



GAVIN NEWSOM
GOVERNOR



YANA GARCIA
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

June 22 2023

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NOTICE OF VIOLATION

Investigation ID: 14572

**DIVISION OF WATER RIGHTS INSPECTION OF MENDOCINO COUNTY
ASSESSOR PARCEL NUMBERS (APN) 031-020-46-01, 031-020-45-01, AND
031-020-54-01**

Michael Harding,

On September 26, 2022, staff from the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), in coordination with state and local partner agencies conducted an inspection of the property referenced above (Property). The purpose of the inspection was to observe the diversion and use of water occurring on the Property and to evaluate potential impacts to the watershed.

You are being contacted because you were identified as the property owner of the Mendocino County APNs identified above, where you are allegedly diverting and using water for cannabis cultivation.

During the inspection, Division staff observed California Water Code (WC) and State Water Board, Cannabis Cultivation Policy (Policy) violations. Enclosed is the Division's Inspection Report (Report) of your Property that includes Division staff observations, alleged violations and the corrective actions necessary for compliance with the WC and the State Water Board's Policy. The enclosed Report constitutes your second notice of the alleged violations and this matter requires your immediate attention. The first notice of violation was left with a copy of the search warrant on September 26, 2022, and

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

detailed WC and Policy violations and corresponding corrective actions. The information below is a summary of the alleged violations included in the Report.

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Violation: WC section 5101 - Failure to File an Initial Statement of Water Diversion and Use (Statement) 16

Violation: WC section 1052 - Unauthorized Diversion or Use of Water 17

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Violation: Cannabis Cultivation Policy Section 2, Term 98 - Failure to Maintain Daily Records of Water Use for Cannabis Irrigation 31

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Violation: Diversion or Use of Water for Cannabis Cultivation without a Department of Cannabis Control License..... 33

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The State Water Board retains the authority and discretion to take enforcement action based on the facts and allegations contained herein and you may be subject to further enforcement action before the State Water Board. Therefore, this matter requires your immediate attention. You should follow all staff recommended corrective actions described in the enclosed Report or submit a response indicating any course of action you intend to take or have taken, include an implementation schedule, and/or photo documentation that demonstrates your compliance. You can provide your response, documentation and photos through the Division of Water Rights Cannabis Response Notice Portal detailed in the Report in the **Compliance Assistance References section.**

Michael Harding

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If you have questions concerning the Report, please contact me by phone at (916)323- 9388, or by email at anthony.southwood@waterboards.ca.gov. Written correspondence can be provided and addressed to the following address: State Water Resources Control Board, Division of Water Rights, P.O. Box 100, Sacramento, CA 95812-0100, Attention: Anthony Southwood.

Sincerely,
Anthony Southwood
Environmental Scientist
Cannabis Enforcement Unit
Division of Water Rights

Enclosures: 1.Division of Water Rights Inspection Report dated September 26, 2022
2.Division of Water Rights Inspection Report dated August 4, 2021

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