

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
NORTH COAST REGION

Administrative Civil Liability Complaint No. R1-2025-0006

In the Matter of Yesenia and Raul Carrillo

Mendocino County

Assessor's Parcel Numbers 032-294-03-00 and 032-180-45-00

This Administrative Civil Liability Complaint (Complaint) is issued by the Assistant Executive Officer of the North Coast Regional Water Quality Control Board (North Coast Water Board) to Yesenia Carrillo and Raul Carrillo (hereinafter, Dischargers) for failure to submit a proposed Cleanup, Restoration, and Monitoring Plan (CRMP) as required under Required Action No. 1 of North Coast Water Board Cleanup and Abatement and Investigative Order No. R1-2024-0034 (Cleanup and Abatement Order) in violation of Water Code section 13267. The Complaint is issued pursuant to Water Code section 13323, which authorizes the Executive Officer to issue this Complaint, and Water Code Division 7, which authorizes the delegation of the Executive Officer's issuing authority to a deputy, in this case, the Assistant Executive Officer.

The Assistant Executive Officer of the North Coast Water Board hereby alleges that:

BACKGROUND

1. North Coast Water Board staff (Staff) inspected one parcel identified by Assessor's Parcel Number (APN) 032-294-03-00 on May 9, 2023 and a separate parcel identified by APN 032-180-45-00 on May 22, 2023, (both parcels are collectively referred to herein as the Property) during the execution of search warrants obtained by California Department of Fish and Wildlife (CDFW) law enforcement. The purpose of Staff's 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 from illicit cannabis cultivation.
2. The Dischargers own two separate parcels located within three miles of each other east of the town of Covelo in Mendocino County. One parcel identified by 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.

The other parcel identified by 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.

3. The Dischargers acquired title to Mendocino County APN 032-180-45-00 on December 17, 2020 and APN 032-294-03-00 on August 28, 2020 and have owned this Property at all times relevant to the allegations in this Complaint.
4. During the inspections of the Property, Staff documented site conditions on the Property constituting threats to water quality and beneficial uses. On June 22, 2023, the North Coast Water Board transmitted a report of the inspection of APN 032-180-45-00 and a Notice of Violation to the Dischargers documenting controllable sediment sources associated with graded cultivation pads; road fords and poorly designed or maintained culverted stream crossings; and cannabis cultivation waste discharged to land and burned where it threatens to discharge pollutants into watercourses.
5. On August 11, 2023, the North Coast Water Board transmitted a report of the inspection of APN 032-294-03-00 and a Notice of Violation to the Dischargers documenting controllable sediment sources associated with poorly designed, constructed or maintained access roads, graded cultivation pads and a culverted stream crossing from where sediment threatens to discharge to receiving watercourses; cannabis cultivation waste including soil pots, plastic netting, and lumber discharged into a watercourse; and unauthorized alteration of a channel bank and fill of sediment into a watercourse. The Dischargers' activities, resulting in discharge and threatened discharge, were conducted without authorization from the applicable state, and local agencies, including the North Coast Water Board.
6. On May 15, 2024, the North Coast Water Board transmitted a draft Cleanup and Abatement Order to the Dischargers that proposed tasks with associated deadlines, which would be required to clean up and abate the impacts from observed discharges or threatened discharges resulting from the unauthorized cannabis cultivation activities on the Property. The transmittal letter for the draft cleanup and abatement order provided the Dischargers 30 days from the date of the transmittal letter to submit written comments and/or evidence for the North Coast Water Board to consider.
7. On June 13, 2024, Staff received comments via email from the Dischargers. Dischargers stated it was impossible for them to hire a professional to comply with the Cleanup and Abatement Order as they are not able to pay for it. Staff responded to the Dischargers' comments on July 18, 2024, acknowledging the submittal of their comments and informing them of their risk of liability if they fail to comply with a Cleanup and Abatement Order issued by the North Coast Water Board.
8. On July 23, 2024, the Executive Officer for the North Coast Water Board issued the Cleanup and Abatement Order to the Dischargers. The Cleanup and Abatement

Order directs the Dischargers to complete several Required Actions, including submittal of a proposed CRMP by September 15, 2024 (Required Action 1).

9. On September 26, 2024, Staff transmitted a Notice of Violation to the Dischargers for the failure to comply with Required Action 1 of the Cleanup and Abatement Order by the September 15, 2024 deadline. The Notice of Violation explained that the Dischargers risked the North Coast Water Board imposing administrative civil liability if they did not comply with the Cleanup and Abatement Order.
10. The Water Quality Enforcement Policy, Penalty Methodology for this Complaint, included as Attachment A, provides the details of this violation and the factors considered in developing the recommended administrative civil liability.

ALLEGED VIOLATIONS

11. **Violation 1:** The Prosecution Team¹ alleges that the Dischargers violated Water Code section 13267 by failing to submit a proposed CRMP for approval by the North Coast Water Board or its delegated officer by September 15, 2024, as required under Required Action 1 of the Cleanup and Abatement Order.

WATER CODE AUTHORITY FOR IMPOSING ADMINISTRATIVE CIVIL LIABILITY

12. Water Code section 13268 provides that a regional water board may administratively impose civil liability to any person who fails to submit technical or monitoring reports, as required under Water Code section 13267, in an amount not to exceed one thousand dollars (\$1,000) for each day in which the violation occurs.
13. Pursuant to Water Code section 13327, in determining the amount of any civil liability imposed, a regional board is required to take into account the nature, circumstances, extent, and gravity of the violations, whether the discharges are susceptible to cleanup or abatement, the degree of toxicity of the discharges, and, with respect to the violator, the ability to pay, the effect on its ability to continue its business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violations, and other matters that justice may require.

¹ To maintain impartiality of the North Coast Water Board, during potential enforcement hearings as a standard practice in progressive enforcement cases, staff organizes a group of staff that works on case development (the Prosecution Team), which consists of the Assistant Executive Officer as the lead prosecutor together with staff that has inspected the site and reviewed associated enforcement documents. Another group of staff that has not been involved in the enforcement case can help advise the Regional Water Board (the Advisory Team).

WATER QUALITY ENFORCEMENT POLICY

14. On April 4, 2017, the State Water Board adopted Resolution No. 2017-0020, which adopted the 2017 Water Quality Enforcement Policy (2017 Enforcement Policy).² The 2017 Enforcement Policy was approved by the Office of Administrative Law and became effective on October 5, 2017. The 2017 Enforcement Policy establishes a methodology for assessing administrative civil liability that addresses the factors that are required to be considered when imposing a civil liability as outlined in Water Code sections 13327 and 13385, subdivision (e).
15. The alleged violation is subject to liability in accordance with Water Code section 13268. Administrative civil liability under this section is subject to the factors set forth in Water Code section 13327. The Prosecution Team has considered the required factors for the alleged violation using the methodology in the 2017 Enforcement Policy, as described in Attachment A to this Complaint.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

16. Issuance of this Complaint is an enforcement action and is, therefore, exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.), in accordance with California Code of Regulations, title 14, sections 15307, 15308, and 15321, subdivision (a)(2).

PROPOSED ADMINISTRATIVE CIVIL LIABILITY

17. The Prosecution Team proposes an administrative civil liability amount of **\$55,335** for Violation 1, as detailed in Attachment A to this Complaint, using the penalty methodology in the 2017 Enforcement Policy. The total proposed administrative civil liability takes into account the factors described in Water Code section 13327, such as the Dischargers' culpability, history of violations, ability to pay, and other factors as justice may require.
18. Notwithstanding the issuance of this Complaint, the North Coast Water Board retains the authority to assess additional administrative civil liability for violations that have not yet been assessed or for violations that may subsequently occur.

MAXIMUM STATUTORY LIABILITY

19. Pursuant to Water Code section 13268, subdivision (b)(1), civil liability may be administratively imposed by the North Coast Water Board on a daily basis in an amount that shall not exceed one thousand dollars (\$1,000) for each day in which

² The Office of Administrative Law approved revisions to the Water Quality Enforcement Policy in November, 2024. Because the violations alleged here occurred prior to that approval, the 2017 Enforcement Policy governs the penalty calculation methodology.

the violation occurs. The Dischargers have failed to submit the required CRMP for **148 days**, from September 15, 2024, to February 10, 2025. The statutory maximum liability amount for Violation 1 is \$148,000 (\$1,000/day x 148 days). The proposed administrative civil liability for Violation 1 is below the statutory maximum liability amount.

MINIMUM LIABILITY

20. The 2017 Enforcement Policy requires the North Coast Water Board to recover, at a minimum, the economic benefit plus ten percent. The economic benefit for Violation 1 is estimated to be \$292. The minimum liability that may be imposed is, therefore, \$292 plus 10 percent (\$29), totaling **\$321**. The proposed liability for Violation 1 is above the minimum liability amount.

THE DISCHARGERS ARE HEREBY GIVEN NOTICE THAT:

21. The Assistant Executive Officer of the North Coast Water Board proposes a total administrative civil liability amount of **\$55,335** for Violation 1 based upon a review of the factors cited in Water Code section 13327 and application of the 2017 Enforcement Policy.
22. The North Coast Water Board will hold a hearing on this Complaint during the Board meeting scheduled on May 7 or 8, 2025. The meeting is tentatively planned to occur in Siskiyou County, California, at a location to be announced, or at a location posted on the [North Coast Water Board's website](#), unless the Dischargers do one of the following by the February 25, 2025 deadline to submit the Waiver Form (Attachment B):
 - a. The Dischargers waive the right to a hearing by completing the attached Waiver Form (checking the box next to Option 1) and returning it to both the North Coast Water Board Prosecution Team and Advisory Team, along with payment for the proposed administrative civil liability amount of **\$55,335**; or
 - b. The North Coast Water Board Advisory Team agrees to postpone any necessary hearing after the Dischargers request a delay so that they may have additional time to prepare for the hearing or otherwise resolve this matter by checking the box next to Option 2 on the attached Waiver Form and returning it to the North Coast Water Board Prosecution Team and Advisory Team, along with a letter describing the amount of additional time requested and the rationale.
23. If a hearing is held, it will be governed by the Hearing Procedures (Attachment C). During the hearing, the North Coast Water Board will hear testimony and arguments and affirm, reject, or modify the proposed administrative civil liability, or determine whether to refer the matter to the Attorney General for recovery of judicial civil liability.

24. The Assistant Executive Officer reserves the right to amend the proposed amount of administrative civil liability to conform to the evidence presented.

February 10, 2025

Date

Claudia E. Villacorta, P.E.
Assistant Executive Officer

Attachments:

- A. Penalty Methodology
- B. Hearing Waiver Form
- C. Hearing Procedures

Attachment A
Penalty Methodology for
Administrative Civil Liability Complaint No. R1-2025-0006
Factors Considered in Developing Recommended Civil Liability
In the Matter of Yesenia and Raul Carrillo

This technical analysis provides a summary of factual and analytical evidence that support the findings in Administrative Civil Liability Complaint No. R1-2025-0006 (Complaint) and the recommended assessment of administrative civil liability in the amount of \$55,335. The Complaint alleges that Yesenia and Raul Carrillo (the Dischargers), failed to implement Required Action No. 1 of the North Coast Regional Water Quality Control Board's (North Coast Water Board's) Cleanup and Abatement and Investigative Order No. R1-2024-0034 (Cleanup and Abatement Order) at the Property located in Mendocino County at Assessor's Parcel Numbers (APNs) 032-294-03-00 and 032-180-45-00.

SUMMARY OF VIOLATION

The Complaint alleges that the Dischargers violated Water Code section 13267 by failing to submit a proposed Cleanup, Restoration, and Monitoring Plan (CRMP) for approval by September 15, 2024, as required under Required Action 1 in the Cleanup and Abatement Order. Water Code section 13268, subdivision (b), provides that the North Coast Water Board may impose civil liability administratively in response to violations of section 13267 in an amount of up to one thousand dollars (\$1,000) per day of violation. As of February 10, 2025, the CRMP is 148 days late, and the Dischargers are subject to liability of up to \$148,000 pursuant to Water Code section 13268, subdivision (b). **As described below, the Prosecution Team¹ recommends administrative civil liability in the amount of fifty-five thousand three hundred and thirty-five dollars (\$55,335) for this violation.**

¹ To maintain impartiality of the North Coast Water Board, during potential enforcement hearings as a standard practice in progressive enforcement cases, staff organizes a group of staff that works on case development (the Prosecution Team), which consists of the Assistant Executive Officer as the lead prosecutor together with staff that has inspected the site and reviewed associated enforcement documents. Another group of staff that has not been involved in the enforcement case can help advise the Regional Water Board (the Advisory Team).

PENALTY METHODOLOGY

The State Water Resources Control Board's *Water Quality Enforcement Policy*² ("Enforcement Policy") establishes a methodology for determining administrative civil liability by addressing the factors that must be considered under Water Code section 13327 and/or 13385, subdivision (e), depending on the violations. As the violation alleged in the Complaint is enforceable under Water Code section 13268, the proposed liability must take into consideration the factors specified in Water Code section 13327, specifically:

"the nature, circumstance, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on ability to continue in business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters as justice may require."

Each factor of the Enforcement Policy's ten-step approach is discussed below, along with the basis for assessing the corresponding scores and proposed administrative civil liability amount.

The violation alleged here involves failure to comply with the Water Code section 13267 reporting directive. This is a "non-discharge violation" for purposes of the Enforcement Policy penalty methodology.

Step 1. Actual Harm or Potential for Harm for Discharge Violations

Enforcement Policy Step 1 is only applicable to discharge violations, which are not alleged in the Complaint.

Step 2. Per Gallon and Per Day Assessments for Discharge

Enforcement Policy Step 2 is only applicable to discharge violations, which are not alleged in the Complaint.

Step 3. Per Day Assessment for Non-Discharge Violations

The Enforcement Policy provides that "[t]he Water Boards shall calculate an initial liability factor for each non-discharge violation, considering Potential for Harm and the extent of deviation from applicable requirements. These violations include, but are not

² [The Enforcement Policy](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/040417_9_final%20adopted%20policy.pdf) can be found at: (https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/040417_9_final%20adopted%20policy.pdf). The Office of Administrative Law approved revisions to the Enforcement Policy in November, 2024. Because the violations alleged in the Complaint occurred prior to that approval, the 2017 Enforcement Policy governs the penalty calculation here.

limited to, failure to conduct routine monitoring and reporting, failure to provide required information, and the failure to prepare and implement required plans. While all non-discharge violations harm or undermine the Water Boards' regulatory programs and compromise the Water Boards' ability to perform their statutory and regulatory functions, some non-discharge violations have the potential to directly or indirectly impact beneficial uses and should result in more serious consequences."

To determine the initial liability factor for each violation, the Water Boards use the matrix set forth in Table 3 of the Enforcement Policy to determine a per-day assessment factor for each violation. The matrix considers the potential for harm resulting from the violation, and the deviation from the applicable requirement. Each of these can be "Minor," "Moderate," or "Major."

Potential for Harm:

The Potential for Harm categories are as follows:

- *Minor – The characteristics of the violation have little or no potential to impair the Water Boards' ability to perform their statutory and regulatory functions, present only a minor threat to beneficial uses, and/or the circumstances of the violation indicate a minor potential for harm.*
- *Moderate – The characteristics of the violation have substantially impaired the Water Boards' ability to perform their statutory and regulatory functions, present a substantial threat to beneficial uses, and/or the circumstances of the violation indicate a substantial potential for harm. Most non-discharge violations should be considered to present a moderate potential for harm.*
- *Major – The characteristics of the violation have wholly impaired the Water Boards' ability to perform their statutory or regulatory functions, present a particularly egregious threat to beneficial uses, and/or the circumstances of the violation indicate a very high potential for harm. Non-discharge violations involving failure to comply with directives in cleanup and abatement orders, cease and desist orders, and investigative orders, involving reports relating to impaired water bodies and sensitive habitats, should be considered major. (emphasis added.)*

(Enforcement Policy, page 16)

Violation 1: The CRMP required by the Cleanup and Abatement Order is necessary to: (1) assess impacts to waters of the state resulting from the cannabis cultivation, Dischargers' 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 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. The

CRMP is comparable in scope to the technical documents required of all licensed cannabis cultivators in California enrolling in 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). By failing to submit a CRMP for approval, the Dischargers wholly impaired the North Coast Water Board's ability to perform its regulatory functions by preventing the Board from authorizing cleanup actions. Additionally, the Dischargers obtained an unfair economic advantage over enrollees in the Cannabis General Order by not obtaining appropriate permits and by not producing the CRMP, which is comparable with reports required of enrollees in the Cannabis General Order.

Additionally, the impacted waterbodies intended to be addressed through the CRMP are impaired and contain sensitive habitats. The federal Clean Water Act section 303, subdivision (d), impaired waterbodies list identifies the Middle Fork Eel River as impaired due to elevated sedimentation/siltation and elevated 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. Since this non-discharge violation involves failure to comply with a directive in the Cleanup and Abatement Order to submit a report that identifies cleanup actions impacting an impaired waterbody, the Potential for Harm for Violation 1 is **Major**.

Deviation from Requirement:

The Deviation from Requirement categories are as follows:

- *Minor – The intended effectiveness of the requirement remained generally intact (e.g., while the requirement was not met, its intended effect was not materially compromised).*
- *Moderate – The intended effectiveness of the requirement was partially compromised (e.g., the requirement was not met, and the effectiveness of the requirement was only partially achieved).*
- *Major – The requirement was rendered ineffective (e.g., the requirement was rendered ineffective in its essential functions).*

(Enforcement Policy, page 16)

Violation 1: The deviation from the requirement to submit a proposed CRMP by the deadline contained in the Cleanup and Abatement Order is **Major**. North Coast Water Board staff (Staff) transmitted a letter to the Dischargers on September 26, 2024, notifying them of Violation 1, but the Dischargers did not respond. The Dischargers

have made no attempt to submit a proposed CRMP for approval, rendering the requirement ineffective in its essential functions.

Per Day Factors:

Violation 1: Utilizing a Potential for Harm score of **Major** and Deviation from Requirement score of **Major**, Staff selected a Per Day Factor of 0.85 for Violation 1, consistent with Table 3 on page 16 of Enforcement Policy.

Initial Liability Amounts:

The initial liability amount for Violation 1 is **calculated on a per-day basis as follows:**

Violation 1: Per-Day Liability (148 (days) x 0.85 (per day factor) x \$1,000 (statutory maximum per day liability)) = **\$125,800**

Step 4. Adjustment Factors

Under this step, the initial liability amount is adjusted by factors addressing multiple-day violations and the violator's conduct.

Multiple-Day Violations

The Enforcement Policy advises that “for violations that are assessed a civil liability on a per day basis and do not constitute a single operational upset, the initial liability amount should be assessed for each day up to thirty (30) days. For violations that last more than thirty (30) days, the daily penalty assessment can be less than the calculated daily assessment, provided that it is no less than the per day economic benefit, if any, resulting from the violation. For these cases, the North Coast Water Board must make express findings that the violation:

- a. Is not causing daily detrimental impacts to the environment and is not causing daily detrimental impacts to the regulatory program;
- b. Results in no discrete economic benefit from the illegal conduct that can be measured on a daily basis; or,
- c. Occurred without the knowledge or control of the violator, who therefore did not take action to mitigate or eliminate the violation.

If one of the above findings is made, an alternate approach to penalty calculation for multiple day violations may be used. In these cases, the liability shall not be less than an amount that is calculated based on an assessment of the initial Total Base Liability Amount for the first 30 days of the violation, plus an assessment for each 5-day period of violation until the 60th day, plus an assessment for each 30 days of violation thereafter. Staff determined that neither Violation 1 nor Violation 2 resulted in discrete economic benefit that can be measured on a daily basis. Therefore, applying the alternative approach to penalty calculation, Staff recommends collapsing the number of days for which administrative civil liability shall be assessed as follows:

Violation 1: Full collapsing of days from 148 days to 38 days. Therefore, the adjusted Initial Liability Amount for Violation 1 becomes **\$32,300** (38 (days) x 0.85 (per day factor) x \$1,000 (statutory maximum per day liability)).

Violator's Conduct:

There are three additional factors to be considered for modification of the amount of initial liability: the violator's culpability, efforts to clean up or cooperate with regulatory authority, and the violator's compliance history.

Culpability:

This factor assesses a discharger's degree of culpability prior to the violation. The Enforcement Policy provides that "[h]igher liabilities should result from intentional or negligent violations" as opposed to accidental violations. A multiplier between 0.75 and 1.5 is to be used, with a higher multiplier for intentional misconduct or gross negligence, a lower multiplier for more simple negligence, and a neutral assessment of 1.0 where a discharger is determined to have acted as a reasonable and prudent person would have.

Violation 1: At the time of the inspection, the Dischargers were conducting unlicensed commercial cannabis cultivation on the Property. Commercial cannabis cultivators are required to maintain their property, where cultivation is occurring, consistent with the Cannabis Cultivation Policy and the Water Code. Due to observed discharges and threats of discharge on the Property, the North Coast Water Board issued the Cleanup and Abatement Order to ensure the Property was adequately remediated. Upon issuance of the Cleanup and Abatement Order, a reasonable and prudent person would have made efforts to comply with the requirement to submit a proposed CRMP for approval and communicate these efforts to the North Coast Water Board. The Dischargers' conduct fell below that of a reasonable and prudent person. The Dischargers have failed to respond to Staff's September 16, 2024 email or their September 26, 2024 Notice of Violation which was delivered via email and by FedEx mail to the Dischargers' home following the July 23, 2024 issuance of the Cleanup and Abatement Order. These actions constitute an intentional violation of Required Action 1; thus, a value of **1.25** is appropriate for this violation.

History of Violations:

The Enforcement Policy advises that "[w]here the discharger has no prior history of violations, this factor should be neutral, or 1.0. Where the discharger has prior violations within the last five years, the Water Boards should use a multiplier of 1.1. Where the discharger has a history of similar or numerous dissimilar violations, the Water Boards should consider adopting a multiplier above 1.1."

This Dischargers are also named in Cleanup and Abatement Order R1-2024-0033 requiring cleanup of a property that the Dischargers no longer own, however the new owners of that property are complying with Order R1-2024-0033. There are no previous

orders assessing administrative civil liability against the Dischargers for previous violations within the last five years. Accordingly, a neutral factor of **1.0 is selected**.

Cleanup and Cooperation:

This factor assesses voluntary efforts to cleanup and/or to cooperate with regulatory agencies in returning to compliance after the violation. The Enforcement Policy states that the cleanup and cooperation multiplier ranges from 0.75 to 1.5, with a lower multiplier where there is exceptional cleanup and cooperation compared to what can reasonably be expected, and a higher multiplier where there is not. A reasonable and prudent response to a discharge violation or timely response to a North Coast Water Board order should receive a neutral adjustment as it is assumed a reasonable amount of cooperation is the warranted baseline.

Violation 1: After the issuance of Staff’s response to the Dischargers’ comments on a draft of the Cleanup and Abatement Order, the Dischargers did not sign receipt for certified mailing of the July 23, 2024 final Cleanup and Abatement Order and failed to respond to Staff’s September 16, 2024 email or their September 26, 2024 Notice of Violation Letter with enclosed copy of the Cleanup and Abatement Order, which was delivered via email and by certified mail to the Dischargers’ home ; therefore, a score of **1.25** has been assessed for Violation 1.

Step 5. Determination of Total Base Liability Amount

The Total Base Liability is determined by adding the amounts above for each violation, including any adjustment for multiple day violations. Depending on the statute controlling the liability assessment for a violation, the liability can be assessed as either a per day penalty, a per gallon penalty, or both.

The Total Base Liability amount for Violations 1 is calculated on a per-day basis as follows:

Violation 1: \$32,300 (Initial Liability after collapsing days) x 1.25 (Culpability Factor) x 1.0 (History of Violations Factor) x 1.25 (Cleanup and Cooperation Factor) = **\$50,468**

Total Base Liability Amount: \$50,468

Step 6. Ability to Pay and Continue in Business

The Enforcement Policy provides that “[i]f the Water Boards have sufficient financial information necessary to assess the violator’s ability to pay the Total Base Liability Amount or to assess the effect of the Total Base Liability Amount on the violator’s ability to continue in business, the Total Base Liability Amount may be adjusted to address the ability to pay or to continue in business. The ability of a discharger to pay is determined by its income (revenues minus expenses) and net worth (assets minus liabilities).”

The Dischargers own the Property, with APN 032-180-45-00 and APN 032-294-03-00 having assessed values of \$618,108 and \$73,440, respectively. Property transaction records indicate that APN 032-294-03-00 was purchased in 2020 for cash, which suggests that the Property likely has no mortgage or other financial encumbrances. Staff does not have information about the Dischargers' revenues or liabilities that would further inform their ability to pay. Based on the information available, Staff proposes no adjustment to the Total Base Liability Amount.

Step 7. Economic Benefit

The Enforcement Policy requires that the adjusted Total Base Liability Amount be at least 10 percent higher than any economic benefit realized by the Dischargers.

For **Violation 1**, the cost of preparing a CRMP (i.e., field inspection and report preparation) is comparable to the cost of preparing a combined Site Management Plan, Site Erosion and Sediment Control Plan, and a Disturbed Area Stabilization Plan, as presented in the State Water Resources Control Board, October 2017, Direct Cost Analysis for the Proposed Cannabis Cultivation Policy (2017 Direct Cost Analysis)³, which is estimated to cost between \$4,860 and \$14,120.

Although the Dischargers will still need to submit a proposed CRMP for approval, they have not done so yet, so the costs estimated above are considered delayed. Using the EPA BEN model, staff determined the economic benefit from delayed expenditures associated with Violation 1. Staff identified the midpoint in the estimated range of plan cost of \$9,490 as a one-time non-depreciable expenditure, \$0 in capital investment, and \$0 in annual recurring costs with a noncompliance date of the September 15, 2024, deadline and an estimated compliance date of May 15, 2025, two weeks after the anticipated hearing date. The resulting economic benefit from delaying the plan expenditures is \$292.

The economic benefit plus ten percent is calculated to be $\$292 + \$29 = \$321$ in this instance, which the Total Base Liability Amount exceeds.

Step 8. Other Factors as Justice May Require

The Enforcement Policy states that “[i]f the Water Board believes that the amount determined using the above factors is inappropriate, the amount may be adjusted under the provision for ‘other factors as justice may require,’ but only if express findings are made to justify this adjustment.” The North Coast Water Board may exercise its discretion to include some of the costs of investigation and enforcement in the total administrative civil liability.

³ [The 2017 Direct Cost Analysis](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/20171017_cannabis_cultivation_policy_cost_analysis.pdf) is available at:
(https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/20171017_cannabis_cultivation_policy_cost_analysis.pdf)

Staff Costs

The North Coast Water Board incurred \$12,574 in staff costs associated with this enforcement action. The total staff time needed to investigate the alleged violation and prepare the Complaint was seventy-three (73) hours. Staff labor included the work of an Engineering Geologist, Senior Engineering Geologist, Supervising Environmental Scientist, Supervising Water Resources Control Engineer, and Assistant Executive Officer. Specifically, development of this enforcement action necessitated four (4) hours of labor from an Engineering Geologist and Supervising Environmental Scientist to investigate the violation and issue a notice of violation to the Dischargers for the failure to comply with the Cleanup and Abatement Order; forty-six (46) hours for an Engineering Geologist, Senior Engineering Geologist, Supervising Environmental Scientist, and Supervising Water Resources Control Engineer to prioritize the violation for enforcement and draft the Complaint; and twenty-three (23) hours for a Supervising Water Resources Control Engineer and Assistant Executive Officer to review, edit, and issue this Complaint.

The Prosecution Team proposes to recuperate only the staff costs associated with the labor related to the executive-level review and issuance of the Complaint. This amounts to \$4,867 for the twenty-three (23) hours the North Coast Water Board's Assistant Executive Officer and Supervising Water Resources Control Engineer needed to review, edit, and issue this Complaint. The Prosecution Team's reasoning to seek only the staff costs associated with management level review and issuance of the Complaint is to allow the Dischargers to use the funds, that would otherwise be included in the proposed penalty, to comply with the requirements of the Cleanup and Abatement Order which is still in effect.

Step 9. Maximum and Minimum Liability Amounts

The Enforcement Policy requires the North Coast Water Board to consider the maximum and minimum liability amounts that may be assessed for each violation. For all violations, the applicable statute sets a maximum liability amount. For some violations, the statute also establishes a minimum liability amount. The maximum and minimum liability amounts for each violation must be determined for comparison to the liability amounts proposed.

Pursuant to Water Code section 13268, subdivision (b)(1), civil liability may be administratively imposed by the North Coast Water Board in an amount that shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs. The Complaint alleges this violation occurred for 148 days. Accordingly, the statutory maximum liability amount that can be imposed for this violation is \$148,000. Water Code section 13268 does not impose a minimum liability amount; however, the Enforcement Policy requires the North Coast Water Board to recover, at a minimum, the economic benefit derived from this violation plus ten percent. As previously stated, Staff calculated the economic benefit of Violation 1 to be \$292. Therefore, the minimum

liability that can be imposed is \$292 plus ten percent (\$29) totaling \$321. The proposed liability for Violation 1 falls within the minimum and maximum liability amounts.

Step 10. Final Liability Amount:

The final liability amount consists of the added amounts for each violation, with any allowed adjustments, provided the amounts are within the statutory minimum and maximum amounts.

Violation 1: After full collapsing of days from 148 days to 38 days, the liability amount for Violation 1 is calculated as 38 (days) x 0.85 (per day factor) x \$1,000 (statutory maximum per day liability) x 1.25 (Culpability Factor) x 1.0 (History of Violations Factor) x 1.25 (Cleanup and Cooperation Factor) = **\$50,468 + Staff Costs of \$4,867.**

The Final Liability Amount is calculated to be fifty-five thousand three hundred and thirty-five dollars (**\$55,335**).



North Coast Regional Water Quality Control Board

WAIVER FORM FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT

By signing this waiver, I affirm and acknowledge the following:

I am duly authorized to represent Yesenia Carrillo and Raul Carrillo (hereinafter Dischargers) in connection with Administrative Civil Liability Complaint No. R1-2025-0006 (hereinafter Complaint). I am informed that California Water Code section 13323, subdivision (b), states that, “a hearing before the regional board shall be conducted within 90 days after the party has been served with the complaint. The person(s) who have been issued a complaint may waive the right to a hearing.”

- OPTION 1: Check here if the Dischargers waive the hearing requirement and will pay the liability in full.**
- a. I hereby waive any right the Dischargers may have to a hearing before the North Coast Regional Water Quality Control Board (North Coast Water Board).
 - b. I certify that the Dischargers will remit payment for the proposed civil liability in the full amount of **fifty-five thousand three hundred and thirty-five dollars (\$55,335)** by submitting a check that references “ACL Complaint No. R1-2025-0006” made payable to the State Water Pollution Cleanup and Abatement Account and mailed to Attn: ACL Payment Accounting Office, P.O. Box 1888, Sacramento, California, 95812-1888, with a copy of the check sent to the North Coast Water Board at northcoast@waterboards.ca.gov within 30 days from the date on which this waiver is executed.
 - c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after a 30-day public notice and comment period. Should the North Coast Water Board receive significant new information or comments from any source (excluding the North Coast Water Board’s Prosecution Team) during this comment period, the North Coast Water Board’s Assistant Executive Officer may withdraw the Complaint, return payment, and issue a new Complaint. I understand that this proposed settlement is subject to approval by the North Coast Water Board, and that the North Coast Water Board may consider this proposed settlement in a public meeting or hearing. I also understand that approval of the settlement will result in the Dischargers having waived the right to contest the allegations in the Complaint and the imposition of civil liability.
 - d. I understand that payment of the above amount is not a substitute for compliance with applicable laws and that continuing violations of the type

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

alleged in the Complaint may subject the Dischargers to further enforcement, including additional civil liability.

OPTION 2: Check here if the Dischargers waive the 90-day hearing requirement in order to extend the hearing date and/or hearing deadlines. Attach a separate sheet with the amount of additional time requested and the rationale.

- a. I hereby waive any right the Dischargers may have to a hearing before the North Coast Water Board within 90 days after service of the Complaint. By checking this box, the Dischargers request that the North Coast Water Board delay the hearing and/or hearing deadlines so that the Dischargers may have additional time to prepare for the hearing or otherwise resolve this matter including through settlement discussions with the Prosecution Team. I understand that it remains within the discretion of the North Coast Water Board to approve the extension.

Yesenia and Raul Carrillo or Authorized Representative

(Print Name)

(Signature)

(Date)

California Regional Water Quality Control Board, North Coast Region

HEARING PROCEDURE

FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT

R1-2025-0006

ISSUED TO

YESENIA CARRILLO AND RAUL CARRILLO

MENDOCINO COUNTY

HEARING SCHEDULED FOR MAY 7 or 8, 2025

PLEASE READ THIS HEARING PROCEDURE CAREFULLY. FAILURE TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS CONTAINED HEREIN MAY RESULT IN THE EXCLUSION OF YOUR SUBMITTAL.

California Water Code section 13323 authorizes the California Regional Water Quality Control Board, North Coast Region (North Coast Water Board) to impose a fine, called administrative civil liability, against any person who violates water quality requirements. The North Coast Water Board's Prosecution Team has issued an Administrative Civil Liability (ACL) Complaint that proposes the North Coast Water Board impose civil liability against Yesenia Carrillo and Raul Carrillo (Respondents) for the violation alleged in the ACL Complaint.

I. HEARING DATE AND LOCATION

The North Coast Water Board has scheduled a hearing to consider this matter on May 7 or 8, 2025. At the hearing, the North Coast Water Board will consider evidence regarding the violation alleged in the ACL Complaint. After considering the evidence, the North Coast Water Board may impose the proposed civil liability, impose a higher or lower amount, or decline to impose any liability.

The hearing will be held at the following location:

Best Western Miner's Inn, 122 E Miner Street, Yreka, CA 96097

The North Coast Water Board's meeting agenda will be issued at least ten days before the meeting and posted on the [North Coast Water Board's website](https://waterboards.ca.gov/northcoast/board_info/board_meetings/) at (https://waterboards.ca.gov/northcoast/board_info/board_meetings/). The hearing may be rescheduled or continued to a later date. Please check the North Coast Water Board's website for the most up-to-date information.

II. PRESIDING OFFICER

For the purposes of this Hearing Procedure, the Presiding Officer is the Chair of the North Coast Water Board or another member of the North Coast Water Board designated in writing by the Chair of the North Coast Water Board.

III. HEARING WAIVER

Water Code section 13323, subdivision (b), requires a hearing on the ACL Complaint within 90 days of service of the ACL Complaint; however, the Respondents may waive this right. The Respondents may decide to waive the hearing requirement and pay the full proposed liability amount and settle the ACL Complaint, contingent on the North Coast Water Board's approval of the settlement. Alternatively, the Respondents may decide to waive the right to a hearing within 90 days to (1) engage in settlement discussions or (2) seek additional time to prepare for the hearing.

To waive the hearing requirement for any of the above reasons, the Respondents should complete and submit the *Waiver Form for Administrative Civil Liability Complaint (Waiver Form)*, included with the ACL Complaint, by the deadline listed under "Important Deadlines" below. If there are multiple Respondents, each of them must submit a separate waiver. Any request to postpone the hearing must be approved by the Presiding Officer.

IV. ADJUDICATORY HEARING REGULATORY FRAMEWORK

A. Applicable Statutes and Regulations

The following statutes and regulations, as implemented by this Hearing Procedure, govern the hearing on the ACL Complaint:

1. California Water Code section 13323.
2. Chapter 4.5 of the Administrative Procedure Act (Gov. Code, § 11400 et seq.), excluding Article 8 (*Language Assistance*), Article 13 (*Emergency Decision*), Article 14 (*Declaratory Decision*) and Article 16 (*Administrative Adjudication Code of Ethics*).
3. Evidence Code sections 801 through 805.
4. Government Code section 11513.
5. California Code of Regulations, title 23, section 648 et seq.

6. State Water Resources Control Board's Water Quality Enforcement Policy (Enforcement Policy).

These statutes and regulations are available online at (https://www.waterboards.ca.gov/laws_regulations). Except for Government Code section 11513, chapter 5 of the California Administrative Procedure Act (Gov. Code, § 11500 et seq.) does not apply to this hearing.

B. Separation of Prosecutorial and Advisory Functions

North Coast Water Board staff and attorneys that have prepared the ACL Complaint (Prosecution Team) have been separated from North Coast Water Board staff and attorneys that will advise the North Coast Water Board on the ACL Complaint (Advisory Team). The Prosecution Team will present evidence for consideration by the North Coast Water Board. The Advisory Team provides legal and technical advice to the North Coast Water Board. Members of the Advisory Team and Prosecution Team are identified below.

Advisory Team:

Valerie Quinto, Executive Officer
Nathan Jacobsen, Attorney IV

Prosecution Team:

Claudia E. Villacorta P.E., Assistant Executive Officer
Kason V. Grady P.E., Supervising Water Resources Control Engineer
Jeremiah Puget, Senior Environmental Scientist
Brian Fuller P.G., Senior Engineering Geologist (Specialist)
Patrick Lewis, Attorney III

Any members of the Advisory Team who normally supervise any members of the Prosecution Team are not acting as their supervisors in this proceeding, and vice versa. Further, members of the Advisory Team have not exercised any authority over the Prosecution Team or advised them with respect to this matter, or vice versa. Claudia Villacorta, Kason Grady, and Jeremiah Puget regularly advise the North Coast Water Board in other, unrelated matters, and other members of the Prosecution Team may have previously acted as advisors to the North Coast Water Board in other, unrelated matters, but no members of the Prosecution Team are advising the North Coast Water Board in this proceeding. Members of the Prosecution Team have not had any substantive ex parte communications with the North Coast Water Board, or the Advisory Team regarding this proceeding.

C. Ex Parte Communications

Any communication regarding any issue in this proceeding to a North Coast Water Board member or member of the Advisory Team by a Party or Interested Person that is made without notice and opportunity for all Parties to participate in the communication is considered an “ex parte” communication. Ex parte communications are prohibited, except as authorized by statute (e.g., communications regarding non-controversial procedural matters). (Gov. Code, § 11430.10 et seq.)

D. Evidentiary Standards

Government Code section 11513 and Evidence Code sections 801 through 805 apply to this proceeding.

The technical rules of evidence do not apply to this proceeding. The Parties may submit any relevant evidence that is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions.

Hearsay evidence is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter stated. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but over timely objection shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. An objection is timely if made before conclusion of all testimony or closing statement if one is provided.

V. HEARING PARTICIPANTS

A. Parties

Parties are the primary participants in the hearing. Parties may present written evidence, offer witness testimony, cross-examine witnesses, and provide closing statements. Parties may be asked to respond to questions from the North Coast Water Board and Advisory Team.

The following are Parties to this proceeding:

1. North Coast Water Board Prosecution Team
2. Yesenia Carrillo and Raul Carrillo
3. Any other person or entity designated as a party by the Presiding Officer in accordance with Section V.C.

B. Interested Persons (Non-Parties)

Interested Persons include any persons or entities that are interested in the outcome of the proceeding but that have not been designated as a party. Interested Persons may present written or oral non-evidentiary policy statements. Interested Persons are not subject to cross-examination but may be asked to respond to clarifying questions from the North Coast Water Board and Advisory Team.

Interested Persons may not submit evidence (e.g., photographs, eye-witness testimony, and monitoring data). Any person or entity that would like to submit evidence should request to be designated as a party pursuant to Section V.C.

C. Requesting Party Status

Any Interested Person who wishes to participate in the hearing as a party must submit a request in writing by the deadline listed under “Important Deadlines” below. The request must include the following information at a minimum:

1. How the issues to be addressed at the hearing substantially affect the requestor’s interests; and,
2. Why the existing Parties do not adequately represent the requestor’s interests.

The request for party status must also include any requested revisions to the Hearing Procedure.

A Party must submit any written objection to a request for party status by the deadline listed under “Important Deadlines” below.

Following the deadline to submit objections to party status requests, the Presiding Officer will promptly respond to any timely written requests for party status. The Presiding Officer will not grant a request for party status if the Presiding Officer determines the designation of the requestor as a party will impair the interests of justice or the orderly and prompt conduct of the proceeding. The Presiding Officer, when granting a request for party status, may impose restrictions on the requestor’s hearing participation, including limiting or excluding the use of cross-examination and other procedures, to promote the orderly and prompt conduct of the proceeding. Unless and until an Interested Person is granted party status, the deadlines for Interested Persons shall continue to apply.

VI. PREHEARING SUBMITTAL OF NON-EVIDENTIARY POLICY STATEMENTS BY INTERESTED PERSONS

A. Non-Evidentiary Policy Statements

Interested Persons must submit any written non-evidentiary policy statements regarding the ACL Complaint by the deadline listed under “Important Deadlines” below.

Interested Persons are not required to submit written statements to speak at the hearing.

B. Responding to Interested Person Non-Evidentiary Policy Statements

A Party must submit any response to Interested Person written policy statements by the deadline listed under “Important Deadlines” below.

VII. PREHEARING SUBMITTALS BY PARTIES

A. Prehearing Evidence and Argument Submittals (Excluding Rebuttal Evidence)

The Parties must submit the following information in advance of the hearing by the deadline listed under “Important Deadlines” below:

1. All evidence, excluding witness testimony to be presented orally at the hearing, and an exhibit list providing an exhibit number and brief description of each exhibit. Evidence already in the North Coast Water Board’s public files may be submitted by reference as long as the evidence and location are clearly identified. The file names of any electronic copies of exhibits must identify the Party submitting the exhibit, the exhibit number, and a brief identification of the exhibit (e.g., "Resp Ex. 1 - Permit.pdf").
2. All legal and technical arguments or analysis.
3. The name of each witness, if any, whom the Party intends to call at the hearing; the subject of each witness’ proposed testimony; and the estimated time required by each witness to present direct testimony.
4. The qualifications of each expert witness, if any.

B. Prehearing Rebuttal Evidence Submittals

Rebuttal evidence is evidence offered to disprove or contradict evidence presented by an opposing Party.

The Parties must submit any rebuttal evidence in advance of the hearing by the deadline listed under “Important Deadlines” below. Rebuttal evidence shall be limited to rebutting the scope of previously submitted materials; rebuttal evidence that is not responsive to previous submittals may be excluded by the Presiding Officer.

The requirement to submit rebuttal evidence in advance of the hearing applies only to rebut timely-submitted written evidence. Rebuttal evidence pertaining to an issue raised solely during oral testimony need not be submitted in advance of the hearing.

C. Prehearing Objections to Evidentiary Submittals

A Party must submit any objections to prehearing evidentiary submittals by the deadlines listed under “Important Deadlines” below.

These deadlines do not apply to objections to late-submitted evidence. Objections to late-submitted evidence must be made within seven days of the late submittal or at the hearing, whichever is earlier.

D. Prehearing Proposed Findings of Fact and Conclusions of Law

The Prosecution Team must submit, and the other Parties may submit, Proposed Findings of Fact and Conclusions of Law for consideration by the North Coast Water Board and Advisory Team. The Proposed Findings of Fact and Conclusions of Law must include the Party’s proposed penalty calculation, using the methodology prescribed by the Enforcement Policy. The Parties may use this opportunity to highlight specific evidence and argument for the North Coast Water Board’s consideration.

Proposed Findings of Fact and Conclusions of Law must be submitted in Microsoft Word format by the deadline listed under “Important Deadlines” below. The Presiding Officer may prescribe a page limit for the Proposed Findings of Fact and Conclusions of Law.

E. Prohibition on Surprise Evidence

It is the policy of the North Coast Water Board to discourage the introduction of surprise testimony and exhibits. The Presiding Officer may refuse to admit proposed exhibits or testimony into evidence that are not submitted in accordance with this Hearing Procedure and shall refuse to do so when there is a showing of prejudice to any Party or the North Coast Water Board, except where the party seeking to introduce the

proposed exhibits or testimony demonstrates that compliance with this Hearing Procedure would create severe hardship. Excluded material will not be considered.

VIII. REVISIONS TO HEARING PROCEDURE AND PREHEARING CONFERENCE

A. Revisions to Hearing Procedure

The Presiding Officer may revise this Hearing Procedure for good cause (1) on the Presiding Officer's own motion or (2) upon request from any Party or Interested Person seeking party status. A Party or Interested Person seeking party status requesting revisions to this Hearing Procedure must submit the request in writing by the deadline listed under "Important Deadlines" below. Before revising this Hearing Procedure, the Presiding Officer will provide the Parties an opportunity to comment.

B. Prehearing Conference

The Presiding Officer, upon its own motion or upon request from a Party, may schedule a Prehearing Conference with the Parties to discuss any prehearing matter, such as revisions to this Hearing Procedure, designation of additional parties, or evidentiary objections.

IX. HEARING

A. Order of Proceeding

The Presiding Officer will conduct the hearing on the ACL Complaint generally in the order listed under California Code of Regulations, title 23, section 648.5. The Presiding Officer may modify the order of proceeding for good cause.

B. Administration of Oath

All persons intending to testify at the hearing must take the oath administered by the Presiding Officer.

C. Witnesses

Any witness providing written testimony must appear at the hearing and affirm that the written testimony is true and correct and be available for cross-examination.

D. Hearing Time Limits

Parties: Each Party will have a combined total of 30 minutes to present evidence (including examining witnesses), cross-examine witnesses, and provide a closing statement.

Interested Persons: Each Interested Person will have 3 minutes to present oral, non-evidentiary comments or policy statements.

Questions from the North Coast Water Board and the Advisory Team, responses to such questions, and discussion of procedural issues do not count against these time limits.

E. Requesting Additional Hearing Time

Hearing participants who would like additional time must submit their request by the deadline listed under “Important Deadlines” below. Additional time may be provided at the discretion of the Presiding Officer upon a showing that additional time is necessary.

F. Visual Presentations

Each Party may use PowerPoint and other visual presentations at the hearing. The presentation content shall not exceed the scope of previously submitted written material. The Parties must submit their presentations, if any, by the deadline listed under “Important Deadlines” below.

Interested Persons may use a visual presentation as an aid to their oral, non-evidentiary comments or policy statements only with the Presiding Officer’s prior approval.

X. MISCELLANEOUS

A. Submittal Timing and Format

All submittals made pursuant to this Hearing Procedure must be received by 5:00 p.m. on the respective due date within the “Important Deadlines” below. All submittals must be sent to the “Primary Contacts,” identified below. Electronic copies are encouraged. Parties without access to computer equipment are strongly encouraged to have their materials scanned at a copy or mailing center. The Presiding Officer will not reject materials solely for failure to provide electronic copies.

B. Availability of Documents

The ACL Complaint and all submittals made in accordance with this Hearing Procedure are available upon request by contacting the Prosecution Team, identified in the “Primary Contacts” below.

Interested Persons may request to be included in the transmission of all submittals by contacting the Advisory Team.

C. Questions

Questions concerning this Hearing Procedure may be addressed to the Advisory Team attorney, identified in the “Primary Contacts” below.

PRIMARY CONTACTS

Advisory Team:

Valerie Quinto
Executive Officer
North Coast Water Board
Valerie.Quinto@waterboards.ca.gov

Nathan Jacobsen
Attorney IV
Office of Chief Counsel
State Water Resources Control Board
(916) 341-5181
Nathan.Jacobsen@waterboards.ca.gov

Prosecution Team:

Claudia E. Villacorta, P.E.
Assistant Executive Officer
North Coast Water Board
Claudia.Villacorta@waterboards.ca.gov

Kason V. Grady, P.E.
Supervising Water Resources Control Engineer
North Coast Water Board
Kason.Grady@waterboards.ca.gov

Jeremiah Puget
Senior Environmental Scientist
North Coast Water Board
Jeremiah.Puget@waterboards.ca.gov

Brian Fuller, P.G.
Senior Engineering Geologist (Specialist)
North Coast Water Board
Brian.Fuller@waterboards.ca.gov

Yesenia and Raul Carrillo
Complaint No. R1-2025-0006
Attachment C – Hearing Procedures

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Patrick Lewis
Attorney III
State Water Resources Control Board, Office of Enforcement
(916) 327-0140
Patrick.Lewis@Waterboards.ca.gov

Respondents:

Yesenia Carrillo and Raul Carrillo
34320 Mendocino Pass Road
Covelo, CA 95428
yinfante23@gmail.com

IMPORTANT DEADLINES

Note: Where a deadline falls on a weekend or state holiday, the deadline is extended to the following business day.

February 10, 2025	Prosecution Team issues ACL Complaint, Hearing Procedure, and other related materials	
February 20, 2025	Parties' deadline to request revisions to Hearing Procedure	Section VIII.A
February 20, 2025	Interested Persons' deadline to request party status (If requesting party status, this is also the deadline to request revisions to Hearing Procedure)	Section V.C
February 25, 2025	Parties' deadline to submit objections to party status requests	Section V.C
February 25, 2025	Respondent's deadline to submit Waiver Form	Section III
March 12, 2025	Interested Persons' deadline to submit written non- evidentiary policy statements	Section VI.A
March 26, 2025	Prosecution Team's deadline to submit prehearing evidence and argument (excluding rebuttal evidence)	Section VII.A
April 7, 2025	Remaining Parties' (including the Respondent(s)) deadline to submit prehearing evidence and argument (excluding rebuttal evidence)	Section VII.A
April 18, 2025	Parties' deadline to submit prehearing rebuttal evidence	Section VII.B
April 18, 2025	Parties' deadline to submit responses to Interested Person non-evidentiary policy statements	Section VI.B
April 18, 2025	Parties' deadline to submit objections to prehearing evidence submittals (excluding rebuttal evidence)	Section VII.C
April 18, 2025	Deadline to submit requests for additional hearing time	Section IX.E
April 25, 2025	Parties' deadline to submit objections to prehearing rebuttal evidence	Section VII.C
April 25, 2025	Parties' deadline to submit Proposed Findings of Fact and Conclusions of Law	Section VII.D
May 6, 2025	Parties' deadline to submit copy of visual presentations	Section IX.F
May 7 or 8, 2025	Hearing Date(s)	