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## North Coast Regional Water Quality Control Board

October 2, 2019

Grapevine Consulting LLC  
240 Belfiore Lane  
Windsor, CA 95492

Certified Mail No. 7016 2710 0000 2635 9285

Dear Sir/Madam:

**Subject: Notice of Violation, Directive to Obtain Regulatory Coverage for Cannabis Cultivation, and Transmittal of Inspection Report for July 15, 2019, Inspection of Mendocino County Assessor's Parcel Nos. 032-225-05 and -20**

**File:** Cannabis Inspections, Mendocino County, 2019, 190715 Grapevine Consulting LLC 032-225-05 and -20, CIWQS Place IDs No. 859887 and 859888

This letter is to notify you of observed violations of the requirements listed below for unauthorized discharges to waters of the state from the above-referenced parcel (Property):

California Water Code (Water Code) sections 13260 and 13264

Water Quality Control Plan for the North Coast Region (Basin Plan) section 4.2.1 Prohibitions 1 and 2

This letter directs you, within 30 days, to take action to comply with Water Code 13260. In addition, this letter directs you, within 30 days, to contact Regional Water Board staff to advise of your plan to implement recommendations in the attached report.

### **A. Background**

On July 15, 2019, staff from the Regional Water Board, accompanied by staff of the California Department of Fish and Wildlife (CDFW), California Department of Food and Agriculture CalCannabis Bureau, State Water Resources Control Board Division of Water Rights, and various law enforcement personnel, inspected the subject Property.

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VALERIE L. QUINTO, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

The purpose of the inspection was to evaluate onsite development and conditions, and to identify and assess any impacts or threatened impacts to the quality and beneficial uses of waters of the state.

Attached is a copy of the water quality inspection report (July 15, 2019, Inspection Report). Please review the Inspection Report carefully and completely. The Inspection Report contains recommendations for correcting observed violations and water quality concerns observed on the Property, and advises you of the Regional Water Board permits necessary for instream work and projects/activities that result in discharges of waste to receiving waters.

## **B. Relevant Requirements**

During the inspection, Regional Water Board staff observed features and conditions on the Property that represent violations of water quality requirements and regulations. Attachment A – Regulatory Citations, provides references to these requirements and regulations.

## **C. Observed Violations**

As documented in the July 15, 2019 Inspection Report, Regional Water Board staff observed cannabis cultivation and associated site disturbance of sufficient size and scope to require regulatory coverage under State Water Resources Control Board (State Water Board) Order No. WQ-2017-0023-DWQ, *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (Statewide General Order). The Regional Water Board has no record of this Property's enrollment under the Statewide General Order. Outdoor cannabis cultivation activities in California with land disturbance of 2,000 square feet or more that are not enrolled for coverage under the Statewide General Order or individual waste discharge requirements violate Water Code section 13260. Staff also observed violations of Water Code sections 13260, 13264, and Basin Plan section 4.2.1 Prohibitions 1 and 2 at the Property locations identified as CA1, FORD, the road approaches on both sides of FORD, and CH HD in the July 15, 2019, Inspection Report.

## **D. Additional Potential Liabilities**

The Regional Water Board is in the process of considering whether the violations of the Water Code and the Basin Plan warrant further enforcement. We encourage you to take steps, to correct the violations as soon as possible, securing any applicable permits from this and other agencies prior to conducting work. Please note that the existing conditions, as observed and documented in the Inspection Report, may represent continuing violations of the Water Code and Basin Plan.

Please note that correcting the conditions of non-compliance at the Property does not preclude enforcement for the violations alleged in this notice. As noted above, the Regional Water Board reserves its right to fully enforce the law against any violation and threatened violation by taking enforcement actions such as a cleanup and abatement order, time schedule order, administrative civil liabilities, and referral to the California Attorney General's office. Administrative civil liabilities may be assessed on a daily basis in the amount up to \$5,000 for each day the violation occurs or up to \$10 per gallon, but not both pursuant to Water Code section 13350.

#### **E. Directive to Obtain Regulatory Coverage**

Based on the observations detailed in the attached inspection report, and mentioned above, the Regional Water Board has determined that you are required to comply with Water Code section 13260 by taking one of the following actions within **30 calendar days of this letter**:

Enroll the property under the Statewide General Order by providing the information required in the online application process. The application can be accessed at: [https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/](https://www.waterboards.ca.gov/water_issues/programs/cannabis/)

Submit the application fee within **30 days** of submitting the on-line application. Failure to submit the application fee within 30 days will result in the application being voided and authorization terminated. Payments shall be identified using the Fee Payment Application Number (found on the Notice of Receipt). All checks or money orders shall be made payable to: "State Water Resources Control Board," and shall be delivered to:

(By US Mail):

Accounting Office  
Attn: Water Quality Fees –  
Cannabis General Order  
P.O. Box 1888  
Sacramento, CA 95812-1888

(In person or by courier delivery):

Accounting Office  
Attn: Water Quality Fees –  
Cannabis General Order  
1001 I Street  
Sacramento, CA 95814-2828

File a Report of Waste Discharge in order to obtain individual Waste Discharge Requirements (WDRs) specific to your property.

Please submit the appropriate documents and payments to:

North Coast Water Board  
Attn: Diana Henriouille  
Enforcement Unit  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403

**OR**

If you believe regulatory coverage is not required under either of the options listed above, either because you and/or your tenants elect to not resume or continue cannabis cultivation or associated activities, or because the operations that are occurring are not subject to regulation under the Statewide General Order or individual WDRs, please provide a written response explaining your non-applicability (with all supporting documentation including photos if necessary) to the Regional Water Board at the address provided above. Regional Water Board staff may contact you to verify your response.

Water Code section 13260 states, in relevant part:

(a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information which may be required by the regional board:

- (1) Any person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.

Water Code section 13264 states, in relevant part:

(a) No person shall initiate any new discharge of waste or make any material changes in any discharge...prior to the filing of the report required by Section 13260 and no person shall take any of these actions after filing the report but before whichever of the following occurs first:

- (1) The issuance of waste discharge requirements pursuant to Section 13263.

Failure to comply with Water Code sections 13260 and 13264 may result in an administrative civil liability under Water code sections 13261 and 13265 not to exceed \$1,000 per violation for each day in which each violation occurs.

**F. Inspection Report Recommendations**

As mentioned above, the July 15, 2019, inspection report provides recommendations to correct violations, as well as to address features and conditions that threaten to impact water quality.

Within 30 days of this letter, please advise Adona White of your intentions, plan, and schedule to implement recommendations in the inspection report. Adona can be reached at (707) 576-2672 or, by email at [Adona.White@waterboards.ca.gov](mailto:Adona.White@waterboards.ca.gov).

Future correspondence regarding this matter will be sent to you at this address unless an alternative address is provided to the Regional Water Board. Failure to accept mail from the Regional Water Board is not a valid excuse for non-compliance with any future enforcement orders, and a failure to respond or otherwise appear at a future enforcement proceeding could subject you to a default order and the imposition of administrative civil liability.

If you have any questions regarding this matter, please contact Adona White at the telephone number or email above. You may also contact me at [Diana.Henriouille@waterboards.ca.gov](mailto:Diana.Henriouille@waterboards.ca.gov) or by telephone at (707) 576-2350. Additionally, we are available to meet with you if you wish to discuss this letter, in inspection report, or our waste discharge regulatory programs in further detail.

Sincerely,

Diana Henriouille, P.E.  
Enforcement Unit

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Attachments: Attachment A – Regulatory Citations  
July 15, 2019, Water Quality Inspection Report

**cc: Mendocino County**

Trent Taylor, Daniel Knapp, Brian Webb [taylor@mendocinocounty.org](mailto:taylor@mendocinocounty.org),  
[knappdj@mendocinocounty.org](mailto:knappdj@mendocinocounty.org), [webbb@mendocinocounty.org](mailto:webbb@mendocinocounty.org)

**Department of Fish and Wildlife**

Wesley Stokes, [Wesley.Stokes@wildlife.ca.gov](mailto:Wesley.Stokes@wildlife.ca.gov)  
Daniel Harrington, [Daniel.Harrington@wildlife.ca.gov](mailto:Daniel.Harrington@wildlife.ca.gov)

**North Coast Regional Water Quality Control Board**

Kason Grady, [Kason.Grady@waterboards.ca.gov](mailto:Kason.Grady@waterboards.ca.gov)

**California Department of Food and Agriculture, CalCannabis Bureau**

Tabatha Chavez, [Tabatha.Chavez@cdfa.ca.gov](mailto:Tabatha.Chavez@cdfa.ca.gov)

**State Water Resources Control Board Division of Water Rights**

Stormer Feiler, [Stormer.Feiler@waterboards.ca.gov](mailto:Stormer.Feiler@waterboards.ca.gov)  
Steven Hall, [Steven.Hall@Waterboards.ca.gov](mailto:Steven.Hall@Waterboards.ca.gov)  
Akiko Masuda, [Akiko.Masuda@waterboards.ca.gov](mailto:Akiko.Masuda@waterboards.ca.gov)

## Attachment A – Regulatory Citations

Regulatory Section	Citation
Basin Plan Section 4.2.1, Prohibition 1	Prohibits “[t]he discharge of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature into any stream or watercourse in the basin in quantities deleterious to fish, wildlife, or other beneficial uses.”
Basin Plan Section 4.2.1, Prohibition 2	Prohibits “[t]he placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature at locations where such material could pass into any stream or watercourse in the basin in quantities which could be deleterious to fish, wildlife, or other beneficial uses.”
California Water Code Section 13260	<p>“(a) Each of the following persons shall file with the appropriate regional board a report of the discharge, containing the information that may be required by the regional board:</p> <p style="padding-left: 40px;">(1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.</p> <p style="padding-left: 40px;">(2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.”</p>
California Water Code Section 13261(a)	“A person who fails to furnish a report or pay a fee under Section 13260 when so requested by a regional board is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).”
California Water Code Section 13264 (a)	“No person shall initiate any new discharge of waste or make any material changes in any discharge, or initiate a discharge to, make any material changes in a discharge to, or construct, an injection well, prior to the filing of the report required by Section 13260 and no person shall take any of these actions after filing the report but before whichever of the following occurs first:”

Regulatory Section	Citation
California Water Code Section 13265(a)	"Any person discharging waste in violation of Section 13264 , after such violation has been called to his attention in writing by the regional board, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b). Each day of such discharge shall constitute a separate offense."
California Water Code Section 13350	"A person who (1) violates a cease and desist order or cleanup and abatement order hereafter issued, reissued, or amended by a regional board or the state board, or (2) in violation of a waste discharge requirement, waiver condition, certification, or other order or prohibition issued, reissued, or amended by a regional board or the state board, discharges waste, or causes or permits waste to be deposited where it is discharged, into the waters of the state, or (3) causes or permits any oil or any residuary product of petroleum to be deposited in or on any of the waters of the state, except in accordance with waste discharge requirements or other actions or provisions of this division, shall be liable civilly, and remedies may be proposed, in accordance with subdivision (d) or (e)."



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## North Coast Regional Water Quality Control Board

TO: Diana Henrioulle  
FROM: Adona White, PE, WRCE  
DATE: September 27, 2019

### **Inspection Report for July 15, 2019, Warrant Inspection Mendocino County Assessor's Parcel Number 032-225-05 and -20**

File: Cannabis Program Inspections, Mendocino County, July 2019 MCSO  
Inspections, Grapevine Consulting LLC, CIWQS Place ID. 859887 and 859888

#### **Property information:**

County: Mendocino

Physical address: No address, Laytonville, CA

APNs: **032-225-05 AND -20**

Owner: Grapevine Consulting LLC

Mailing Address: 240 Belfiore Ln, Windsor, CA 95492

Transaction History: Last sale March 26, 2018; seller Heliodoro Delgadillo.

Size: 032-225-05: 20 acres; 032-225-20: 60 acres

Watershed: Eel River Hydrologic Unit; Middle Eel River Hydrologic Area; Spy Rock Hydrologic Subarea (HU/HA/HSA 111.42; Table 2-1, Water Quality Control Plan for the North Coast Region).

Aerial Imagery Notes: Signs of light disturbance (road and clearing) first visible June 2009 (previous image is August 2006). Light pocking visible in vegetated clearing in September 2010. Cannabis plants and a new hoop house visible July 2012. Five large hoop houses visible in former outdoor garden area August 2017; cultivation clearing appears to have expanded.

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VALERIE L. QUINTO, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403 | [www.waterboards.ca.gov/northcoast](http://www.waterboards.ca.gov/northcoast)

**Regulatory status with the Regional Water Board:**

Site Development: N/A

Applicable programs: 401/Water Quality Certification Program

Onsite activities/operations: N/A

Applicable programs: Statewide Cannabis Order WQ 2017-0023-DWQ

**Inspection information:**

Date/time: July 15, 2019

Type: Mendocino County Sheriff's Office (MCSO) Warrant Inspection

Attendance:

NCRWQCB – Adona White

CDFW – Wesley Stokes and Daniel Harrington

CDFA – Rebecca Garwood

DIV – Steven Hall and Akiko Masuda

MCSO, CDFW WET, and National Guard – various law enforcement personnel

Background/Objective:

North Coast Regional Water Board (Regional Water Board) staff participated with staff of the Mendocino County Sheriff's Office (MCSO), California Department of Fish and Wildlife (CDFW), State Water Board's Division of Water Rights (DIV), and personnel from various law enforcement agencies in four days of inspections of multiple cannabis cultivation sites in Mendocino County, on July 15-18, 2019. Inspection objectives for Regional Water Board staff included observing site development and activities and identifying and assessing onsite features or conditions that are causing or may cause adverse impacts to the quality and beneficial uses of receiving waters, including surface and ground water.

### Inspection Map

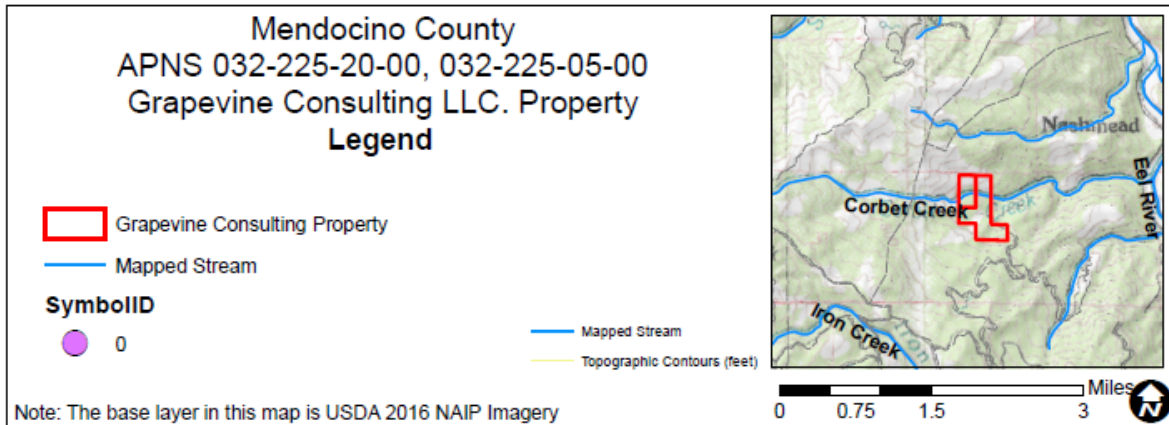
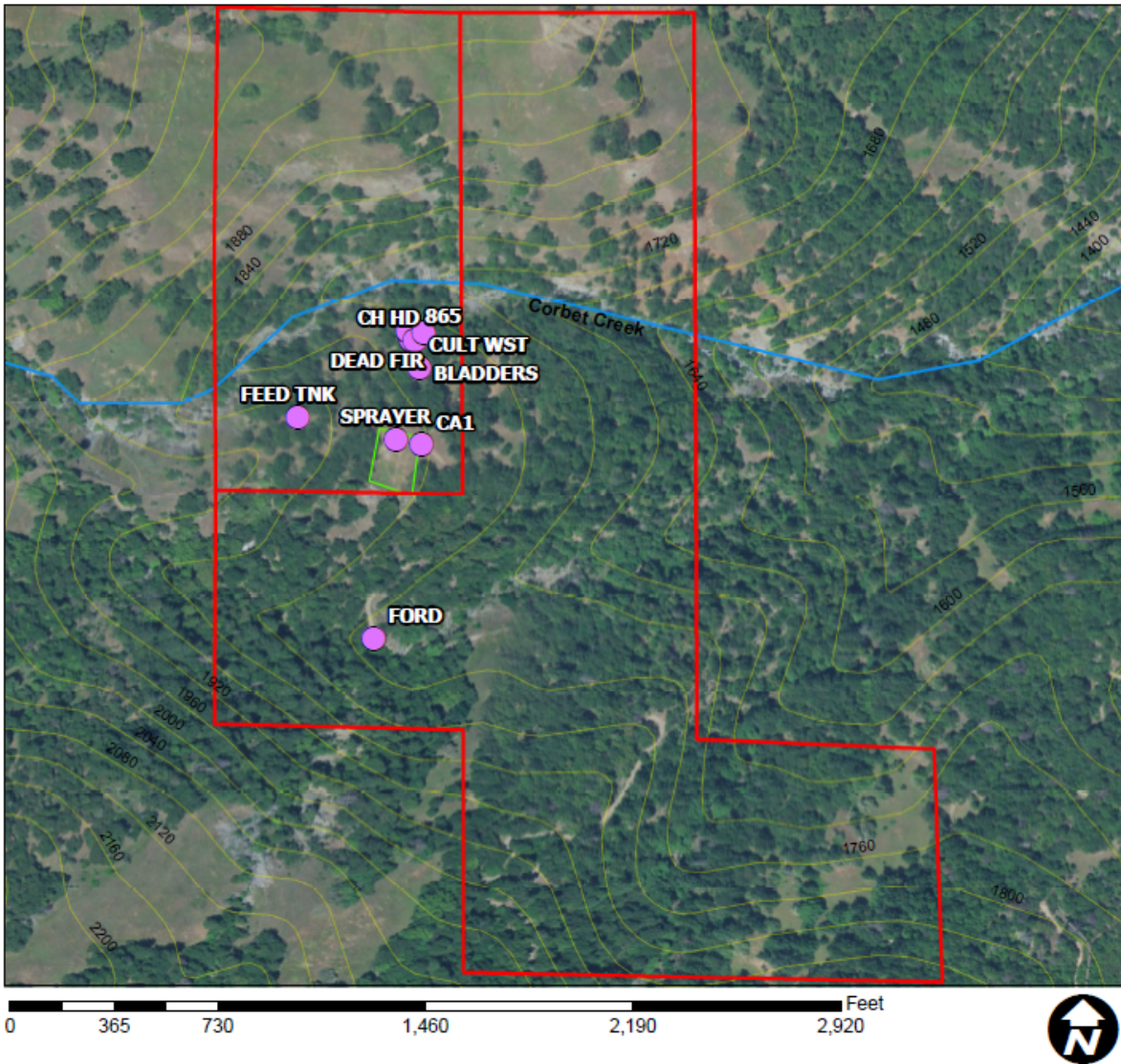


Figure 1 – Map of parcels, aerial imagery, and inspection map points.

### **Inspection Observations:**

On July 15, 2019, I inspected the subject Property. Figure 1, above, shows the inspection points discussed below. Development on the Property includes an access road connecting onsite features and crossing a Class II watercourse (FORD), a large clearing (CA1) with cannabis cultivation operations and associated activities, and a smaller nearby clearing with water bladders (BLADDERS),

We accessed the Property from the south. Approaching CA1, the access road crosses a Class II watercourse (FORD). Fill material at this crossing was chunky and unweathered, apparently recently installed. Assuming a trapezoidal-shaped prism, I estimated fill dimensions of approximately 50' long, 20' wide at the base, 12' wide at the top, 4.75' average depth. Based upon these measurements, I estimate 140 yd<sup>3</sup> of earthen fill had been placed on/over the watercourse channel at this crossing.

Within the fill prism, I observed an undersized, misaligned, 24" corrugated plastic pipe (CPP) culvert with a crushed inlet and water lines through. I observed sediment deposition extending up the watercourse channel approximately 50' upstream of the crossing. I measured the bankfull channel width at 23' upstream and 12' downstream.

The crossing is not allowing free flow of water and sediment. Downstream of the crossing, I observed dry and coarse material; upstream, the channel is moist, with finer material. Approximately 75' upstream of the crossing, CDFW staff located and identified several adult foothill yellow-legged frogs in pools, upstream of the influence of the crossing. At the culvert inlet, I observed a 15" diameter at breast height tree that had been cut and left in channel; this could potentially block the undersized culvert. I observed large boulders that had apparently been placed to hold fill back from channel.

I observed that the road approaches to the crossing were hydrologically connected; road runoff will concentrate and discharge fine sediment into the watercourse at the crossing, with winter rains.

The cultivation area (CA1) was cleared and graded, and I observed approximately 16,000 square feet of cannabis cultivation in greenhouses. In the cultivation area, I observed a sprayer with clear tubing line, in which I could see pinkish-brown liquid.

North of CA1, I observed two water bladders in a recently graded area (BLADDERS). The graded pad was approximately 4,000 square feet in size, and I observed earthen spoils piled at the far end of the pad, forming a berm. The fill was piled on what appears to be a stable, small topographic bench, with the exception of the northeast corner, which leads to a swale and Class III watercourse (CH HD). Pollutants that enter the swale could be transported to the Class III channel and down to a larger nearby Class II watercourse. There were bags of urea (46-0-0) located at top of swale.

I observed a 100-lb bag of sodium bentonite near the bladders, and a five-gallon bucket and a scoop/funnel, apparently used to mix the bentonite with water and pour solution into the bladder, based on the pinkish residue coating the funnel and the inside of the bucket.

West of CA1, I observed fertilizers open to environment and two varieties of blue crystal GrowMore fertilizer (0-50-30 and 20-20-20) located at the feed tank.

DIV and CDFW staff reported that they located a diversion pipe but no pump in the northern Class II watercourse.

<i>Map point</i>	<i>Feature</i>	<i>Brief Description</i>	<i>Water Quality Concern</i>	<i>Associated Photo(s)/Figure(s)</i>
CA1	Cannabis cultivation area	Large clearing with numerous hoop houses, several filled with cannabis plants.	Cannabis cultivation/discharge of waste without a report of waste discharge and/or coverage under State Water Board regulatory order	8 & 9
FORD	Class II watercourse crossing on access road	Rocks and earthen fill placed in a watercourse, impacting beneficial uses, altering sediment transport, and will impede stream flow	Unauthorized dredge and fill in waters of the state  Unauthorized discharge of waste into receiving waters  Construction-related material placed in and where it can enter surface waters	2 – 6
Rd to FORD	Hydrologically-connected road segment	Road-related surface erosion and sediment delivery to Class II watercourse at crossing FORD.	Construction-related road surface erosion and threatened sediment discharge to a watercourse	2 & 7

<i>Map point</i>	<i>Feature</i>	<i>Brief Description</i>	<i>Water Quality Concern</i>	<i>Associated Photo(s)/Figure(s)</i>
CH HD	Class III watercourse channel head	Adjacent to BLADDERS, a topographic swale leads to a Class III watercourse; some refuse and fertilizer nearby not adequately contained	Waste placed where is could enter a watercourse.	14

**A comparison of conditions observed on the site with categories of activities typically associated with water quality concerns at cannabis cultivation sites:**

1. Site maintenance, erosion control and drainage features: As mentioned above, I observed hydrologically-connected road segments and threatened discharge of sediment to a Class II watercourse (Rd to FORD).
2. Stream crossing maintenance and improvement: As described above, I observed a recent watercourse crossing (FORD) that is undersized and has a high potential for plugging. Crossing construction included placement of a large volume of rock and earthen fill in the watercourse.
3. Stream and wetland buffers: I observed no water quality concerns relating to riparian and wetland protection and management on the subject parcel.
4. Spoils management: Apart from the earthen spoils adjacent to the bladder pad, at a location where a portion may enter or be transported down the swale toward the Class II watercourse, I observed no water quality concerns relating to spoils management on the subject parcel.
5. Water storage and use: As mentioned above, I observed two water storage bladders. The bladders appeared to be situated in a fairly stable location. I did not observe overflow devices on the bladders.
6. Irrigation runoff: I observed no water quality concerns relating to irrigation runoff on the subject parcel.

7. Fertilizers and soil amendments: As noted above, I observed fertilizers and soil amendments, uncovered and/or uncontained, with residual on the feed tank. As noted above, there was one location where there was potential for delivery to the head of a Class III watercourse (CH HD).

8. Pesticides: I observed no water quality concerns relating to pesticides storage or use on the Property.

9. Petroleum products and other chemicals: I observed no water quality concerns relating to storage or use of petroleum products with the exception of a gas generator located near the storage bladders that did not have a drip pan.

10. Cultivation-related wastes: I observed cultivation-related waste, including stalks, dumped over the edge of the hillside (CULT WST), but not in a location where it was likely to deliver.

11. Refuse and human waste: It appeared that workers were camping on the Property and had a well-organized camp. It appeared that human waste was collected in a bucket. The property did not appear to have a septic system or toilet.

### **Recommendations:**

1. Retain a licensed professional to inventory, assess, and develop a workplan and schedule to implement measures to ensure that all developed features, roads, watercourse crossings, and cultivation areas throughout the Property are corrected, restored, and/or maintained in conditions that prevent or minimize erosion, sediment transport/delivery, and adverse impacts to water quality and beneficial uses. Include measures to ensure that unstable features caused or affected by onsite development and operations are removed or otherwise protected so as to minimize the potential for these features to cause adverse impacts to water quality and beneficial uses. Dispose of all development and restoration-related earthen spoils in a manner to prevent/minimize transport and delivery to receiving waters.
2. Retain a qualified professional to develop a workplan and schedule to remove the rock, earthen fill, and culvert associated with Class II watercourse crossing FORD and restore the channel to its natural state. Dispose of all development and restoration-related earthen spoils in a manner to prevent/minimize transport and delivery to receiving waters.

3. Work with CDFW and the State Water Resources Control Board's Division of Water Rights (DIV) to determine and secure any applicable permits or licensing required for surface water diversion, storage, and use on the site. If the existing surface water diversions do not meet applicable CDFW or DIV requirements, remove diversion infrastructure from surface waters and ensure that restoration plans developed pursuant to Recommendation 1, above, include provisions for restoring any instream or riparian disturbance associated with these features or removal thereof.
4. Prior to conducting any instream work associated with recommendation 2, above, submit to the Regional Water Board an application for Clean Water Act section 401 water quality certification, and secure approval from the Regional Water Board. The 401 Application may be found at the following hyperlink:

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/wqc\\_docs/031616\\_401-Application.pdf](https://www.waterboards.ca.gov/northcoast/water_issues/programs/wqc_docs/031616_401-Application.pdf)

5. If the property owner and/or tenant(s) choose to continue to cultivate cannabis, enroll for coverage under and take steps to comply with the requirements of the CANGO (Order WQ 2017-0023-DWQ, General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities). More information about the CANGO can be found at this hyperlink:

[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/docs/finaladoptedcango101717.pdf](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/finaladoptedcango101717.pdf)

6. In the event that the property owner and/or tenant(s) propose in the future to develop or use the Property in a manner or method that will or may result in a discharge of waste to waters of the state in the future, staff recommend that the owner(s)/tenant(s) be aware of and comply with relevant regulatory requirements for water quality protection. For example, Water Code section 13260 requires that a person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system shall file with the appropriate regional board a report of the discharge. Further, Water Code section 13264 states, in part: "No person shall initiate any new discharge of waste or make any material changes in any discharge...prior to the filing of the report required by Section 13260." In addition, projects involving the disturbance of an acre or more of land are subject to regulation under the State Water Board's Construction General Stormwater permit, and projects involving dredge or fill in waters of the United States are subject to regulation under Clean Water Act section 401.

You may find further information about Water Board permits that may apply to proposed site development or land use activities at this hyperlink:

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/permit/](https://www.waterboards.ca.gov/northcoast/water_issues/programs/permit/)

7. Collect and dispose of or contain all refuse and cultivation-related wastes in a location and manner so as to minimize potential for these wastes to enter or be transported into receiving waters.
8. Store and contain all chemicals, including petroleum, fertilizer and/or pesticides properly to prevent spillage and discharge to receiving waters. Provide secondary containment for all petroleum products.

**Enforcement Discretion:**

The observations in this report will be assessed for violations of the California Water Code. The Regional Water Board and the State Water Board reserve the rights to take any enforcement action authorized by law.

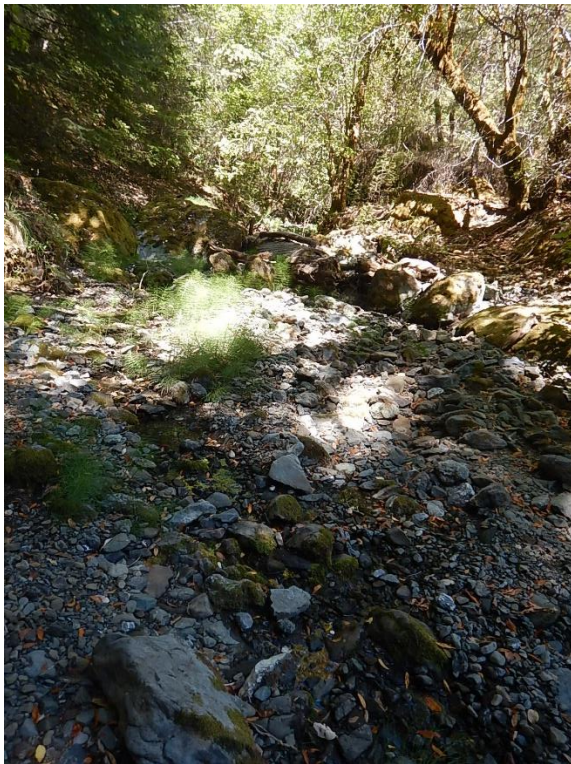
## PHOTO APPENDIX



*Figure 2. Crossing FORD, looking downstream at crossing fill. The crossing consists of rip rap in the channel, an undersized culvert near the right bank (facing downstream, on the far right of the photo), and loose fill placed over the watercourse as the road surface. The left road approach is hydrologically connected and in its current condition, will deliver sediment to the watercourse. This crossing has a high probability of plugging, failure, and sediment discharge in winter flows.*



*Figure 3. Rock and loose fill in the crossing, looking from the road surface. Cut tree is felled into watercourse upstream of the culvert.*



*Figure 4. Watercourse looking upstream of crossing.*



*Figure 5. Foothill yellow legged frog in watercourse, upstream of crossing, FORD.*



*Figure 6. Watercourse downstream of crossing, FORD.*



*Figure 7. Left bank road approach to crossing FORD is hydrologically connected to the watercourse; the road is steep, and the condition creates the threat of sediment delivery to the Class II watercourse.*



*Figure 8. The cultivation area, CA1 is constructed on a graded flat in a grassy area of an oak woodland.*



*Figure 9. Greenhouses constructed of plastic were used with light deprivation tarps.*



*Figure 10. Residual fertilizer crystals on feed tank.*



*Figure 11. Class II watercourse where agency partners identified a point of surface water diversion.*



*Figure 12. Isolated pool with algae in Class II,*



*Figure 13. Cut made for the pad constructed for bladders.*



*Figure 14. Pushed fill associated with the construction of the bladder pad.*



*Figure 15. The access road is steep up to the cultivation area, CA1.*