



State Water Resources Control Board

June 19, 2024

CERTIFIED MAIL

Lorenzo Diaznunez

CERTIFIED MAIL NO: 7020 6130 0000 7729 6394

NOTICE OF VIOLATION

Inspection ID: 11272

DIVISION OF WATER RIGHTS INVESTIGATION OF MENDOCINO COUNTY ASSESSOR PARCEL NUMBER (APN) 171-110-25-00

Lorenzo Diaznunez,

On May 14, 2024, 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 a search warrant 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 APN 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 information below is a summary of the alleged violations included in the Report.
Violations and Corrective Actions 9-19

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Violation: WC section 5101 - Failure to File an Initial Statement of Water Diversion and Use (Statement)..... 9

Violation: Cannabis Cultivation Policy, Section 2, Term 66 – Failure to Comply with the Narrative and Numeric Instream Flow Requirements No. 4. The Surface Water Dry Season Forbearance Period 10

Violation: Cannabis Cultivation Policy, Section 2, Term 81 – Failure to install separate measuring devices to quantify diversions to and from each storage facility 12

Violation: Cannabis Cultivation Policy, Section 2, Term 82 - Failure to Install Water Measuring Device or Maintain Diversion Records. 13

Violation: Cannabis Cultivation Policy, Section 2, Term 89 - Failure to prevent off-stream water storage overflow..... 14

Violation: Cannabis Cultivation Policy, Section 2, Term 92 - Water Storage Facility Without Device to Prevent Water Overflow..... 15

Violation: Cannabis Cultivation Policy, Section 2, Term 93 - Failure to Secure Tank Openings to Prevent Entry and Entrapment of Wildlife..... 16

Violation: Cannabis Cultivation Policy, Section 2, Term 98 – Failure to Maintain Daily Records of Water Use for Cannabis Irrigation 17

Violation: Diversion or Use of Water for Cannabis Cultivation without a Department of Cannabis Control License 18

Compliance Assistance References..... Error! Bookmark not defined.9

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 which allows individuals to provide information in response to the violations alleged in this report and potentially avoid additional monetary penalties for continued non-compliance. To submit a response please follow the steps below.

1. Go to the State Water Board’s Cannabis Cultivation Programs Portal at: <https://public2.waterboards.ca.gov/cgo>
2. Register or login to your account.
3. Under survey Click “New” for the “Division of Water Rights Cannabis Compliance Response Portal.”
4. When you fill out your response use the Assessor Parcel Number listed in this report.
5. Additionally, in your response use the Inspection ID: **11272**

If you have questions concerning the Report, please contact me by phone at 916-341-5410, or by email at Ryan.Babb@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: Ryan Babb.

Sincerely,

ORIGINAL SIGNED BY:

Ryan Babb
Water Resource Control Engineer
Cannabis Enforcement Unit
Division of Water Rights

Enclosures: Division of Water Rights Inspection Report dated May 14, 2024

ec: **Division of Water Rights - Enforcement**

Taro Murano
Taro.Murano@waterboards.ca.gov

Stormer Feiler
Stormer.Feiler@waterboards.ca.gov

Laura Cunningham
Laura.Cunningham@Waterboards.ca.gov

Cannabis Registration Unit
DWR-cannabisreg@waterboards.ca.gov

Department of Fish and Wildlife

Justin Rhoades
Justin.Rhoades@wildlife.ca.gov

Scott Bauer
Scott.Bauer@wildlife.ca.gov

Corinne Gray
Corinne.Gray@wildlife.ca.gov

North Coast Regional Water Quality Control Board

Northcoast.Cannabis@waterboards.ca.gov

Mendocino County Sheriff's Office

Clint Wyant

WyantC@mendocinocounty.org

Mendocino County Cannabis Program

CannabisProgram@mendocinocounty.org

Mendocino County Code Enforcement

Gretchen McLaughlin

McLaughlinG@mendocinocounty.org

Mendocino Agricultural Commissioner

Harinder Grewal

GrewalH@mendocinocounty.org

Department of Cannabis Control Jose

Barajas

Jose.Barajas@cannabis.ca.gov

Jon Silva

Jon.Silva@cannabis.ca.gov

Lindsay Rains

Lindsay.Rains@cannabis.ca.gov

Erin Wonder

Erin.Wonder@cannabis.ca.gov

Jaime Masuda

Jaime.Masuda@cannabis.ca.gov