercourse crossing at WQ15, appears to be functioning well but needs clearing of the vegetation





Photo 25: Outlet of the culverted watercourse crossing at WQ16



Photo 26: Water storage tanks at WQ17



Photo 27: Point of Diversion (POD) from a spring at WQ18



Photo 28: Water pipe out of the POD at WQ18



Photo 29: Outlet of a watercourse crossing culvert at WQ19