Name and Location of Facility Inspected	**Inspection Date**	**Inspection Time**
Cold Creek Ranch 7205 Geysers Road Geyserville, CA 95541	July 26, 2016	09:15-13:30
Names & Titles of On-Site Representatives and Consultants	**Consent Provided?**	**Notified of Inspection?**
Darryl Crawford, Owner Black Mountain Developers Clint Louis Gerber, Construction Manager Black Mountain Developers Randy Jacobszoon, Erosion and Cannabis Consultant Jacobszoon and Associates Brandon Burgess, Drilling Manager Weeks Drilling	Yes	No

Inspector Name & Title

Devon Jorgenson — Engineering Geologist
North Coast Regional Water Quality Control Board (Regional Water Board)

Attending Agency Representatives

Lisa Chapman	Criminal Investigator *Sonoma County District Attorney's Office (SCDA)*
Dan Cahill	Senior Code Enforcement Inspector *Sonoma County Public Resources Management District (PRMD)*
Andy Casarez	Agriculture & Vineyard Conservation Coordinator *Sonoma County Agricultural Commissioner (SCAC)*
James Reed	Warden *California Department of Fish and Wildlife (CDFW)*

Weather Conditions at the Time of the Inspection:	**Facility Receiving Water Names:**
90-100° F, no precipitation	Cold Springs- Drains to Little Sulphur Creek, to Big Sulphur Creek, to the Russian River.

Prepared By: Devon Jorgenson on August 2, 2016

Table Notes:

1. All photographs taken by Devon Jorgenson on July 26, 2016

I. Background

On Monday, July 25, 2016, Mr. James Reed notified staff from the Regional Water Board, SCDA, SCAC, and PRMD about several areas of grading and earth moving lacking best management practices (BMPs) at 7205 Geysers Road in Geyserville (Site). Mr. Reed also observed "several conex boxes of unknown material alongside the road, several large piles of mulch and compost dumped along the road, new roads cut and graded, large areas of tree and brush removal, and crawler use on hillside areas". As a result, an unannounced inspection with the Regional Water Board, SCDA, SCAC, and PRMD staff (Inspectors) was arranged by Mrs. Lisa Chapman for the following day, Tuesday, July 26, 2016. Mr. Lelo Martinez, TDE Equipment Inc., informed the Inspectors of an onsite meeting between one of the owners, Mr. Darryl Crawford, of Black Mountain Developers, LLC, and a number of contractor personnel. Mr. Martinez invited the Inspectors to attend the meeting. After the meeting concluded, Mr. Crawford led the Inspectors on a tour of the Site.

II. Site Description

Cold Creek Ranch is located at 7205 Geysers Road around 11 miles southeast of the city of Cloverdale, and around 9.5 miles northeast of the city of Healdsburg (Figure 1). It is a 266.5-acre property, split between two parcels. Parcel No. 131-010-011-000 is 226.5 acres and is located directly to the east of Geysers Road. The majority of the Site and the land disturbance activities are occurring on this parcel. Parcel No. 131-010-012-000 is 40 acres and is located directly west and across Geysers Road from the aforementioned parcel. Black Mountain Developers, a private construction company based out of Napa, purchased the property in the spring of 2016.

The Site is located within the Mayacamas Mountains, which is a northwest-southeast trending mountain range that spans parts of northern Sonoma County, western Napa County, and southern Mendocino County. The 266-acre property is primarily comprised of vegetated, undulating hills with varying degrees of steepness. The elevation at the Site ranges from 2100-3000 feet above mean sea level. The headwaters of Cold Springs is located on the lower portion of the Site, around 500-700 feet from the main entrance to the Site. Cold Springs intersects Little Sulphur Creek to the southwest, which flows to Big Sulphur Creek, to the Russian River, and eventually to the Pacific Ocean north of the town of Jenner. According to the National Resources Conservation District's Web Soil Survey, the Site is mainly comprised of Soil Group D soils. Construction activities associated with the Site have resulted in clearings, roads, and steep slopes that lack containment or erosion and sediment controls.

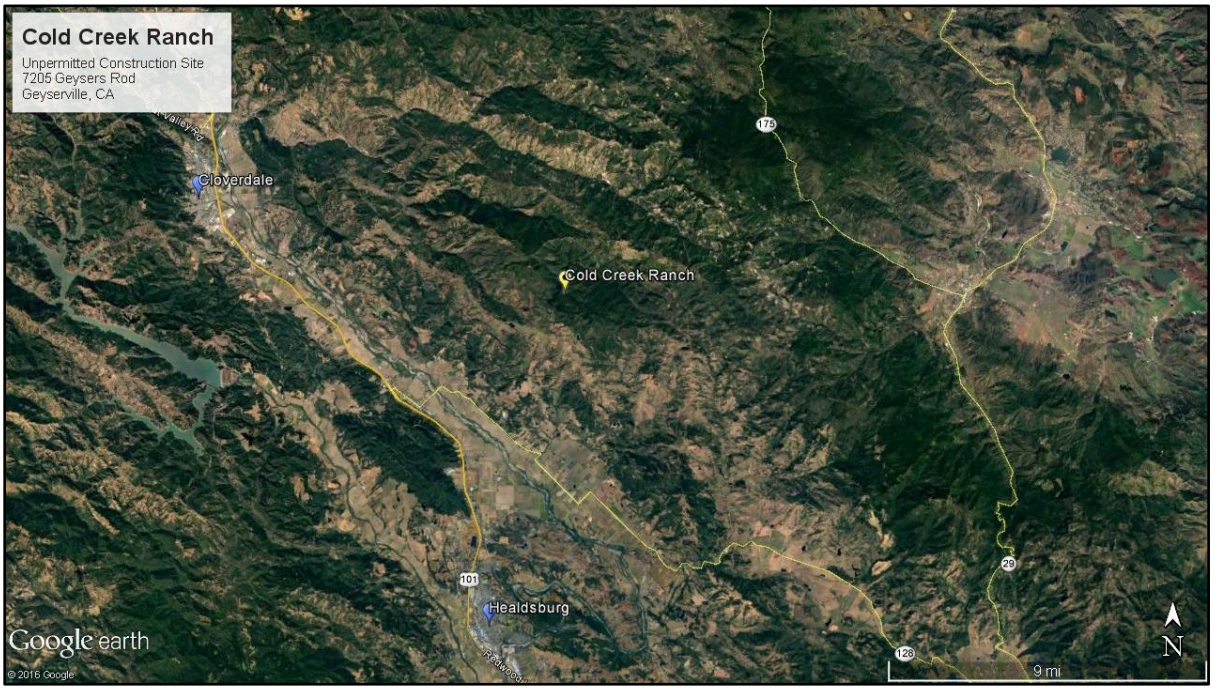

Figure 1. Cold Creek Ranch is located at 7205 Geysers Road northeast of Healdsburg and southeast of Cloverdale.

This report describes observations of the Site, with an emphasis on three clearings (Clearing Nos 1, 2, and 3) and three cannabis grow sites (Grow Nos 1, 2, and 3) (Figure 2).

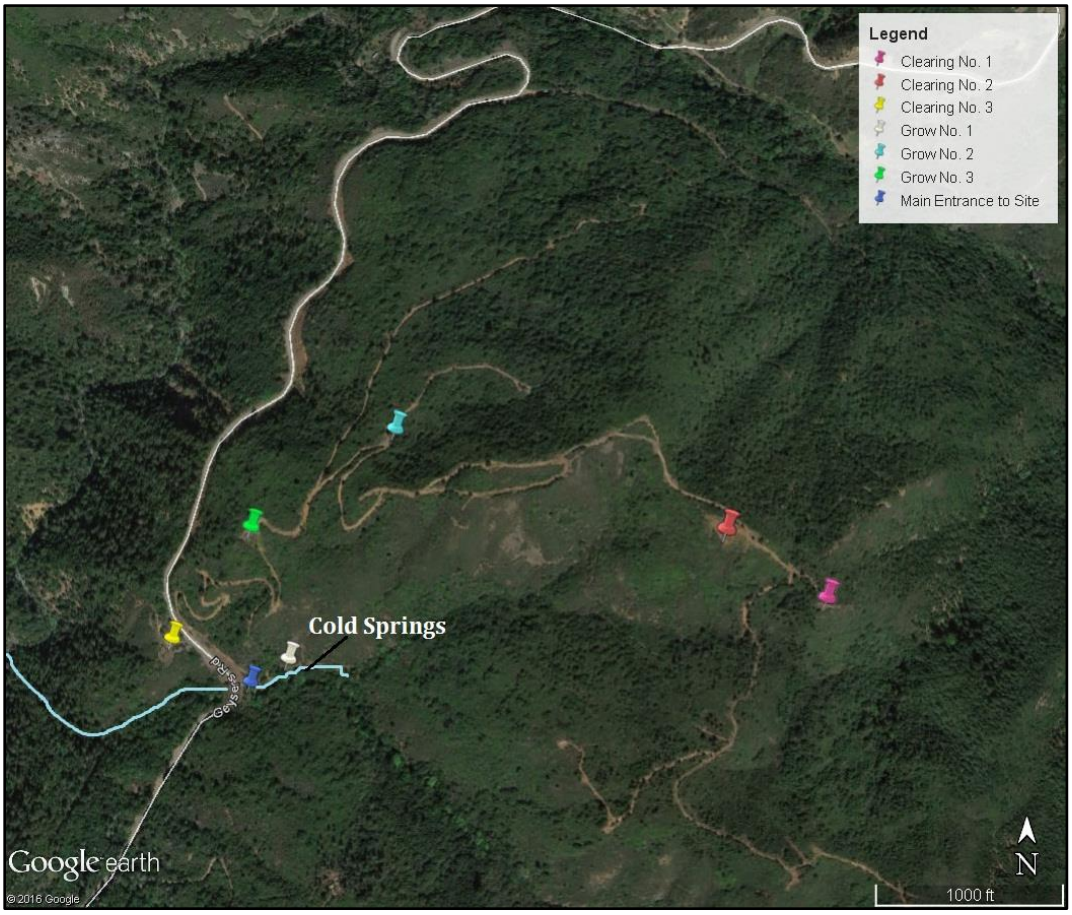

Figure 2. Locations of Clearing Nos. 1, 2, and 3, and Grow Nos. 1, 2, and 3, and Cold Springs.

III. Inspection Narrative

On Monday, July 26, 2016, Mrs. Chapman, Mr. Cahill, Mr. Casarez, Mr. Reed, and I met at 09:10 the Jimtown store outside of Healdsburg to carpool to the Site. The Inspectors drove roughly nine miles northeast through mostly rural terrain before arriving at the Site around 09:30. Adjacent to the entrance to the Site was an unpaved shoulder area where several vehicles and garbage bins were located. The driveway and shoulder area was comprised of fine sediment and minor amounts of gravel. I observed evidence of sediment being transported from the driveway to the adjacent Geysers Road (Photo 1).

Photo 1. Driveway and shoulder area of 7205 Geysers Road composed of fine sediment. Note the sediment tracks on Geysers Road (paved) as a result of vehicles driving from the driveway and shoulder area onto the road. Photo was taken at 09:56 facing west.

The Inspectors parked in the driveway and walked onto the property where construction equipment and trucks were in use. I observed a large stockpile of exposed sediment, with lesser amounts of brush, and a newly constructed cut slope road located immediately left of the property entrance gate which lacked sediment and erosion control measures (Photo 2). Mr. Martinez stepped out of his truck to speak with the Inspectors and told them that a housing development was being constructed. He stated that the upper portion of the Site contained several clearings that were to be developed in the future. He later stated that the clearings might be used to grow grapes or cannabis and that there are active cannabis grows on the Site. He stated that one of the owners of the Site, Mr. Crawford, and several contractor personnel were going to be arriving at the property at 11:00 for an onsite meeting. He invited us to remain onsite to attend the meeting.

While waiting for the meeting to commence, I inspected the immediate area to observe current conditions of the Site. I walked up a road that was oriented northeast and is parallel to Cold Springs. Sidecast (sediment pushed over edge of road during construction) was located within close proximity (10-50 feet) to Cold Springs (Photo 2). I encountered a small house and a water holding tank about 300 feet up the road. I observed cannabis plants (~70-100) both inside of the house and outside of the house (Grow No. 1) (Photo 3).

Photo 2. Sidecast is located within 10 feet of Cold Springs. Photo was taken at 10:30 facing southeast.

Photo 3. A small house and Grow No. 1 is located along a dirt road that is oriented northeast from the entrance to the Site. The house and plants are located just above the northern bank of Cold Springs. No erosion or sediment controls were observed. Photo was taken at 10:32 facing west.

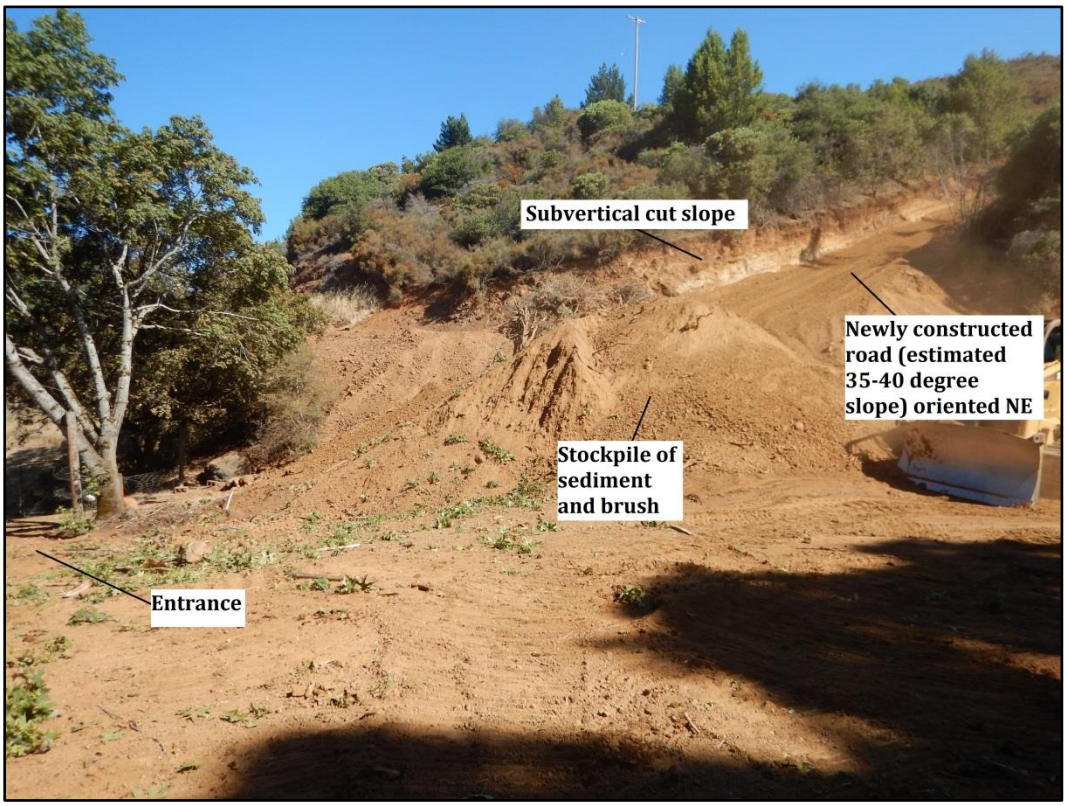

Photo 4. View of the lower section of the Site near the entrance from Geysers Road (left hand side of the photo) lacking sediment or erosion control measures. Photo was taken at 09:58 facing roughly north.

At 11:00, Clint Louis Gerber from Black Mountain Developers, Will Dawson from LACO Associates, Brandon Burgess from Weeks Drilling, and Randy Jacobszoon from Jacobszoon and Associates (Contractors) arrived onsite for the scheduled meeting. We gathered as a group to introduce ourselves and gain an understanding of the role of each individual and/or contractor present. Mr. Gerber stated that he is the construction site manager; Mr. Dawson stated that LACO Associates was contracted to design the road development conception. He stated that the road would be constructed from near the entrance of the property (as depicted in Photo 4) to the cleared areas at the upper portion of the Site to be used as access for the drilling rig for potential well installation. Mr. Burgess stated that Weeks Drilling was contracted to survey the Site for potential well installation locations. He stated that there are currently four potential well sites at the upper portion of the Site that will be developed. He did not provide an anticipated date of well construction commencement. Mr. Jacobszoon stated that Jacobzsoon was contracted by Mr. Gerber two weeks prior (early to mid-July) to develop the grading plan. He stated that initial land disturbance occurred mid-June 2016.

Around 11:30, the Inspectors and the Contractors carpooled to the upper portion of the Site to begin the inspection. I observed cut slopes along the road that appeared bare and lacked mature vegetation. Mr. Gerber stated that the entire road existed prior to the beginning of the project.

The uppermost portion of the Site is a cleared and grubbed area (Clearing No. 1) that I estimated to be around 65,000 ft^2 (~1.5 acres). Mr. Gerber stated that the area will be either a vineyard or cannabis grow, and in the future it might become a housing development. Clearing No. 1 is relatively flat, and gently sloped (<5%) outwards towards the perimeter of the clearing (Photo 5). Heavy amounts of brush and leaf litter were present on the ground, and fell trees surrounded the perimeter (Photo 6). I observed

tracking from heavy equipment in the soil, but it had not been graded yet. I did not observe any erosion or sediment controls in place or stored for future use.

Photo 5. Clearing No. 1, located at the uppermost portion of the Site, is around 65,000 ft^2. It has been cleared and grubbed but does not appear to have been graded yet. Photo was taken at 11:36 facing roughly north.

Photo 6. Fell trees along the perimeter of Clearing No. 1. Photo was taken at 11:36 facing southeast.

Around 11:55, the Inspectors and Contractors began the descent down the access road from Clearing No. 1 to observe the remainder of the Site. We arrived at a second cleared and grubbed area (Clearing No. 2) located around 500-700 feet down the road from Clearing No. 1. I estimated Clearing No. 2 to be around 65,000-70,000 ft^2 on a gentle (~5%) slope. In contrast to Clearing No. 1, it lacked brush and leaf litter, and was primarily

comprised of fine sediment with smaller amounts of cobbles[1] (Photos 7 and 8). There were two to three piles of exposed, dark-colored soil present (estimated volume of ~150-200 ft^3), which Mr. Gerber stated was top soil to be used for future cannabis plants (Photo 9). I did not observe any erosion or sediment controls in place. There was one hay bale present, but there was no indication from the Contractors that it would serve as erosion or sediment control.

Photo 7. Clearing No. 2 is primarily composed of fine sediment and lacking brush and leaf litter. Note the piles of dark-colored top soil in the background. Photo was taken at 11:58 facing northwest.

[1] A clast of rock that is larger than a pebble but smaller than a boulder, defined as having a particle size of 64-256 millimeters.

Photo 8. Clearing No. 2 displaying equipment tracking. Photo was taken at 11:59 facing southeast.

Photo 9. Piles of dark-colored top soil (~150-200 ft^3) at Clearing No. 2. Photo was taken at 12:00 facing north.

Around 12:10, the Inspectors and Contractors continued the descent down the road to the next location of interest. We arrived at a clearing estimated to be around~80,000-90,000ft^2 that contained around 150 cannabis plants (Grow No. 2) (Photo 10). Around 80% of the plants were planted in the ground, and the remainders were sitting in soil in plastic bags to be planted at a later time. I observed a network of pipes and hoses throughout the area that served as sources of water for irrigating the cannabis plants. Mr. Gerber stated that the source of the water was the holding tank (volume capacity of 10,000 gallons) upslope of

Grow No. 2 (Photo 11). He stated that the water in the holding tank was delivered to the tank from a water truck. When asked where the source of the delivered water was, Mr. Gerber stated that the water was being pumped from the holding tank at the lower portion of the Site. He then stated that water is pumped into that holding tank from a diversion pipe in Cold Springs (Photo 12). Each of the four holding tanks hold a volume of 10,000 gallons. I did not observe any sediment or erosion controls at Grow No. 2, or on the slope containing the holding tank.

Photo 10. Grow No. 2 is a cleared area around 80,000-90,000ft^2 and contains around 150 cannabis plants. Photo was taken around 12:18 facing northeast.

Photo 11. Disturbed slope leading to the holding tank that supplies water to Grow No. 2. Photo was taken at 12:12 facing southwest.

Photo 12. Holding tank located at the lower portion of the Site. Water is being pumped from Cold Springs (downslope) and into the holding tank. Vegetation behind the tank is riparian vegetation along Cold Springs. Photo was taken at 10:33 facing south-southeast.

Around 12:20, the Inspectors and Contractors continued down the road and stopped at another holding tank. This holding tank was situated on a shoulder of the road with nothing surrounding it (Photo 13). Mr. Gerber stated that water in this holding tank came from the holding tank at the lower portion of the Site, and originally from Cold Springs. The holding tank was supplying the irrigation system downslope by means of gravity, where another cannabis grow was located (Grow No. 3). The area encompassing Grow No. 3 was a flat region of around 45,000-60,000 ft^2 and appeared to contain an equal or greater number of cannabis plants as Grow No. 2. The slope from the holding tank to Grow No. 3 was fairly steep (~20°), contained sparse vegetation, and lacked sediment and erosion controls (Photo 14).

Photo 13. Holding tank upslope of Grow No. 3. The source of the water in the tank is Cold Springs, located at the lower portion of the Site. Photo was taken at 12:26 facing west.

Photo 14. View of Grow No. 3 (central portion of image) from the upslope holding tank. Note the white pipe that is transporting water from the holding tank to the grow site, and the uncontained pile of dark-colored dirt. Photo was taken at 12:28 facing west.

Around 12:45 the Inspectors and Contractors continued down the road to the next location. We stopped at the junction of the road and the top of the newly constructed access road (refer to Photo 4). The newly constructed access road is bounded by subvertical cut slope walls that range from around 8-15 feet tall (Photos 15 and 16). The road is oriented roughly south for a couple hundred feet and then makes a sharp turn to the west. The road is primarily comprised of angular, gravel to cobble sized particles. The top of the road has a slope of around 10-20° and increases to around 35-40° further downslope. I did not observe and sediment or erosion controls implemented on the road.

Photo 15. Newly constructed access road with subvertical cut slopes. Photo was taken at 12:48 facing south.

Photo 16. View from the newly constructed access road looking upslope towards the junction with the main road. Photo was taken at 12:49 facing north.

Around 12:55, we drove to a cleared area across directly across from the main entrance to the Site that Black Mountain Developers also owns (Clearing No. 3). The area, around 40,000-45,000 ft^2, was graded contained a stockpile of dark-colored soil which Mr. Gerber stated was top soil to be used for the cannabis plants (Photo 17). The stockpile did not have

any erosion or sediment controls on or around it. The soil was also scattered around the area in smaller piles. Adjacent to the stockpile was an open area that appears to have been cleared, grubbed, and graded with a minor amount of straw applied in some areas (Photo 18).

Photo 17. Uncontained top soil located at a clearing across from the main entrance to the Site. Photo was taken at 12:56 facing north.

Photo 18. Cleared area adjacent to the stockpiled top soil. Photo was taken at 12:57 facing west.

We concluded the inspection around 13:15 with a discussion with Mr. Crawford and the Contractors about required actions and next steps. I stated that the Site needed to obtain coverage under the Construction Storm Water General Permit (Construction General

Permit), and provided information about the enrollment process and permit requirements. I also stated that they need to contact the Regional Water Board to discuss the need for the Site to enroll in Order No. 2015-0023, *Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects*. I provided Mr. Crawford with the Regional Water Board's website and instructions on how to navigate to the Cannabis Program's page. PRMD issued a stop work order and posted the notice at the entrance to the Site. CDFW stated that the diversion in Cold Springs that is supplying the Site with water needed to be removed immediately.

IV. Conclusions

Construction activities at the Site have resulted in multiple clearings and roads whose sum acreage is around seven to ten acres. Water was being diverted from Cold Springs to supply four separate 10,000 gallon holding tanks to be used to water the cannabis grows. There are cleared, open areas, steep (35-40°) cut slope roads, and stockpiles of top soil and sediment that lack sediment and erosion controls. If these areas are not adequately contained and maintained, they have the potential to discharge sediment and other pollutants during rain events to Cold Springs, a tributary to the sediment-impaired Russian River.

V. Follow Up Requirements

a. Enroll in the Construction General Permit immediately.
b. Implement erosion and sediment controls to prevent and minimize pollutant-laden storm water runoff immediately.
a. Contact Regional Water Board staff to inquire about the Cannabis Program and the Site's need to enroll immediately.

Devon Jorgenson

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Water Boards