



Enforcement News

North Coast Water Board increases enforcement on cannabis growers, issues six-figure fines

Many cultivators flout basic regulations that protect water quality

Oct. 13, 2022

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SANTA ROSA – The North Coast Regional Water Quality Control Board reported last Friday that its enforcement actions against water quality violations have increased by 25% over the past two years, driven largely by its forceful response to the growing operations of cannabis cultivators whose activities threaten nearby waterways.

The cultivators involved generally operate without permits and are alleged to be dumping trash into creeks and rivers or recklessly building illegal roads that create erosion hazards. Board staff informed that, in addition to formal enforcement cases, scores of potential violations are also currently under investigation.

“While responsible cannabis cultivation is an important part of our region’s economic prosperity, the fact is that not everyone is following the rules. The ongoing blatant disregard for crucial regulations that protect water quality poses a dangerous threat to our environment and quality of life,” said Claudia Villacorta, assistant executive officer for the North Coast Water Board. “We’ve stepped up our enforcement efforts not only to safeguard the health of our creeks and rivers but to send a message to violators: If you harm our waterways, you will be investigated and cited.”

The intensification of the board’s investigation and enforcement activities is resulting in a number of orders, proposed fines and a spate of ongoing inquiries that could lead to significant civil penalties.

Since July 1, 2020, the board has issued 331 enforcement actions, a 25% increase over the two years prior, which include:

- 246 notices of violation (of these, 140 were issued to cannabis growers)
- 30 notices of non-compliance
- 12 cleanup and abatement orders (of this total, nine were issued to cannabis growers)
- Nine administrative civil liability complaints (one complaint issued to cannabis growers)



- 14 administrative civil liability orders (one issued to cannabis growers)
- Two expedited payment letters for mandatory minimum penalties

The following cases are examples of recent enforcement actions:

- In early August, the board imposed a \$301,950 fine against cannabis cultivators on 100 acres in Humboldt County who built an undersized and misaligned road that threatened to cause erosion runoff into the nearby Mad River. In that case, the board increased by 40% the fine proposed by enforcement staff when the accused failed to show up for a hearing and never responded to orders to clean up the area and bring the road up to industry standards.
- In late September, board staff issued a proposed fine of \$506,813 for a Trinity County case involving unpermitted cannabis growers with repeated violations on their four-acre parcel. The accused growers' unwillingness to cleanup and fix numerous water quality issues lead to hefty proposed penalties. The board will consider adoption of the proposed fine at a board hearing in February 2023.

“While pursuing violations associated with expanding unpermitted cannabis cultivation is a top priority for the board, we also continue to enforce permits and investigate discharge violations for other types of agriculture and unauthorized dredge and fill activities in addition to discharge violations related to industrial and construction activities,” added Villacorta. “Common to all types of investigations is the regular failure by violators to meet deadlines in existing enforcement orders, but noncompliance will be met with higher penalties, from \$1,000 to \$10,000 per day.”

Members of the public who see or suspect water quality violations are encouraged to report them online through the [CalEPA Environmental Complaint System](#). The public can also report violations by calling the regional board's main line at 707-576-2220 or the North Coast enforcement coordinator at 707-576-2835. In all cases, the individual submitting the report is assured anonymity.

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