CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2026-0700

FOR
TRACY WHITE
ASSESSOR'S PARCEL 059-100-024-000
TEHAMA COUNTY

This Cleanup and Abatement Order (Order) is issued to Tracy White (hereafter referred to as the Discharger or Mr. White) 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 and threatening to discharge to waters of the state. These discharges and threatened discharges of waste are the result of unauthorized cannabis cultivation and/or 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's (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. Unauthorized discharges and threatened discharges of waste were observed on Tehama County Assessor's Parcel Number (APN) 059-100-024-000 (Site). The Site consists of 160 acres that lie within Section 27, Township 25 North, Range 7 West in Tehama County. The Site is located within the Middle Fork Elder Creek watershed, approximately 25 miles southwest of Red Bluff. Cannabis cultivation waste and runoff discharges to Middle Fork Elder Creek and its unnamed Class II and III tributaries that run through the Site. Middle Fork Elder Creek flows to Elder Creek which discharges to the Sacramento River approximately 27 miles east of the Site. The Sacramento River and its tributaries are waters of the state.

Responsible Parties

3. This Order finds that the Discharger is a responsible party based on the following:

    a. Mr. White currently owns the Site. Mr. White obtained the Site on 15 March 2013, and has owned the parcel since that time, including the date on which 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, Mr. White 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, Mr. White, 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.

Factual Basis of the Order

5. On 21 June 2023, Central Valley Water Board staff accompanied California Department of Fish and Wildlife (CDFW) staff on an inspection of the Site pursuant to a criminal search warrant obtained and served by CDFW wardens. The purpose of the inspection was to document the illicit cannabis cultivation operation on the Site and its impacts to water quality. Outdoor commercial cannabis cultivation is banned in Tehama County.

6. At the time of the inspection, the Site was not enrolled in the State Water Resources Control Board's *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities, WQ 2023-0102-DWQ* (General Order). The General Order, together with the *Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation* (Cannabis Policy), constitute a regulatory program that addresses water quality impacts from cannabis cultivation and associated activities on private property. The General Order and Cannabis Policy establish best management practices (BMPs) that cultivators are required to follow in order to protect water quality.

7. During the inspection of the Site, Central Valley Water Board staff observed active cannabis cultivation and other activities at numerous locations and documented

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

a. A point of diversion (POD) within Middle Fork Elder Creek used to supply irrigation water for cannabis cultivation. Irrigation water was being diverted and conveyed by gravity to a 550-gallon water storage tank (WST1), located near the main residence, via flexible tubing that was installed between the POD and WST1. Several lengths of similar style flexible tubing were identified within the watercourse and riparian setback (as defined in the General Order) that were likely remnants from previous irrigation supply pipelines that had been discarded or swept away during high flow events. Placement of these materials within the watercourse and riparian setback constitute a discharge of waste to waters of the state and threaten to discharge additional plastic waste and sediment should there be a failure in the pipeline.

b. Water storage tank WST1 was installed on the hillside and lacked a fill float or equivalent device. WST1 was actively overflowing and discharging water down the hillside towards Middle Fork Elder Creek. Overflow from the tank has caused and threatens to continue to cause soil erosion and sediment transport, resulting in delivery of sediment to waters of the state.

c. One 250-gallon storage tote was located on the hillside above Middle Fork Elder Creek, which was likely being used as a nutrient mixing tank (NMT) to mix fertilizers and other chemicals with water prior to irrigation, as evident by the discolored tank water, nearby fertilizer containers and 5-gallon bucket. The NMT lacked secondary containment, restraint systems, and a fill float device, or equivalent device, to prevent overflow and discharge.

d. Cannabis Cultivation Areas 1 and 2 (CA1 and CA2) included a total of three hoophouses located within the Class III watercourse and the riparian setbacks for the Class III, and for Middle Fork Elder Creek. Within the hoophouses, active cannabis cultivation was being conducted in plastic grow pots filled with potting soil. The disturbed cultivation areas and related activities lacked BMPs to prevent erosion and sediment discharge into the nearby watercourses. Staff observed evidence of erosion, slope failure and sediment discharge from the cut slope on the south side of CA1. On the north side of CA2, staff observed evidence of erosion, slope failure and sediment discharge from the disturbed Class III watercourse within CA2.

e. Evidence of flow channelization, erosion, sediment transport, and sediment discharge from the Site Access Road (Access Road) as evidenced by rilling and gullying along the length of the roadway surface and outboard edge slope failure.

f. The outdoor kitchen area showed evidence that trash and debris had been discharged down the hillside towards Middle Fork Elder Creek. The associated wash basin filled with water presents a risk of discharge of domestic waste water down the hillside and into the watercourse.

g. An active outhouse was observed consisting of a hole dug in the ground beneath a structure. The outhouse lacked secondary containment, and human waste was discharged directly to the ground.

h. Several locations where gas-powered generators, fuel containers, petroleum products, fertilizers, pesticides, chemicals, cannabis related waste, and miscellaneous refuse and debris were improperly stored and lacked secondary containment to prevent discharges to nearby watercourses.

8. Subsequent to the inspection, a Notice of Violation (NOV) and Inspection Report including Appendices was issued to the Discharger on 20 July 2023 that identified the violations noted above. The NOV requested that Mr. White submit documentation to the Central Valley Water Board's Redding office by 31 August 2023 demonstrating that Site clean-up and restoration measures had been completed. To date, documentation has not been submitted, and Mr. White has not contacted staff.

9. On 19 November 2024 and 6 May 2026, Central Valley Water Board staff participated in overflights of the Site. During the overflights, staff documented that infrastructure remained where cannabis cultivation activities had been documented in previous years.

Beneficial Uses and Water Quality Objectives

10. 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.

11. Middle Fork Elder Creek flows from west to east through the northern portion of the Site (Appendix A, Figure 1). There are multiple Class II and III tributaries on the Site near the observed cannabis cultivation activities which all discharge to Middle Fork Elder Creek. Middle Fork Elder Creek is a tributary to Elder Creek, which discharges to the Sacramento River approximately twenty-seven miles from the Site. The existing designated beneficial uses for the Sacramento River include the following: municipal and domestic supply (MUN), agricultural supply (AGR), industrial service supply (IND), hydropower generation (POW), contact recreation (REC-1), non-contact recreation (REC-2), warm freshwater habitat (WARM), cold freshwater habitat (COLD), migration (MIGR), spawning (SPWN), wildlife habitat (WILD), and navigation (NAV). Beneficial uses of any specifically identified water body generally apply to all its tributaries.

12. 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.

Legal Basis of the Order

13. 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, shall, upon order of the regional board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts."

14. "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 Middle Fork Elder Creek and the Class III watercourses on the Site are "waste" as defined in Water Code section 13050, subdivision (d).

15. "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." The various wastes observed by Central Valley Water Board staff have discharged to Middle Fork Elder Creek and the Class III watercourses that are tributary to Middle Fork Elder Creek. Wastes observed on site have the potential to discharge into the unnamed Class III watercourses and Middle Fork Elder Creek, creating and threatening to create a condition of pollution and unreasonably affecting the beneficial uses of waters of the state.

a. 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, cold freshwater habitat, and wildlife habitat. Increased sedimentation and turbidity can result in increased treatment and/or maintenance costs for downstream agricultural and municipal users impacting the beneficial uses such as agricultural supply. Sediment-laden storm water discharged to surface water and the resulting turbidity can also affect the recreational and aesthetic enjoyment of the surface waters impacting beneficial uses, including contact water recreation and non-contact water recreation.

b. 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 represent a health risk and lead to increased treatment and/or maintenance costs for users of surface water, which may impact beneficial uses such as agricultural supply. 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, cold freshwater habitat, and wildlife habitat.

c. 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: agricultural supply, contact water recreation, non-contact water recreation, warm freshwater habitat, cold freshwater habitat, and wildlife habitat.

16. 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.

17. 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

18. 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 $235 per hour for a licensed professional based on State Water Resources Control Board Site Cleanup Program (SCP) billing costs. Billing Cost Explanation for FY25-26 is included as Appendix A. Staff estimates the total cost of technical reports required by this Order to be approximately $18,800 - $28,200 (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 Mitigation and Monitoring Plan (RMMP) is a technical report that is necessary to determine the scope and extent of actual and/or potential unlawful discharges of waste associated with cannabis cultivation activities

and other land disturbance with bare and graded areas on the Site 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 $9,400 and $14,100. 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. 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 estimates 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 $3,760 and $5,640. 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.

c. 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, 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 $1,880 and $2,820 per report, for a total cost between $5,640 and $8,460 to prepare three reports between 2027 and 2029. 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.

19. 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 these reports.

California Environmental Quality Act

20. Issuance of this Order is an enforcement action taken by a regulatory agency to enforce the regulatory provisions 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 60 days** of the effective date of this Order, the Discharger shall complete the mitigation actions described below. Methods used shall be consistent with Requirements in the Cannabis Policy. Soil disturbance caused by mitigation measure implementation shall be minimized by using only hand tools. Heavy equipment must not be used when completing the following:

    a. Remove the POD, all cultivation infrastructure and waste, gas-powered equipment, fuel containers, petroleum products, fertilizers, pesticides, chemicals, and miscellaneous refuse and debris from watercourses and riparian zones. Materials should be either stored on Site where it presents no risk of discharge to surface or groundwater or disposed of at an authorized landfill or other appropriate disposal site in compliance with state and local laws, ordinances, and regulations.

b. Remove water storage and nutrient mixing tanks or install measures consistent with Cannabis Policy including restraint systems, fill float devices (or equivalent), and secondary containment as required.

c. Remove or provide proper storage of all gas-powered equipment, fuel containers, petroleum products, construction debris, cannabis cultivation-related infrastructure and debris, fertilizers, pesticides, chemicals, household garbage, outdoor kitchen and associated materials, and miscellaneous refuse and debris to prevent discharges. Disposal of these items must be at an authorized landfill or other appropriate disposal site in compliance with state and local laws, ordinances, and regulations.

d. Cleanup and remediate any discharges of human waste and take actions necessary to prevent future discharges of untreated human waste.

e. Implement erosion control measures, such as the application of straw, waddles, and/or silt fences, to prevent, minimize, or control erosion and sediment discharges throughout the Site, with the exception of the Site access road (see Required Action 2.a.ii), and submit a written description and photographs of the installed erosion control measures to Central Valley Water Board staff. Erosion control measures shall comply with the Cannabis Policy. The measures must remain effective throughout the wet season, if applicable, and shall be maintained by the Discharger until permanent measures are implemented.

f. Submit evidence to Central Valley Water Board staff that the above items have been completed. Evidence of site cleanup shall include photographs taken before and after remediation efforts at each distinct location, receipts for waste disposal, contact information of anyone hired to assist in the remediation, etc.

2. **Within 90 days** of the effective date of this Order, the Discharger shall submit a proposed **Restoration Mitigation and Monitoring Plan** (**RMMP**) for approval by the Central Valley Water Board or its delegated officer. The RMMP 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 future discharges. Central Valley Water Board staff will provide a written response to your submittal within **30 days** of receipt.

    a. The RMMP shall include, at a minimum, the following items:

        i. Site map(s) with sufficient detail to accurately depict area topography, all watercourses, all graded and disturbed areas including cultivation

areas, existing infrastructure, access roads, and watercourse crossings.

ii. Plans with design specifications and drawings for the installation of specific BMPs to prevent erosion and sediment discharges from the Site access road (including the cut and fill slopes).

iii. A list with a unique identifier for each watercourse crossing on the Site and plans with design specifications and drawings for proposed improvements for each crossing necessary to prevent discharges, threats of discharge of sediment, and provide passage for 100-year flood flows at each crossing. Design specifications should consider culvert sizing where use is proposed.

iv. Plans with design specifications and drawings for the cleanup and installation of BMPs to address any additional locations on the Site necessary to restore impacted watercourse channels and riparian zones, and to prevent the potential for future discharges of waste to surface waters.

v. Plans to stabilize all disturbed areas using appropriate long-term BMPs to prevent erosion and sediment discharge to surface waters, this may include revegetation with regionally native vegetation or similar native species.

b. 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.

c. The RMMP shall include provisions for notifying Central Valley Water Board staff within 48 hours of a BMP failure or a discharge at the Site. Such notification shall include a description of the failure or discharge, how it will be remediated and a schedule of proposed actions.

3. **Within 90 days** of the Central Valley Water Board's (or delegated officer's) approval, the Discharger shall complete all approved restoration and mitigation measures described in the approved RMMP.

4. **Within 30 days** after the deadline for Required Action 3, 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 include the following:

a. A Site map or maps that identify each restoration location.

b. Accurate depictions, documentation, and as-built designs of all completed restoration construction and/or cleanup and abatement measures included in the approved RMMP to demonstrate the RMMP has been fully implemented.

c. Pre- and post-construction photographs taken at each photo point. Photo points shall include up- and downslope images of areas where restoration was performed.

d. A monitoring plan that includes a map of proposed monitoring locations, including, but not limited to all areas where work was performed as directed in Required Action 1 and Required Action 2, and submittal of Annual Monitoring Reports to Central Valley Water Board staff. The monitoring plan shall propose a schedule for monitoring events; monitoring must occur at least twice a year and include at least one Implementation Monitoring event and one Effectiveness Monitoring event. The Implementation Monitoring event shall be conducted between 1 October and 15 November each year after implementation of restoration actions are complete and shall document Site conditions prior to the onset of the winter period (15 November through 1 April). The Effectiveness Monitoring event shall be conducted between 15 April and 1 June each year in which a Monitoring Report is required and shall document site conditions following the end of the winter period.

5. By **1 July of each qualifying year**, the Discharger shall submit an Annual Monitoring Report. Qualifying years are those in which a full winter period has passed after RMMP approval. Reports shall be submitted for at least three years after approval of the RMMP Completion Report or until the Central Valley Water Board or its delegated officer approves a request to discontinue monitoring. Each Annual Monitoring Report shall include, at a minimum, the following:

    a. Completed monitoring records consistent with the approved monitoring plan described in Required Action 4.d.

    b. Photographs of areas restored.

    c. A description of any locations where restoration failed or is failing and/or needs action to mitigate waste discharges or threats of waste discharge to waters of the state, including sites identified under Required Action 2.c.

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 they agree with any recommendations/proposals and whether they approve 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: Central Valley Water Board staff at centralvalley.cannabis@waterboards.ca.gov with a subject line of "White CAO R5-2026-0700".

Delayed Compliance

7. If for any reason, the Discharger is unable to perform any activity or submit any document in compliance with the 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, including the granting of any extension requests, shall be approved by the Central Valley Water Board or its delegated officer and confirmation will be provided to the Discharger in writing.

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.

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 below.



PATRICK PULUPA
Executive Officer

11/2/2026
Date

Attachments: Appendix A – State Water Resources Control Board Site Cleanup Program (SCP) Billing Cost Explanation Fiscal Year 2025-2026

Appendix A

State Water Resources Control Board Site Cleanup Program (SCP) Billing Cost Explanation
Fiscal Year 2025-2026

STATE WATER RESOURCES CONTROL BOARD
SITE CLEANUP PROGRAM (SCP)
BILLING COST EXPLANATION
Fiscal Year 2025-2026

Employee Salary and Benefit by Classification [1]	Salary/Benefits Range	
AEO - Assistant Executive Officer CEA	$14,891	$30,749
AGPA - Associate Governmental Program Analyst	$8,677	$11,188
AFCNSL - Staff Counsel (Attorney)	$11,466	$17,304
SFCNSLIII - Staff Counsel III (Attorney)	$15,614	$22,051
SFCNSLIV - Staff Counsel IV (Attorney)	$17,256	$23,159
EG - Engineering Geologist	$9,335	$17,575
EPMI - Environmental Program Manager I	$18,058	$22,449
EPMII - Environmental Program Manager II	$20,957	$23,808
ES - Environmental Scientist	$6,327	$13,156
EOI - Exec Officer I	$24,336	$27,647
EOII - Exec Officer II	$24,932	$28,318
SEG - Senior Engineering Geologist	$16,456	$20,597
SRES - Senior Environmental Scientist	$15,617	$19,414
SRES - Senior Environmental Scientist (Spec)	$11,198	$15,148
SWRCE - Senior Water Resources Control Engineer	$16,456	$20,597
SSA - Staff Services Analyst	$ 5,556	$ 9,301
SUEG - Supervising Engineering Geologist	$18,074	$22,624
SUWRCE - Supervising Water Resources Control Engineer	$18,074	$22,624
WRCE - Water Resources Control Engineer	$ 9,335	$17,485
Intermittent Employees:		
SA - Scientific Aid	$17.73/hour	$21.04/hour

Note: The State is currently in negotiations with the unions so the upper limits of these ranges may be subject to change.

Operating Expenses and Equipment [2] (both State and Regional Board offices)
Indirect Costs (Overhead + Admin = cost of doing business) 140%

Billing Example for One Month Salary

WRCE - Water Resources Control Engineer	
Total Direct Labor Charges [3] (per month):	$17,485
Contract Charges (if applicable):	$ -
Direct Labor Overhead:	$12,646
State Board Program Admin and Overhead:	$ 2,664
Regional Board Program Admin and Overhead:	$ 8,742
Total Cost (per month):	$ 41,537
Divided by 176 hours per month equals per hour:	$ 236

Due to the various classifications that expend SCP resources an average of **$235.00** per hour can be used for projection purposes.)

[1] The name and classification of employees performing oversight work will be listed on invoices you receive.
[2] The examples are estimates based on recent billings. Actual charges may be slightly higher or lower.
[3] Total Direct Labor Charges = Salary and Benefits