North Coast Regional Water Quality Control Board

TO: Diana Henrioulle

FROM: Adona White, PE, Water Resource Control Engineer

DATE: June 29, 2020

Inspection Report for March 31, 2020 Consent Inspection

Trinity County Assessor's Parcel Numbers 022-330-11, 12, 13, 15, 16, 17, & 18

File: Cannabis Program Inspections, Trinity County, 2019 CDFW Warrant, Levi Carlos Rodriguez, CIWQS Place ID 859663

Property information

County: Trinity

Physical address: Hoaglin Road and Heller Ranch Road, Kettenpom

Assessor's Parcel Numbers (APNs): 022-330-11, 12, 13, 15, 16, 17, & 18

Owner: Levi Carlos Rodriguez

Watershed: Eel River Hydrologic Unit; North Fork Eel River Hydrologic Area (HU/HA 111.50; Table 2-1, Water Quality Control Plan for the North Coast Region (Basin Plan)).

Size: The Property is comprised of seven adjacent parcels (See Figure 1):

022-330-11: 5.22 acres (ac), 022-330-12: 5.02 ac, 022-330-13: 5.02 ac, 022-330-15: 4.73 ac, 022-330-16: 4.72 ac, 022-330-17: 5.28 ac, 022-330-18: 10.29 ac

Regulatory status with the Regional Water Board

Site Development: No permits for site development are on record with the Regional Water Board.

Applicable programs:

1. Disturbance of more than 1 acre of land is subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) permit for land

disturbance of an acre or more (Construction General Permit Order No. 2009-0009-DWQ).

2. Dredge and fill in surface waters is subject to the requirements of Clean Water Act sections 301, 401, and 404, requiring, in part, a Water Quality Certification or waiver thereof from the Regional Water Board.

ONSITE ACTIVITIES/OPERATIONS: Order WQ 2019-0001-DWQ (statewide cannabis General Order[1] enrollment effective March 3, 2020, with Discharger identified as Craig Combs and landowner identified as Levi Carlos Rodriguez, WDID number 1_53CC424091. The initial enrollment reports Tier 2 low risk. On April 30, 2020, TRC submitted a request to change the enrollment Risk Designation to High because the disturbed area occurs within riparian setbacks.

APPLICABLE PROGRAMS:

Cannabis cultivation and associated activities are subject to coverage under the statewide cannabis order.

Dredge and fill in surface waters is subject to the requirements of Clean Water Act sections 301, 401, and 404, requiring, in part, a Water Quality Certification or waiver thereof from the Regional Water Board.

Inspection information

Date/time: March 31, 2020, ~10:30 am
Type: Consent inspection

Attendance:
Regional Water Board: Adona White
Timberland Resource Consultants (TRC): Forrest Hanson, Jack Henry, and Skyler Twohig
Trinity Valley Consulting Engineers (TVCE): Eric Keyes
Dischargers: Craig Combs (lessee and operator) and Levi Carlos Rodriguez (owner)
Attorney for Dischargers: Patrick Griego

[1] *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities,* Order WQ 2019-0001-DWQ (General Order – previously WQ 2017-0023-DWQ, with updates and revisions effective April 16, 2019).

Background:

On April 30, 2019, Mr. Levi Carlos Rodriguez purchased the Property. Subsequently, Mr. Rodriguez and/or his agents cleared portions of the Property of trees and vegetation, grading/land disturbance with heavy equipment, and construction activities, including instream disturbance, to facilitate and conduct cannabis cultivation and associated activities, including construction of hoop houses, installation of water tanks and distribution, and planting cannabis. Mr. Combs reportedly conducted or participated in some of the site development work, including the construction of the ponds.

On June 20, 2019, Regional Water Board staff inspected the Property during the execution of a search warrant by California Department of Fish and Wildlife's Watershed Enforcement Team. 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. During the inspection, staff observed evidence of recent development-related disturbance to waters of the state for the construction of a pond and access roads. Staff documented the excavation and placement of earthen fill in a wetland associated with a watercourse tributary to Hoaglin Creek.

During the June 20, 2019 inspection, staff of CalFire documented[2] 4.3 acres of clearing and fresh grading, associated with timber harvesting operations and timberland conversions being conducted by Craig Combs. The inspection team observed active cannabis cultivation and the presence of ponds and water storage on the clearings. Regional Water Board staff documented[3] disturbance in wetland areas associated with a watercourse, caused both by an older access road and unimproved crossings, as well as more recent clearing and filling, including newly or partially constructed earthen fill road crossings and an onstream water storage pond.

On August 26, 2019, the Regional Water Board transmitted to the Property owner, Mr. Rodriguez, a Notice of Violation (NOV) for violations of the Basin Plan and the Water Code, and a directive to obtain regulatory coverage for cannabis cultivation. The NOV accompanied the inspection report, which included, in part, a recommendation that the property owner delineate and restore the disturbed wetland. Staff included in the inspection report field measurements subsequently used to calculate the volume of earthen fill placed into surface waters.

In response to the NOVs issued both by the Regional Water Board and CDFW[4], the Dischargers engaged the services of consultants, including TRC for the Lake and Streambed Alteration Agreement (LSAA), and Down River Consulting and TVCE for

[2] CalFire Notice of Violation (NOV) of Forest Practice Laws. September 18, 2019.

[3] Regional Water Board Inspection Report. August 26, 2019.

[4] CDFW NOV, July 12, 2019.

cleanup and restoration. The latter two consultants prepared and submitted an October 2019 Winterization Plan[5], in which they described their September 18, 2019 assessment, including observation of an estimated 7.4 acres of recently cleared land, including the cleared, excavated, and filled in watercourse and wetland features associated with road, crossing, and pond construction. In a January 2020 LSAA Notification[6], the consultants included maps of watercourses with classifications based upon observation of channel conditions, consistent with watercourse identification for forest practices in the North Coast region. The maps show five stream crossings along the watercourse and wetland (See Figure 2)

Recent site development, instream disturbance, and land use activities on the Property commenced upon purchase by Mr. Rodriguez, prior to required project review and authorizations from the Regional Water Board, CalFire, Trinity County, and CDFW. Applicable reviews/authorizations that should have been secured from the Regional Water Board prior to site development and operations include those for timber harvest, construction stormwater, cannabis cultivation waste discharges, and water quality certification for instream work. The pond and road crossing were constructed without jurisdictional review or authorization and without any formal or professional designs. Regional Water Board staff and the consultants have identified these features as needing stabilization and restoration, as they presently pose a threat of discharge of earthen material to downstream watercourses and associated wetlands.

On March 3, 2020, Mr. Combs enrolled the property for coverage under the statewide cannabis order self-certifying that cannabis cultivation activities are consistent with the requirements of the State Water Board Policy and General Order. The enrollment reports Tier 2 low risk, with 50,000 square feet of cultivation area (1.1 acres), and 60,000 square feet (1.4 acres) of disturbed area. On behalf of Mr. Combs, on April 30, 2020, TRC submitted a request to change the enrollment risk designation to high because the disturbed area occurs within riparian setbacks.

On March 31, 2020, I participated in the inspection that is documented and discussed in this report. On April 3, 2020, I received an email from Jack Henry, describing plans to conduct a wetland delineation in the coming weeks. On April 6, 2020, I received an email from Skylar Twohig, providing photo documentation of erosion control measures applied to the Property, with photos from the March 31, 2020 inspection and some provided by Mr. Combs on April 5, 2020. On April 7, 2020, I received a phone call from Mr. Rodriguez, in which he stated that he had acted on input I provided during the March 31, 2020 inspection regarding interim stabilization measures and that he intended to do whatever would be required of him to address the violations.

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[5] Cleanup and Winterization Plan for Levi Carlos Rodriguez Properties, dated October 2019, prepared by Down River Consulting and Trinity Valley Consulting Engineers.

[6] Timberland Resource Consultants, Notification of Lake or Streambed Alteration for the Hoaglin Valley 1600 project, with applicant Craig Combs and owner Levi Rodriguez. Signed by Chris Carroll, January 11, 2020.

This inspection report provides observations and recommendations to address impacts to water quality.

Maps

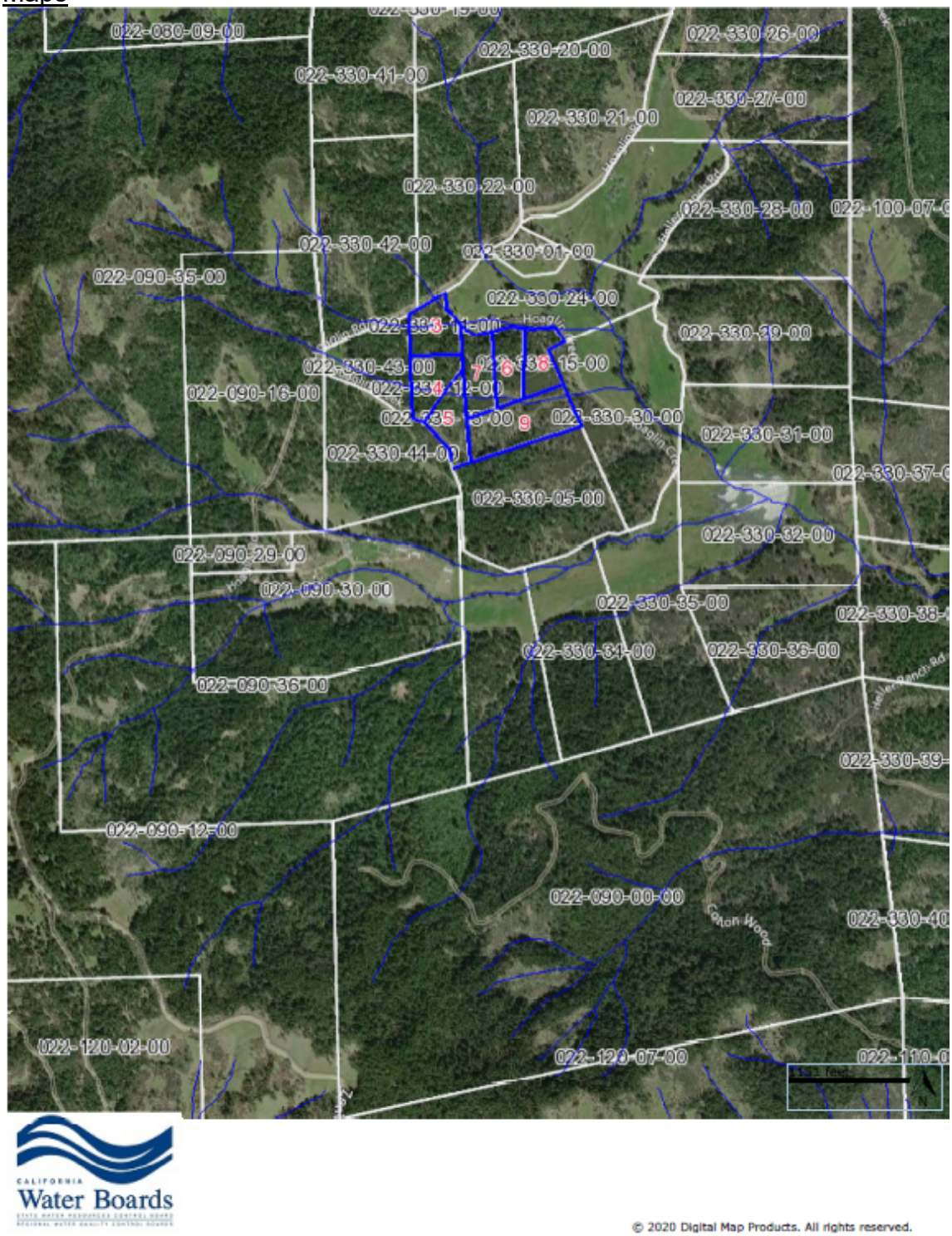

Figure 1. Location map of Property (Landvision)

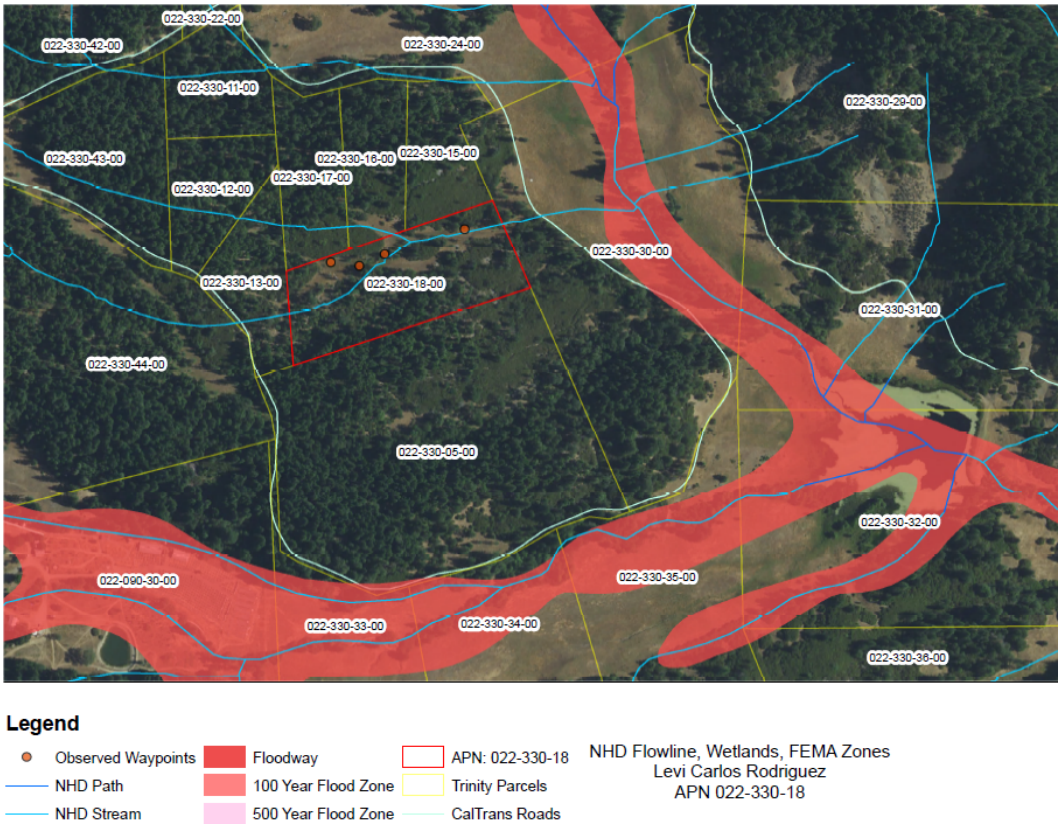

Figure 2. Location of June 20, 2019 observations of impacts to wetlands tributary to Hoaglin Creek.

Figure 3. GPS points from March 31, 2020 Inspection, referred to in text below.

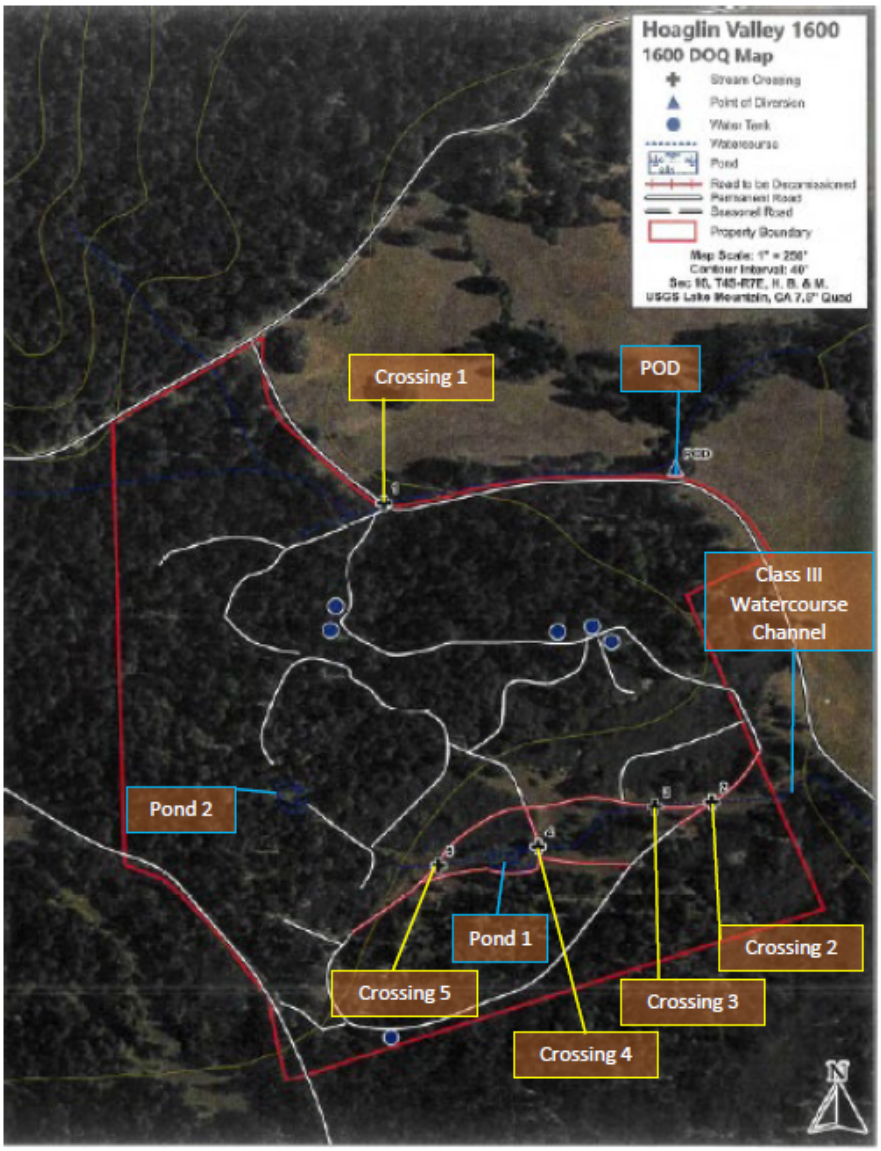

Figure 4. Map submitted with the January 2020 LSAA Notification (TRC) showing outline of Property (all APNs) and modified by me to show more clearly the locations of Features discussed in the following text. My inspection verified that Crossing 1 is on the shared access road on a Class II segment of Hoaglin Creek (WQ2 in my June 2019 Report). Crossing 4 is associated with the onstream Pond 1 and the fill placed in the wetland (WQ1 in my June Inspection Report). Crossing 2 & 3 are associated with an older ranch road that is nearly at-grade and was reopened as part of the recent disturbance. Crossing 5 was constructed to facilitate access across the wetland to south and to a cleared area. The extent of wetland impacts extends from upstream of Crossing 5 to downstream of Crossing 2, just beyond the Property boundary. The Class

III watercourse channel is well defined at the location shown, downstream of Crossing 2.

Inspection Observations:
The following text refers to numbered GPS points shown on Figure 3 and Feature identifications shown on Figure 4.

Grading and erosion control measures:

- The earthen spoils have been graded smooth over the disturbed surfaces and disturbed areas have been straw-mulched and seeded, and silt fences and wattles have been installed.
- Rock has been placed at the spillways of upper Pond 2 and lower Pond 1.
- Cows have recently accessed the site, causing damage to erosion control measures, as discussed further below; I observed cattle-exclusion fencing downstream of Pond 1.

Hydrology and Topography:

- The road currently concentrates water and road runoff toward Pond 2. Pond 2 is full and overflowing toward the wetland, Pond 1, and the Class III watercourse. GPS point 283 is an area vegetated with Juncus. Water runs into the wetland and collects in Pond 1, which overflows down the rock spillway, and out into the wetland, then either continues down the road, where it puddles, or toward the well-formed watercourse channel (GPS Point 284).
- Earthwork with heavy equipment has included spreading soil. Mr. Combs indicated that he didn't distinguish soil from the wetland versus soil from upland areas but that the majority of the excavated material from the lower Pond 1 was placed in the berm
- Mr. Henry discussed that the delineation would be scheduled to observe vegetation will likely be emerging by late April.
- The site disturbance will complicate any wetland delineation efforts.
- Mr. Combs said there was an older excavated hole prior to the recent construction he conducted. He did not provide further description.

I also observed the following during the March 31 inspection:

- A recently installed well with spoils on the ground next to the road.
- Crossing 1, a Class II watercourse crossing, presently consists of two parallel culverts, collectively undersized for the stream channel width, and too short for the fill prism. The road near the crossing runs parallel and next to the watercourse, and the road surface is degraded and was delivering turbid water into the Class II watercourse. Mr. Rodriguez stated that the Heller's own the land containing Crossing 1 and the access road between Crossing 1 and the POD, and the access road between the POD and the eastern property boundary, downstream of Crossing 2. When I viewed this road in June, I noted that the

road surface appeared degraded and dusty, indicative of heavy use. As there is no surfacing or armoring, even light winter use is resulting in sediment discharges in violation of the Basin Plan. The road needs rock surfacing and some erosion control to prevent and minimize sediment delivery to the watercourse.

- The dischargers mentioned ongoing disturbance by cows from neighboring properties. They indicated that they had an initial intent to allow cattle access to the ponds, but the cows were causing damage to pollution control measures, including eating vegetative erosion controls and trampling the ground around the ponds and on the road surface near the creek. As mentioned above, and depicted in photos below, I observed cattle exclusion fencing that had been installed below pond 2. We discussed that in addition to erosion control measures being eaten, following restoration, cattle disturbance can negatively impact success.

Following the inspection, on April 6, 2020, I received information from TRC, on behalf of Mr. Combs, providing photo documentation of erosion control measures implemented, including at along the access road and Crossing 1.

During the inspection, the dischargers indicated that they intend to develop each parcel with a well, a residence on septic, and cannabis cultivation. Mr. Rodriguez mentioned that he may be selling APNs -11, -12, and -17.

Based on conversation with the dischargers & consultants while in the field, I understand that TRC is providing services that include assistance with the statewide cannabis order enrollment and reporting and wetland delineation, TVCE is providing engineering for the development of the cleanup and restoration plan for the Property and other engineering-related services for the planned development, and Marie Peterson, previously of Down River consulting, is providing assistance with Trinity County cultivation permitting and California state cultivation licensing.

Table 1. Water quality threats

GPS point on Figure 3	Feature on Figure 4	Brief Description	Water Quality Concern(s)	Associated Photo(s)
	Pond 1 and Crossing 4	Pond built on a wetland associated with a watercourse, excavated fill material used to construct berm. Berm now notched, with rock placed over earthen spillway. Outflow appeared clear.	Discharge and threatened discharge of sediment to, and dredge/fill without authorization in, a wetland/watercourse, tributary to Hoaglin Creek and discharge	Figures 5-9
	Crossing 5 to Pond 1	Cleared and graded wetland. Erosion control measures installed, including straw, seed, silt fence, and wattles.	Dredge/fill in wetland without authorization. Lost wetland function and value.	Figures 10-14
	Crossing 4 to Crossing 2	Roadway has some influence on the hydrology of the wetland and watercourse	Dredge/fill in wetland without authorization. Lost wetland function and value.	Figures 15-22
284	Class III Watercourse Channel	Lots of flow, well-defined channel located just off Property. Channel dimensions approximately 1.5’ W x 0.5-1’ D	Threatened discharge of waste to watercourse	Figures 18-22

GPS point on Figure 3	Feature on Figure 4	Brief Description	Water Quality Concern(s)	Associated Photo(s)
282	Pond 2	Overflow to wetland, Pond 1, and watercourse. Cattle intrusion to eat straw and access water caused pock marks. Straw too thin.	Pond overflow is hydrologically connected to surface waters, allowing for discharge of waste to receiving waters.	Figures 28-34
286		Low spot in road has puddled, and muddy water is flowing toward Pond 2 at 282	Road runoff is hydrologically connected to surface waters; discharge of waste to receiving waters.	Figure 35
	Crossing 1	Controllable sediment delivery site: threatened delivery to Hoaglin Creek associated with two parallel undersized culverts	Logging or construction-related material placed where it can enter a watercourse	Figures 38-43
	Crossing 1 to POD	Controllable sediment delivery site: surface erosion from road with delivery to Hoaglin Creek	Logging or construction-related material placed where it can enter a watercourse; discharge of waste to receiving waters.	Figures 44-46

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**: The access road threatens sediment discharge to a Class II watercourse. The wetland at WQ1 continues to be impacted by dredge and fill. The site has been treated with erosion control measures including straw, seed, silt fences, and wattles. These interim measures likely

will be effective at controlling sediment discharges to downstream receiving waters if cows and human traffic is excluded.

2. **Stream crossing maintenance and improvement:** Crossing 1 is undersized and needs to be upgraded, as described in the LSAA Notification. Fine sediment from the road surface is susceptible to erosion and delivery into the watercourse; the road surface over the crossing should be rocked or otherwise protected.

3. **Stream and wetland buffers**: The wetland encroachment at WQ1 does not meet the requirements in the statewide cannabis order, and thus the enrollment designation should be high risk.

4. **Spoils management**: Earthen spoils associated with site development had been spread and smoothed over the site and treated with erosion control measures. I observed unstabilized spoils from recent well drilling.

5. **Water storage and use**: Water use plans indicate a combination of well and surface water diversion from Hoaglin Creek. Water is currently stored in tanks and both ponds are full. Water will need to be managed to allow for completion of cleanup and restoration activities at Pond 1.

6. **Irrigation runoff:** Cultivation areas have been seeded and strawed, and no cultivation activities were occurring

7. **Fertilizers and soil amendments**: I did not observe fertilizer and soil amendments.

8. **Pesticides**: I did not observe any pesticides.

9. **Petroleum products and other chemicals**: I did not observe any petroleum product storage. Heavy equipment was onsite but I did not observe sheens or smells around them.

10. **Cultivation-related wastes**: I observed no cultivation-related waste.

11. **Refuse and human waste**: The dischargers indicate plans to apply for septic permits with Trinity County. I observed no threats to water quality associated with storage or disposal of refuse or human waste.

12. **Cleanup and Restoration**: Pond 1 is constructed in wetlands, tributary to Hoaglin Creek, and needs to be cleaned up and restored per Recommendation 1, below.

Recommendations

1) Wetland and Watercourse Cleanup Restoration and Monitoring Plan[7]:

   a) Engage an appropriately qualified professional to conduct a U.S. Army Corps verified forensic wetland delineation for the area encompassing Pond 2, Crossing 5, Pond 1, Crossing 4, Crossing 3, Crossing 2, and the Class III Watercourse Channel, shown on Figure 4. The delineation should reflect the history of disturbance at the Property.

   b) Engage an appropriately qualified professional with relevant experience in wetland restoration to prepare and submit a wetland restoration plan for WQ1 which includes but is not limited to, a project description, goal of restoration, implementation plan and schedule, plan for monitoring and site maintenance following restoration, and contingency measures addressing the diversity index of wetland/ non-wetland native plant species occurring on the Property. The plan should include proposed mitigation to address the temporal and permanent losses of wetland value and function. The plan should include specifications for debris removal and disposal. Below is guidance on the development of the Cleanup Restoration and Monitoring Plan (CRMP):

      i) Map of property including areas of operations, roads, water bodies, all cleared/developed areas, all structures, and general drainage patterns and directions.

      ii) Delineate water resources and describe the history of alterations and impacts thereto and consistent with the accepted protocols.

      iii) Describe the impacts to those water resources, including areal extent, dimensions and volume of waste, hydrology and runoff characteristics, soils, vegetation, substrate, form, function, and habitat and species diversity.

      iv) Design drawings at 1:12000 or larger scale (e.g., 1:6000) that delineate existing site conditions including existing and buried surface waters, projected restored slopes and surface waters, restoration plan work points, spoil disposal sites, re-vegetation planting areas, and any other features or site construction details to complete the scope of work; design and construction standards for earthen material compaction and stabilization and

[7] Please note the following resources related to the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State[7] On April 2, 2019 the State Water Resources Control Board adopted the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), for inclusion in the Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California. The Procedures consist of four major elements: 1) a wetland definition; 2) wetland delineation procedures; 3) a wetland jurisdictional framework; and 4) procedures for the submittal, review and approval of applications for Water Quality Certifications and Waste Discharge Requirements for dredge or fill activities. The Procedures will apply to all applications for discharges of dredged or fill material to waters of the state submitted nine months after final approval by the Office of Administrative Law, who approved the Procedures on August 28, 2019. Pursuant to the Procedures, the effective date is nine months upon OAL approval. Accordingly, the Procedures will be effective May 28, 2020.

for re-planting of exposed soils with native vegetation; and erosion control methods and standards for unanticipated precipitation during remediation.

v) Plan and Schedule to accomplish the following:

(1) Remove all earthen material and other discharged or placed debris from surface waters, including instream dams.

(2) Restore the vegetative and hydrological functions of the damaged streams wetlands, and drainages to ensure the long term recovery of the affected surface waters.

(3) Provide for free-draining, dispersed runoff from all disturbed surfaces, such that hydrologic modification is eliminated, gullying is prevented, and water is directed to stable slope areas. Remove or stabilize unstable sidecast spoil materials, so they do not fail and deliver sediment to a nearby water of state.

(4) Replant the slopes and streamside areas with native vegetation to increase shading, prevent erosion and provide streamside protection.

(5) Control erosion and sediment delivery prior to, during, and following site restoration efforts, until vegetation is established.

vi) An implementation schedule that includes a time schedule for submitting permit applications to all applicable local, state, and federal agencies necessary and detailed project milestones to fulfill the requirements of this Order once those permits are obtained. To the extent possible, all work shall be completed prior to the first winter after plan approval. Depending on the extent of the work, the timing of plan submittal and approval, need for permits by other agencies, or other restrictions, it may require more than one construction season to complete work. The plan shall provide details and specifications, both in the narrative plan and as applicable in design drawings, for site winterization as needed to minimize and control erosion and sediment delivery over winter periods while construction is underway.

vii) Monitoring and reporting element to document timely completion and effectiveness of specified cleanup actions in the plan, including the implementation and effectiveness of management measures, according to the schedule approved in the plan.

viii) Describe all best management practices to be applied to all current and planned work associated with construction activities on the Property impacting, or having the potential to impact, Hoaglin Creek and unnamed tributaries. Include, at a minimum, design specifications for roads, any water crossing, in-stream structure and for riparian and aquatic habitat restoration, surface drainage controls, erosion and sedimentation controls, an implementation schedule, a monitoring and reporting plan, and success criteria for restoration and compensatory mitigation;

ix) Include a description of how long-term impacts from erosion and sedimentation sources will be abated (e.g., re-grading and reengineering, graveling or paving road surface, etc.), as well as a proposal to restore beneficial uses of any waters of the state on the Property that were adversely impacted by the unauthorized activities, including Hoaglin Creek and their unnamed tributaries, and any springs, seeps, bogs, or wetlands.

x) A proposal to provide compensatory mitigation to compensate for any temporal and/or permanent impacts to wetlands and other waters of the state that resulted from unauthorized activities on the Property. Compensatory mitigation shall comply with the State's No Net Loss Policy. The proposal shall (1) describe existing site conditions at the proposed mitigation site; (2) describe implementation methods used to provide compensatory mitigation; (3) include monitoring that will be implemented and performance criteria that will be used to evaluate the success of the compensatory mitigation; and (4) include an implementation schedule;

2) In the event of a change in ownership or occupancy on the Property, please notify Regional Water Board staff of the changes by email to Adona.White@waterboards.ca.gov and northcoast.cannabis@waterboards.ca.gov.

3) Prior to conducting any instream work associated with Recommendation 1, 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 here: https://www.waterboards.ca.gov/northcoast/water_issues/programs/wqc_docs/031616_401-Application.pdf

4) 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. For more information about Water Board permits that may apply to proposed site development or land use activities, refer to this link:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/permit/

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

Lower Pond: Pond 1:

Figure 5. The January 2020 LSAA Notification includes this drone photograph of the onstream Pond 1 and Crossing 4 on August 6, 2019, with flow path depicted.

Figure 6. Pond 1 looking from upstream to downstream toward Crossing 4 which is an earthen fill berm.

Figure 7. Pond 1 berm with notch and rock applied for a spillway.

Figure 8. Rock spillway draining to straw bales.

Figure 9. Pond 1 rock spillway draining to straw bales, temporary BMPs.

Figure 10. Pond 1, looking upstream with fill in foreground.

Upstream of Pond 1:

Figure 11. Surface flow is present throughout the area between Pond 2 at GPS points282 and 284 at the watercourse channel.

Figure 12. Surface flow upstream of Pond 1.

Figure 13. Looking upstream at juncus patch (GPS point 283), Pond 2 is uphill on right.

Figure 14. Looking downstream toward Pond 1, note surface flow.

Figure 15. Between Pond 1 and Pond 2.

Downstream of Pond 1:

Figure 16. Road downstream of Pond 1 is puddling surface water.

Figure 17. Road downstream of Pond 1 is puddling surface water.

Figure 18. Cattle exclusion fencing downstream of Pond 1.

Figure 19. Surface flow downstream of wetland, with cattle exclusion fence.

Figure 20. Surface water pools on roadway then joins the watercourse.

Figure 21. Wetland vegetation upstream of watercourse.

Figure 22. Watercourse channel becomes well defined in manzanita.

Figure 23. Watercourse channel downstream of wetland.

Graded area surrounding lower Pond 1:

Figure 24. View from slope downstream of Upper Pond 2, looking at graded area surrounding Lower Pond 1.

Figure 25. View from slope downstream of Upper Pond 2, looking at graded area surrounding Lower Pond 1.

Figure 26. View from slope downstream of Upper Pond 2, looking at graded area surrounding Lower Pond 1.

Figure 27. View from slope downstream of Upper Pond 2, looking at graded area surrounding Lower Pond 1.

Figure 28. View from slope downstream of Upper Pond 2, looking at graded area surrounding Lower Pond 1.

Upper Pond 2:

Picture 29 & 30: Aerial image of the Rain Catchment Pond (top) & and looking downslope at the structure (bottom). Photos date 11-13-2019.

Figure 29. The January 2020 LSAA Notification includes this drone photograph of the onstream Pond 2, November 13, 2019.

Figure 30. Upper Pond 2, looking downstream.

Figure 31. Upper Pond 2, looking downstream.

Figure 32. Area adjacent to Pond 2 in need of more erosion control.

Figure 33. Area downslope of Pond 2.

Figure 34. Area downslope of pond 2.

Figure 35. Area downslope of Pond 2.

Figure 36. Area downslope of Pond 2, note wetland vegetation at base of slope (GPS point 283).

Upper road:

Figure 37. Upslope of Pond 2 is a roadway with a soft surface pooling water and contributing turbid runoff to Pond 2.

Figure 38. Well drilling spoils.

WQ-2:
Access Road, Crossing 1:

Figure 39. Double parallel culverts at Crossing 1, looking downstream at the inlets.

Figure 40. Downstream of culverts at Crossing 1.

Figure 41. Road surface over Crossing 1 is contributing sediment laden runoff to Class watercourse. Needs rock surfacing.

Figure 42. Turbid runoff delivering sediment to watercourse at Crossing 1.

Figure 43. Photo of Crossing 1 submitted by TRC showing installation of silt fences and waddles after our inspection.

Figure 44. Photo of Crossing 1 submitted by TRC showing installation of silt fences and wattles after our inspection.

Figure 45. Access road surface is degraded and readily eroding with transport and delivery to Class II watercourse.

Figure 46. Access road surface is degraded and readily eroding with transport and delivery to Class II watercourse between Crossing 1 and POD.

Figure 47. Photo of Access Road submitted by TRC showing installation of silt fence and wattles by dischargers.

Upper flat:

Figure 48. Cleared flat, located at southern portion of Property.

Figure 49. Road that is reportedly the new access to the Property.