

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

CLEANUP AND ABATEMENT ORDER NO. R5-2024-0702

**FOR
CAMERON AMIRI
ASSESSOR'S PARCEL 065-280-004-000
NEVADA COUNTY**

This Cleanup and Abatement Order (Order) is issued to Cameron Amiri (hereafter referred to as the Discharger) based on provisions of California's Porter-Cologne Water Quality Control Act (Water Code) section 13304, which authorizes the Central Valley Regional Water Quality Control Board (Central Valley Water Board) to issue an order requiring the cleanup and abatement of wastes, and Water Code section 13267, which authorizes the Central Valley Water Board to require the preparation and submittal of technical and monitoring reports.

The Executive Officer finds, with respect to the Discharger's acts, or failures to act, the following:

Purpose of the Order

1. This Order requires the Discharger to cleanup and abate the effects of waste that is discharging or threatening to discharge to waters of the state. These discharges and threatened discharges of waste are the result of unauthorized cannabis cultivation and associated grading and land disturbance activities. These activities occurred without authorization from applicable federal, state, or local agencies, including the Central Valley Water Board. This Order requires investigation and cleanup in compliance with the Water Code, the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, February 2019 (Basin Plan), State Water Resources Control Board (State Water Board), Policies and Procedures for Investigation and Cleanup and Abatement of Discharges (Resolution 92-49), and other applicable State Water Board and Central Valley Water Board plans, policies, and regulations.

Site Location and Description

2. The discharges and threatened discharges were observed on Nevada County Assessor's Parcel (Assessor's Parcel) 065-280-004-000 (Site). The Site is a 38.6-acre property located at 14666 Woolford Mill Road in Nevada County, approximately 3.5 miles east of Scotts Flat Reservoir and approximately four miles north of the town of Dutch Flat. The Site is situated in the Greenhorn Creek hydrologic unit. Watercourses at the Site flow into an unnamed Class I watercourse that bisects the parcel located south of the Site and is tributary to Greenhorn Creek, which flows into Rollins Reservoir and the Bear River.

Responsible Parties

3. This Order finds that the Discharger is a responsible party based on the following:
 - a. The Discharger owns the Site. The Discharger obtained this parcel on 7 November 2019 and has owned the parcel since that time, including the date Central Valley Water Board staff inspected the property and observed discharges and threatened discharges of waste to waters of the state.
 - b. As the owner at the time the discharge and threatened discharge of waste was observed by Central Valley Water Board staff, the Discharger had or should have had knowledge of the unauthorized activities that resulted in the discharge and threatened discharges, and had the legal ability to prevent the discharges from occurring. Additionally, the Discharger, as the current owner, knows or should know of the current conditions of the property and has the ability and legal responsibility to remediate the conditions resulting in discharges and/or threatened discharges of waste to waters of the state.
4. The Central Valley Water Board reserves the right to amend this Order to add additional responsible parties if/when those parties are identified.
5. Nothing in this Order is intended to, or shall be interpreted as, limiting a responsible party's ability to seek reimbursement or indemnity from any and all other responsible parties.

Factual Basis of the Order

6. On 19 July 2022, Central Valley Water Board staff accompanied staff from the California Department of Fish and Wildlife (CDFW) on an inspection of Assessor's Parcels 065-280-004-000 and 065-280-005-000, which are adjacent parcels, pursuant to a criminal search warrant obtained and served by CDFW. At the time of the inspection, the Discharger owned both parcels and staff documented discharges and threats of discharge on both parcels. Subsequent to the inspection, Assessor's Parcel 065-280-005-000 was purchased by Greg Poppin, as trustee of the Greg N. Poppin Living Trust, on 20 October 2022. Mr. Poppin has been cooperating with Central Valley Water Board staff and is conducting voluntary cleanup activities on Assessor's Parcel 065-280-005-000. In light of the efforts taken by Mr. Poppin to correct the conditions of concern observed on Assessor's Parcel 065-280-005-000, this Order is only issued to the Discharger based on the conditions of Assessor's Parcel 065-280-004-000, which present an ongoing threat to water quality.
7. During the 19 July 2022 inspection of Assessor's Parcel 065-280-004-000, Central Valley Water Board staff documented active cannabis cultivation and a

variety of active and threatened discharges of waste to waters of the state in violation of the Water Code, including the following:

- a. A cultivation area was observed at the southwestern portion of the Site, which was comprised of two hoop houses with active cultivation occurring in raised beds filled with potting soil.
 - b. Bare soil was observed in the graded areas and cut and fill slopes around the hoop houses. These areas lacked best management practices (BMPs) to prevent erosion and discharge of sediment to waters of the state.
 - c. Piles of potting soils and native material were documented at the Site that lacked BMPs to prevent erosion and discharge of sediment.
 - d. An A-frame wooden shed was observed on top of a concrete bunker located within the channel of an unnamed Class III watercourse, which impeded the natural flow of the watercourse. Excavated native material was also piled in the watercourse channel downslope of the structure.
 - e. Improperly stored gasoline-powered and diesel-powered pumps and generators, fuel containers, petroleum products, fertilizers, pesticides, chemicals, and miscellaneous garbage and debris were observed with no cover from the elements or secondary containment to prevent discharge. Discharges of petroleum products to the ground surface were observed from leaking fuel storage tanks and generators.
 - f. Discharge of septage to the ground surface was observed from two pit toilets and six campers/RVs located at the Site.
 - g. Unarmored roads that lacked BMPs were observed exhibiting erosion and sediment transport via rills and ruts.
 - h. Several large water storage tanks and related infrastructure were observed at the Site without secondary containment, which could result in significant discharges if they were to deteriorate, leak, or otherwise fail.
8. Subsequent to the inspection, an Inspection Report and Notice of Violation (IR/NOV) package was issued to the Discharger on 18 August 2022 that documented site conditions and identified the violations of the Water Code noted above. Based on United States Postal Service online tracking records, the IR/NOV was not collected from the local post office and was returned to the Central Valley Water Board. The NOV required the Discharger to submit specific documentation that Site cleanup and restoration measures had been completed to address discharges and future discharges of waste to waters of the state by 30 September 2022.

9. On 23 September 2022, Central Valley Water Board staff was informed by staff from Nevada County that a Mr. Cameron Brady was representing the Discharger as his legal counsel and that consultants/contractors had begun to assess the site for clean up and remediation work. Central Valley Water Board staff sent an email to Mr. Brady and received confirmation of the above.
10. On 11 October 2022, Central Valley Water Board staff met virtually with Mr. Brady. Mr. Brady expressed that the Discharger intended to comply with the IR/NOV and clean up the property. The Discharger was not present on the call. Mr. Brady later informed Central Valley Water Board staff that he was no longer representing the Discharger. On 23 October 2023, Nevada County staff emailed Central Valley Water Board staff stating that their office had lost touch with the Discharger and that Mr. Brady had informed them that he had also lost communication with the Discharger.
11. As mentioned previously, Assessor's Parcel 065-280-005-000 was purchased by Greg Poppin, as trustee of the Greg N. Poppin Living Trust, on 20 October 2022. Mr. Poppin has been cooperating with Central Valley Water Board staff and is conducting voluntary cleanup activities on Assessor's Parcel 065-280-005-000.
12. In order to document Mr. Poppin's voluntary cleanup efforts of the property immediately south of the Site, Assessor's Parcel 065-280-005-000, staff participated in a consent inspection on 18 October 2023. Mr. Poppin guided staff through his property, including the northern boundary that is adjacent to the Site. During the inspection, Mr. Poppin informed staff that he was in communication with the Discharger and provided staff with the Discharger's phone number. Staff attempted to reach the Discharger on the phone number provided but were unsuccessful.
13. Staff were able to observe the following on the Discharger's property (Assessor's Parcel 065-280-004-000) from Mr. Poppin's property:
 - a. The cultivation area in the southwest corner of the Site still contained various cultivation-related materials, including barrels of unknown chemicals, several water storage tanks, bags of potting soil and fertilizer, and irrigation tubing. Additionally, a structure that was identified as a cabin in the 19 July 2022 inspection was observed to have burned to its foundation.
 - b. A camper and a bus located on the access road leading north into the Site.
 - c. The A-frame wooden shed on top of the concrete bunker remained located within the channel of an unnamed Class III watercourse.

Beneficial Uses and Water Quality Objectives

14. The Basin Plan designates beneficial uses, establishes water quality objectives, contains implementation programs for achieving objectives, and incorporates by references, plans and policies adopted by the State Water Board.
15. Watercourses on the Site flow into an unnamed Class I watercourse that bisects the parcel to the south and is a tributary of Greenhorn Creek, which flows into Rollins Reservoir and the Bear River. The existing designated beneficial uses for Bear River include the following: municipal and domestic supply (MUN), agricultural supply (AGR), hydropower generation (POW), water contact recreation (REC-1), non-contact water recreation (REC-2), warm freshwater habitat (WARM), cold freshwater habitat (COLD), and wildlife habitat (WILD). Beneficial uses of any specifically identified water body generally apply to all its tributaries.
16. One well was observed on the Site during the 19 July 2022 inspection. The Basin Plan states that, unless otherwise designated by the Central Valley Water Board, all groundwater in the region is considered as suitable or potentially suitable, at a minimum, for the following beneficial uses: municipal and domestic water supply (MUN), agricultural supply (AGR), industrial service supply (IND), and industrial process supply (PRO).
17. The Basin Plan lists specific Water Quality Objectives for inland surface waters that are relevant to the protection of designated beneficial uses. These objectives include, in part, limitations on increased temperature, sediment, settleable and suspended material, and turbidity.
18. The Water Quality Objectives specific to groundwater in the Sacramento and San Joaquin River Basins include, in part, limitations on bacteria, chemical constituents that adversely affect beneficial uses, taste and odor-producing substances, and toxic substances detrimental to human, plant, animal, or aquatic life.

Legal Basis of the Order

19. 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 requirement 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 creates, or threatens to create, a condition of pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts."

20. "Waste" is defined by Water Code section 13050, subdivision (d), as, "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."

- a. Sediment, when discharged to waters of the state, is considered a "waste" as defined in Water Code section 13050, subdivision (d). As a result of the unauthorized cannabis cultivation and associated grading and land disturbance activities, sediment was discharged or deposited where it will be, or has the potential to be, mobilized and discharged into waters of the state. Additionally, infrastructure, cannabis cultivation-related waste materials, petroleum products, trash, other miscellaneous debris that were observed nearby and within the Class III watercourse are "waste" as defined in Water Code section 13050, subdivision (d).

21. "Pollution" is defined by Water Code section 13050, subdivision (l)(1), as, "an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following: (A) the waters for beneficial uses, (B) facilities which serve these beneficial uses."

- a. The various wastes observed by Central Valley Water Board staff have discharged and have the potential to discharge into the unnamed Class III watercourse, creating or threatening to create a condition of pollution and unreasonably affecting the beneficial uses of waters of the state.
- b. Unauthorized discharges of sediment and other inert materials can alter the natural hydrologic and sediment transport regimes of surface waters by affecting the flow of water, sediment deposition, 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 by impacting beneficial uses such as warm freshwater habitat (WARM), cold freshwater habitat (COLD), and wildlife habitat (WILD). Increased sedimentation and turbidity can result in increased treatment and/or maintenance costs for downstream agricultural and municipal users impacting the following beneficial uses such as municipal and domestic supply (MUN) and agricultural supply (AGR). Sediment-laden storm water discharges to surface water and the resulting turbidity can also affect the recreational and aesthetic enjoyment of the surface waters impacting beneficial uses to include water contact recreation (REC-1) and non-contact water recreation (REC-2).

- c. Precipitation runoff from the areas containing generators, fuel containers, petroleum products, fertilizers, pesticides, chemicals, and potting soil, as well as runoff from areas where septage was discharged, has the potential to alter the chemistry and water quality of surface and ground waters. Such changes may lead to increased treatment and/or maintenance costs for users of surface water, which may impact beneficial uses such as municipal and domestic supply (MUN) and agricultural supply (AGR). Altered water chemistry and quality could be lethal to fish and other aquatic organisms and are known to contribute to harmful algal blooms, which could impact the beneficial use for warm freshwater habitat (WARM), cold freshwater habitat (COLD), and wildlife habitat (WILD).
 - d. The discarding and improper storage of trash, soil amendments, pumps and generators, fuel containers, petroleum products, fertilizers, pesticides, chemicals, and miscellaneous garbage and debris has the potential to alter the hydrologic regimes of surface waters, threaten wildlife habitat and aquatic species, impact downstream infrastructure, and result in impacts to sediments and soils downstream. Microplastics, nutrients, petroleum products, and/or chemicals contained in these wastes may adversely affect surface and ground water quality. As such, the beneficial uses impacted by the observed dumping and discarding of trash are as follows: municipal and domestic supply (MUN), agricultural supply (AGR), water contact recreation (REC-1), non-contact water recreation (REC-2), warm freshwater habitat (WARM), cold freshwater habitat (COLD), and wildlife habitat (WILD).
 - e. Concrete placed within the Class III watercourse may alter the quality of the water and is altering the natural flow of the watercourse, thereby impacting, or threatening to impact the following beneficial uses: municipal and domestic supply (MUN), agricultural supply (AGR), warm freshwater habitat (WARM), cold freshwater habitat (COLD), and wildlife habitat (WILD).
22. Cleanup and abatement are necessary to ensure that any existing condition of pollution is remediated, that threatened unlawful discharges of waste to waters of the state from the Site are prevented, and that any impacts to beneficial uses are mitigated. The issuance of a Cleanup and Abatement Order pursuant to Water Code section 13304 is appropriate and consistent with policies of the Central Valley Water Board and State Water Board.
23. 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 No. 68-16, *Statement of Policy with Respect to Maintaining High Quality Waters in California* (Antidegradation Policy). Resolution 92-49 requires waste to be cleaned up in a manner that promotes attainment of either background water quality, or the best water quality which 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 proceed in a progressive sequence. To the extent practical, it directs the Central Valley 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.

Technical Reports Required

24. Water Code section 13267, subdivision (a), provides that the Central Valley 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 Central Valley Water Board, in conducting an investigation, may require dischargers 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. Hourly rates for a licensed professional vary significantly in the industry, however for this estimate staff assumed an average billing rate of \$200 per hour for a licensed professional. Staff estimate the total cost of technical reports required by this Order to be approximately \$19,200 - \$28,800 (see below for individual estimates). 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. A Restoration Monitoring and Mitigation Plan (RMMP) is a technical report that is necessary to determine the scope and extent of actual and/or potential unlawful discharges of waste that could affect the quality of the waters of the state. By requiring the Discharger to submit an RMMP, the Central Valley Water Board or its delegated officer can review and approve the proposed restoration and corrective actions to confirm the proposed measures will adequately address past discharges and prevent future discharges from impacting beneficial uses. Based on the conditions noted at the Site, staff estimates the level of effort to perform additional field surveys/inspections and prepare and submit the RMMP is approximately 40 – 60 hours, for a total cost of between \$8,000 and \$12,000. After consideration of these factors, staff has determined that the burden, including costs, of submitting the RMMP bears a reasonable relationship to the need for the report and the benefits to be obtained from the report.

- b. Monitoring Reports are reports that the Discharger prepares to demonstrate and communicate progress on implementation of the RMMP. A report is required twice a year to ensure that the restoration and corrective actions are being performed consistent with the approved RMMP and that implementation of the RMMP will be completed by the deadline contained in this Order. Timely implementation is crucial to ensure that the Site is restored and erosion control measures are in place to prevent discharges of waste into waters of the state. Staff estimates that it will take approximately 8 – 12 hours to prepare a Monitoring Report, resulting in a cost between \$1,600 and \$2,400 per report, for a total cost between \$3,200 and \$4,800. After consideration of these factors, staff has determined that the burden, including costs, of submitting the Monitoring Reports bears a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
- c. An RMMP Completion Report demonstrates to the Central Valley Water Board or its delegated officer that the restoration and corrective actions contained in the approved RMMP have been fully implemented. By requiring the Discharger to submit documentation of the corrective actions, including pre- and post-remediation photographs and relevant maps and schematic diagrams, staff can confirm the RMMP has been fully implemented and that BMPs are adequate to prevent future unlawful discharges of waste into waters of the state. Staff estimated the level of effort to perform a field inspection of completed work at the Site and prepare and submit the Completion Report is approximately 16 – 24 hours, for a total cost between \$3,200 and \$4,800. After consideration of these factors, staff has determined that the burden, including costs, of submitting the RMMP Completion Report bears a reasonable relationship to the need for the report and the benefits to be obtained from the report.
- d. Annual Monitoring Reports are necessary to document the long-term stability of affected areas, to identify any areas where restoration activities are ineffective or require improvement, and to demonstrate the effectiveness of erosion control measures in preventing unlawful discharges of waste to waters of the state. Given the condition of the Site as a result of the unauthorized cannabis cultivation and associated land disturbance activities, and the obstruction to the flow of the Class III watercourse, a yearly monitoring report submitted for a period of three years will enable staff to confirm that the completed restoration and corrective actions documented in the RMMP Completion Report continue to be effective over wet and dry seasons. Staff estimates the level of effort to prepare and submit an Annual Monitoring Report is approximately 8 – 12 hours, resulting in a cost between \$1,600 and \$2,400 per report, for a total cost between \$4,800 and \$7,200 to prepare three reports between 2025 and 2027. After consideration of these factors, staff has determined that the burden, including costs, of submitting the Annual Monitoring Reports bears a reasonable

relationship to the need for the reports and the benefits to be obtained from the reports.

The Discharger named in this Order owns the parcel from which waste was unlawfully discharged, and which threatens to discharge, and thus is appropriately named as the party responsible for providing the reports.

California Environmental Quality Act

25. Issuance of this Order is an enforcement action taken by a regulatory agency to enforce the regulatory provision of the Basin Plan and is exempt from provisions of the California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) in accordance with California Code of Regulations, title 14, § 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 ensure restoration of stream habitat and prevent erosion, such actions are considered exempt from the provisions of CEQA pursuant to California Code of Regulations, title 14, § 15333. Should additional environmental review be required in connection with future discretionary regulatory actions at this site, the Central Valley Water Board may recover the costs associated with preparing and processing environmental documents from the Discharger (Pub. Resources Code, § 21089).

Required Actions

IT IS HEREBY ORDERED that, pursuant to Water Code sections 13267 and 13304, the Discharger shall cleanup and abate or take other necessary remedial action with respect to the discharge and threatened discharge of waste to waters of the state and submit technical and/or monitoring reports as further described below.

1. **Within 90 days** of the effective date of this Order, the Discharger shall submit a proposed **Restoration Monitoring and Mitigation Plan (RMMP)** for approval by the Central Valley Water Board or its delegated officer. The RMMP shall be prepared by a qualified professional and shall detail proposed actions to clean up the observed discharges of waste to waters of the state, restore the impacted watercourse channel and riparian zones, and prevent the potential for future discharges.
 - a. The RMMP shall include, at a minimum, plans for the following items:
 - i. Assessment and appropriate disposal and cleanup of any petroleum-contaminated soil. This work, including sampling and chemical analysis by a

- qualified professional of the contaminated soils, may require permits from other agencies including the Nevada County Environmental Health Department's Certified Unified Program Agency (CUPA). As stated in the General Notices and Requirements section, below, the Discharger shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning work. The results of the testing and evidence of proper disposal or treatment shall be provided to the Central Valley Water Board staff listed below. Materials should be disposed of at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations.
- ii. Restoration of the Class III watercourse where the A-frame and concrete structure were observed. In-channel work may require permits or authorization from the Central Valley Water Board and/or the CDFW. As stated in the General Notices and Requirements section, below, the Discharger shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning work.
 - iii. Installation of BMPs along the access roads to prevent further erosion and sediment discharge.
 - iv. Stabilization, including installation of appropriate BMPs, of all disturbed areas, bare soils, and cut and fill slopes to reduce the potential for erosion and sediment discharges.
 - v. Removal or proper storage of all generators, fuel containers, petroleum products, construction debris, cannabis cultivation-related debris, fertilizers, pesticides, chemicals, household garbage, and miscellaneous refuse and debris to prevent discharges. Disposal of these items must be at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations.
 - vi. Cleanup and remediation of any discharges of septage.
 - vii. Removal or proper containment of water storage tanks to address the threats of discharge.
- b. The RMMP shall contain, at a minimum: design specifications and drawings (e.g., areas to be regraded, watercourse crossings, BMPs to be installed); a detailed area map accurately depicting the site topography, graded and disturbed areas, cultivation areas, access roads, watercourse crossings, and all watercourses and drainages.

- c. The RMMP shall contain an implementation schedule that includes a timeline for submitting permit applications to all applicable local, state, and federal agencies along with detailed project milestones to fulfill the requirements of this Order.
 - d. The RMMP shall contain a monitoring plan that includes submittal of interim progress/monitoring reports to Central Valley Water Board staff throughout the completion of cleanup, stabilization, restoration, and mitigation work, including reporting on the Class III watercourse where the natural flow has been impacted by the A-frame wooden and concrete bunker. The interim progress/monitoring reports shall include standardized photo-point monitoring locations at all critical remediation sites. The RMMP shall propose a schedule for monitoring events and submittal of the interim progress/monitoring reports, which shall occur twice a year beginning upon approval of the RMMP and concluding upon approval of the RMMP Completion Report.
 - e. The RMMP shall include provisions for notifying Central Valley Water Board staff within 24 hours of a BMP failure or a discharge at the Site. The notification shall include a description of how the failure or discharge will be remediated and a schedule of proposed actions.
2. **By 15 October 2024**, the Discharger shall complete all approved restoration and mitigation measures described in the approved RMMP.
 3. **No later than 60 days** after completing implementation of the approved RMMP, the Discharger shall submit an **RMMP Completion Report** for approval by the Central Valley Water Board or its delegated officer. The RMMP Completion Report shall be prepared by a qualified professional and shall include accurate depictions, documentation, and as-built designs of all completed restoration construction and/or abatement measures included in the approved RMMP to demonstrate the RMMP has been fully implemented. This report shall also include pre- and post-construction photographs taken at each photo point, to be shown on a site map/figures. Photo points shall include up and down slope images of areas where restoration was performed. The RMMP Completion Report shall also include a proposed scope for the Annual Monitoring Reports, including a map of proposed monitoring locations.
 4. Upon approval of the RMMP Completion Report, the Discharger shall submit Annual Monitoring Reports by **1 July of each year for at least three years** or until the Central Valley 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 RMMP are met with supporting documentation. Each Annual Monitoring Report shall include, at a minimum, a completed inspection checklist, photographs of areas restored, a description of any locations where restoration is failing and/or needs to be corrected.

General Requirements and Notices

Use of Qualified Professionals

1. All technical reports required by this Order that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geological sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

Signatory Requirements

2. All technical reports submitted by the Discharger shall include a cover letter signed by the Discharger, or a duly authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to their knowledge, the report is true, complete, and accurate. The Discharger shall also state if he agrees with any recommendations/proposals and whether he approves implementation of said proposals. 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."

Notice of Change in Ownership or Occupancy

3. The Discharger shall file a written report on any changes in the Site's ownership or occupancy. This report shall be filed with the Central Valley Water Board no later than **30 days prior** to a planned change and shall reference the number of this Order.

Compliance with Other Regulatory Requirements

4. The Discharger shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning work.

Cost Recovery

5. Pursuant to Water code section 13304, the Central Valley Water Board is entitled to, and may seek reimbursement for, all reasonable costs it incurs investigating and abating the effects of the unlawful discharges of waste and to oversee/supervise the cleanup of such waste, or other remedial action, required by this Order. If requested by the Central Valley Water Board, the Discharger 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 Central Valley Water Board.

Submissions

6. All technical reports or notices required under this Order shall be submitted to: Janae Fried, (530) 224-3291, janae.fried@waterboards.ca.gov.

Delayed Compliance

7. If for any reason, the Discharger is unable to perform any activity or submit any document in compliance with Required Actions, or in compliance with any work schedule submitted pursuant to this Order and approved by the Central Valley Water Board or its delegated officer, the Discharger 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 be granted by revision of this Order or by a letter from the Central Valley Water Board or its delegated officer. The Central Valley Water Board acknowledges that local, state, and federal permits may cause a delay beyond the control of the Discharger and will take all the available relevant facts into consideration when considering whether to grant an extension request.

Modification of Order

8. Any modification to this Order shall be in writing and approved by the Central Valley Water Board or its delegated officer, including any potential extension requests.

Enforcement Authority

9. If the Discharger fails to comply with the requirements of this Order, the Central Valley Water Board or its delegated officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of administrative civil liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350, and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Order R5-2024-0702

Amiri

Assessor's Parcel 065-280-004-000

Nevada County

Any person aggrieved by this action of the Central Valley 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, sections 2050, et seq. The State Water Board must receive the petition by 5:00 p.m., 30 days after 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 by the State Water Board by 5:00 p.m. on the next business day. [Copies of the law and regulations](#) applicable to filing petitions may be found on the Internet at: (http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request).

This Order is issued under authority delegated to the Executive Officer by the Central Valley Water Board pursuant to Resolution R5-2018-0057 and is effective upon the date of signature.

PATRICK PULUPA
Executive Officer