
North Coast Regional Water Quality Control Board

February 12, 2021

Justin and Mia Baldwin
27 Eucalyptus Path
Berkeley, CA 94705
jfbaldwin@gmail.com

Certified Mail 7016 2710 0000 2653 3647

Dear Mr. and Mrs. Baldwin:

Subject: **Notice of Violation**

File: Cannabis Program Inspections, Humboldt County, November 20, 2020,
Baldwin Property. CIWQS: Place ID 815583
Cannabis General Order WDID: 1_12CC407540

This letter is to notify you of observed violations of the requirements listed below, and cited in Attachment A, at the property identified as Humboldt County Assessor Parcel Number (APN): 222-071-030-000 (the Property).

1. State Water Resources Control Board Order WQ 2019-0000-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order) requirement for submitting a Site Management Plan,
2. Water Quality Control Plan for the North Coast Region (Basin Plan) section 4.2.1,

Background

On January 21, 2015, North Coast Regional Water Quality Control Board (Regional Water Board) staff (staff) participated in a warrant inspection of the Property. On June 23, 2015, Senior Council from the State Water Resources Control Board Office of Enforcement transmitted staff's report of the inspection (2015 Inspection Report) to you which identified many features on your property requiring Cleanup.

On June 1, 2016, the Regional Water Board Assistant Executive Officer invited you to comment on a draft Cleanup and Abatement Order and Request for Technical Reports pursuant to Water Code section 13267 (draft CAO), for the Property.

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The draft CAO proposed requirements for developing, submitting and implementing plans to clean up and abate the threats to water quality on the property.

The draft CAO was not finalized, however, on March 7, 2019, staff received a Cleanup and Restoration Plan (CRP) for the Property, prepared on your behalf by Natural Resources Management Corporation (NRM). On May 1, 2019, staff provided comments on the CRP. Staff has not yet received a revised plan following these comments.

On June 4, 2019, you enrolled the Property in the State Water Resource Control Board Order WQ 2019-0001-DWQ (Cannabis General Order).

On November 20, 2020, Regional Water Board staff inspected the property. The report of this inspection (2020 Inspection Report) is included as Attachment B.

Relevant Requirements

During the inspection, Staff observed features and conditions on the Property that represent new and/or continued violations of water quality requirements and regulations. Attachment A – Regulatory Citations, provides references to these requirements and regulations.

Observed Violations

As documented in the 2020 Inspection Report, staff observed violations of the Basin Plan and the Cannabis General Order as summarized in the below table:

Table 1. Summary of violations documented by staff during November 20, 2020, Inspection.

Locations¹	Violation types
WQ 13 and WQ 14	Basin Plan Prohibition 1 and Cannabis Cultivation Policy, Section 2, Term 119
WQ 9 – WQ 10, WQ 19 – WQ 20, and WQ 21 – WQ 22	Basin Plan Prohibition 2 and Cannabis Cultivation Policy, Section 2, Term 15, Term 17 and Term 20
WQ 13 – WQ 14, and WQ 21 – WQ 22	Basin Plan Prohibition 2 and Cannabis Cultivation Policy, Section 2, Term 19
WQ 20	Basin Plan Prohibition 2 and Cannabis Cultivation Policy, Section 2, Term 26

¹ Locations are identified on the map located on page 4 of the 2020 Inspection Report included as Attachment B.

Locations¹	Violation types
WQ 3 – WQ 8, WQ 10, WQ 13 – WQ 14, and WQ 16 –WQ 18	Basin Plan Prohibition 2 and Cannabis Cultivation Policy, Section 2, Term 31
WQ 15	Basin Plan Prohibition 2 and Cannabis Cultivation Policy, Section 2, Term 120

Site Management Plan (SMP)

Pursuant to the Cannabis General Order, all enrollees must submit a Site Management Plan within 90 days of enrollment. It has been more than 90 days since you enrolled your Property for coverage under the Cannabis General Order; to date, we have not received an SMP.

Potential Liabilities

The Regional Water Board reserves the right to take any enforcement action the law allows. Additionally, enrollment in the Cannabis General Order does not relieve you of responsibility to obtain other necessary local, state, or federal permits, nor does the Cannabis General Order prevent imposition of additional standards, requirements, or conditions by any other agency. In the event of duplicate or conflicting requirements, the most stringent requirement applies.

The Regional Water Board is in the process of considering whether the violations of 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 2020 Inspection Report, may represent continuing violations of the 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.

An actual discharge to waters of the state, including waste discharges in violation of a waste discharge requirement, waiver condition, certification, or other order or prohibition issued by a regional board may subject a person to an administrative liability up to \$5,000 per day of violation for each violation, or \$10 for each gallon of waste discharged pursuant to Water Code section 13350 or up to \$10 per gallon for each gallon over 1,000 gallons not cleaned up, and up to \$10,000 per day per violation pursuant to Water Code section 13385.

Inspection Report Recommendations

The 2020 Inspection Report provides recommendations to correct violations, as well as to address features and conditions that threaten to impact water quality. Any work in waters of the state, including streams or wetlands, requires a water quality certification prior to conducting the work. To obtain such certification requires the applicant to submit a complete application² and pay a fee, which are in addition to the fees paid for enrollment in the Cannabis General Order. Failure to obtain such certification may subject the responsible parties to additional civil liabilities. **Within 30 days of the date of this letter**, please advise Brian Fuller of your intentions, plan, and schedule to implement recommendations in the 2020 Inspection Report. Brian Fuller can be reached at (707) 576-2806 or by email at Brian.Fuller@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 Brian Fuller at the phone number or email above. You may also contact me at Diana.Henriouille@waterboards.ca.gov or by phone at (707) 576-2350.

Additionally, we are available to meet with you if you wish to discuss this letter, the Inspection Reports, 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
Attachment B – Water Quality Report of November 20, 2020 Inspection

² Requirements for a complete application can be found in the California Code of Regulations Title 23. Waters Division 3 State Water Resources Control Board Chapter 28. Certifications:
https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/401regs.pdf

cc: **Department of Fish and Wildlife**
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Matthew Jones, Matthew.Jones@Wildlife.ca.gov

Humboldt County
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Timberland Resource Consultants
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Attachment A – Regulatory Citations

Regulatory Section	Citation
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).”
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.”
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 15,	“Access roads shall be constructed consistent with the requirements of California Code of Regulations Title 14, Chapter 4. The Road Handbook describes how to implement the regulations and is available at http://www.pacificwatershed.com/PWA-publications-library . Existing access roads shall be upgraded to comply with the Road Handbook.”

Regulatory Section	Citation
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 17,	"Cannabis cultivators shall ensure that all access roads are hydrologically disconnected to receiving waters to the extent possible by installing disconnecting drainage features, increasing the frequency of (inside) ditch drain relief as needed, constructing out-sloped roads, constructing energy dissipating structures, avoiding concentrating flows in unstable areas, and performing inspection and maintenance as needed to optimize the access road performance."
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 19,	"Cannabis cultivators shall decommission or relocate existing roads away from riparian setbacks whenever possible. Roads that are proposed for decommissioning shall be abandoned and left in a condition that provides for long-term, maintenance-free function of drainage and erosion controls. Abandoned roads shall be blocked to prevent unauthorized vehicle traffic."
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 20,	"If site conditions prohibit drainage structures (including rolling dips and ditch-relief culverts) at adequate intervals to avoid erosion, the cannabis cultivator shall use bioengineering techniques as the preferred measure to minimize erosion (e.g., live fascines). If bioengineering cannot be used, then engineering fixes such as armoring (e.g., rock of adequate size and depth to remain in place under traffic and flow conditions) and velocity dissipaters (e.g., gravel-filled "pillows" in an inside ditch to trap sediment) may be used for problem sites. The maximum distance between water breaks shall not exceed those defined in the Road Handbook."
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 26,	"Cannabis cultivators shall ensure that access roads are not allowed to develop or show evidence of significant surface rutting or gulying. Cannabis cultivators shall use water bars and rolling dips as designed by a Qualified Professional to minimize access road surface erosion and dissipate runoff."

Regulatory Section	Citation
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 31,	“Cannabis cultivators shall ensure that all permanent watercourse crossings that are constructed or reconstructed are capable of accommodating the estimated 100-year flood flow, including debris and sediment loads. Watercourse crossings shall be designed and sized by a Qualified Professional.”
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 119,	“Cannabis cultivators shall contain and regularly remove all debris and trash associated with cannabis cultivation activities from the cannabis cultivation site. Cannabis cultivators shall only dispose of debris and trash at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations. Cannabis cultivators shall not allow litter, plastic, or similar debris to enter the riparian setback or waters of the state. Cannabis plant material may be disposed of onsite in compliance with any applicable CDFR license conditions.”
Cannabis General Order, Attachment A, Cannabis Cultivation Policy, Section 2, Term 120,	“Cannabis cultivators shall only dispose, or reuse spent growth medium (e.g., soil and other organic media) in a manner that prevents discharge of soil and residual nutrients and chemicals to the riparian setback or waters of the state. Spent growth medium shall be covered with plastic sheeting or stored in watertight dumpsters prior to proper disposal or reuse. Spent growth medium should be disposed of at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations. Proper reuse of spent growth medium may include incorporation into garden beds or spreading on a stable surface and revegetating the surface with native plants. Cannabis cultivators shall use erosion control techniques, as needed, for any reused or stored spent growth medium to prevent polluted runoff.”



North Coast Regional Water Quality Control Board

TO: Diana Henriouille

FROM: Brian Fuller

DATE: December 22, 2020

**Report of November 20, 2020 Consent Inspection
Humboldt County Assessor's Parcel Number (APN) 222-071-030-000
(the "Property")**

File: Cannabis Inspections, Humboldt County, 2020, Justin and Mia Baldwin CIWQS
Place ID No. 815583

Property Information

County: Humboldt

Physical address: 161Oak Rock Road, Garberville

APN: 222-071-030-000 (the Property)

Owner: Justin and Mia Baldwin (the Dischargers)
PO BOX 5022, Berkeley, CA, 94705-0022

Size: 108 acres

Watershed: Eel River Hydrologic Unit; South Fork Eel River Hydrologic Area; Benbow Hydrologic Subarea (HU/HA/HSA 111.32; Table 2-1, Water Quality Control Plan for the North Coast Region).

Regulatory status with the North Coast Regional Water Quality Control Board (Regional Water Board)

Onsite activities/operations:

- On January 21, 2015, Regional Water Board staff (staff) participated in a warrant inspection of the property. On June 23, 2015, Senior Counsel from the State Water Resources Control Board Office of Enforcement transmitted staff's report of the inspection (2015 Inspection Report) to the Dischargers.

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

- On February 15, 2016, Justin Baldwin signed a Notice of Intent (NOI) enrolling the Property as a Tier 2 site under Regional Water Board Order No. 2015-0023 (Regional Cannabis Order) and was assigned WDID 1B15169CNHU.
- On June 1, 2016, the Regional Water Board Assistant Executive Officer invited the Dischargers to comment on a draft Cleanup and Abatement Order and Request for Technical Reports pursuant to Water Code section 13267, for the Property.
- On March 7, 2019, staff received a Cleanup and Restoration Plan (CRP) for the Property, prepared on the Dischargers' behalf by Natural Resources Management Corporation (NRM).
- On May 1, 2019, staff provided comments on the CRP to the Dischargers.
- Justin Baldwin transferred enrollment of the Property from the Regional Cannabis Order to the State Water Resource Control Board Order WQ 2019-0001-DWQ (Cannabis General Order) effective June 4, 2019 and was assigned WDID 1_12CC407540.
- The Regional Water Board has no record of a Site Management Plan (SMP) being submitted for the property.
- On March 10, 2020, Justin Baldwin submitted a request to terminate the property's enrollment in the Cannabis General Order. The request stated cultivation ceased on December 31, 2016 but did not include a Site Closure Report.

Inspection information:

Date/time: November 20, 2020, /morning

Type: Consent Inspection

Attendance:

Brian Fuller, Engineering Geologist (EG), Regional Water Board
Jordan Filak, Environmental Scientist (ES) Regional Water Board
Jesse Cahill, Timberland Resource Consultants (TRC)

Background/Objective:

TRC reported they represent the DuPonts, who are tenants on the property and have a lease-to-own agreement with the owners (the Baldwins), and invited staff to inspect the property to discuss the scope of required cleanup. Charles DuPont is also the listed cultivator for Humboldt County APN 222-071-028, which borders the property to the

Baldwin Property
Humboldt APN 222-071-030-000
November 20, 2020 Inspection
CIWQS Place ID. 815583

- 3 -

December 22, 2020

north and is enrolled in the Cannabis General Order with WDID 1_12CC417597. Objectives for staff included observing current site conditions 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

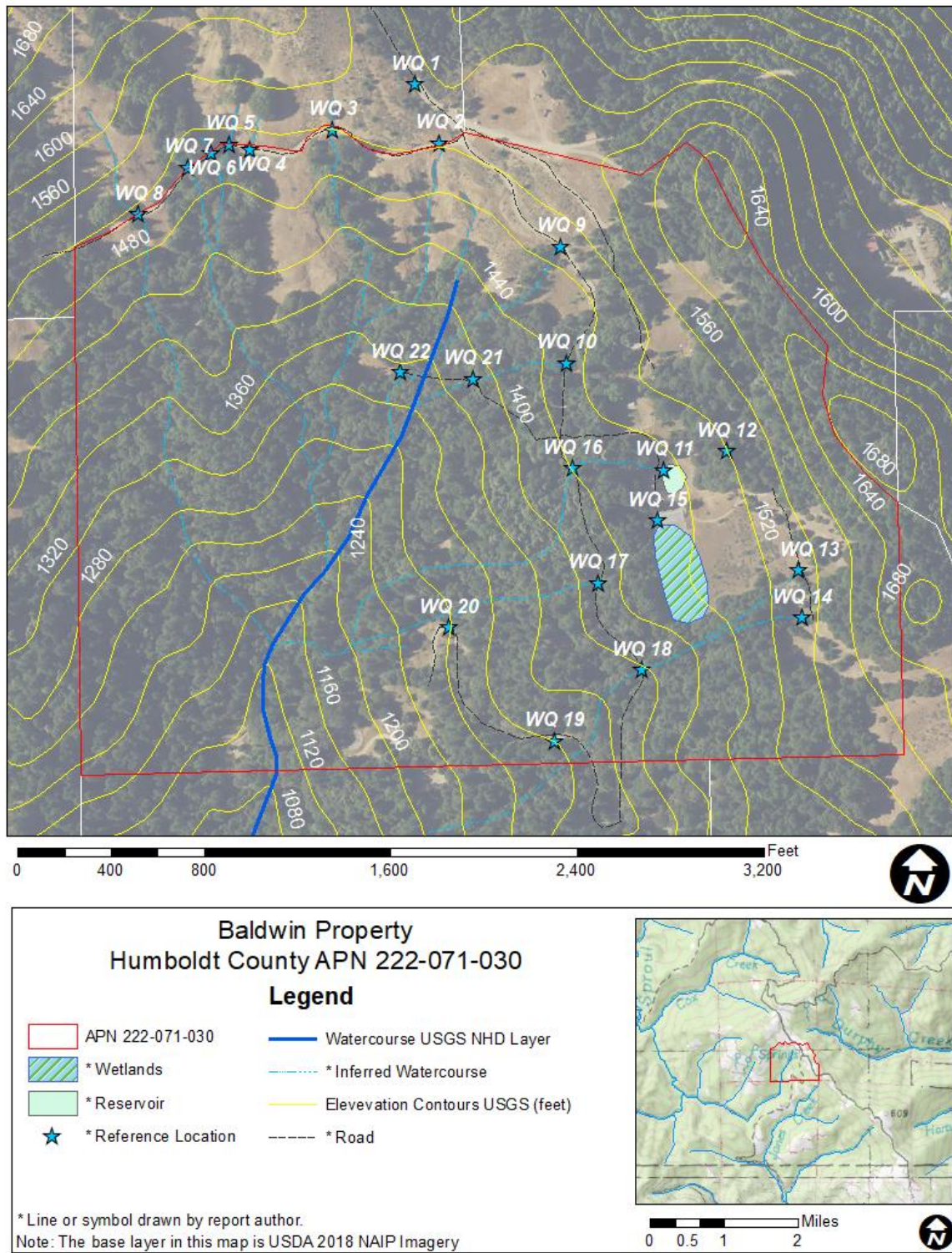


Figure 1: Map of Property, including inspection points of interest

Inspection Observations

The above site map shows inspection points identified and discussed in this report. Inspection participants accessed the property from the north and stopped first in the vicinity of WQ 1, where I observed an approximate 200-foot length of road sloped into an inboard ditch that discharges to a deeply incising channel at WQ 2 (Photo 1 and Photo 2). We then walked west along Pepperwood Springs Road where I observed six watercourse crossings that appeared too narrow relative to the channel size, installed at too shallow of a grade and/or failing at WQ 3 thru WQ 8 (Photo 3 thru Photo 10).

We returned to WQ 2, then headed south down Oak Rock Road. I observed a hydrologically connected road concentrating stormwater into a corrugated plastic pipe at WQ 9 (Photo 11), which discharged into an incised watercourse (Photo 12). Along the road, I observed a hole in the road-surface connecting to a ditch relief culvert below the road (Photo 13). On the western, downslope side, of the road at WQ 10, I observed a culvert directed above a scoured watercourse (Photo 14 and Photo 15).

From WQ 10, we continued following Oak Rock Road south, and then followed a smaller and less-used road to the east where I observed a reservoir at WQ 11 (Photo 16). The reservoir outflow discharges onto some cut tree logs (Photo 17) within a watercourse (Photo 18). We walked east and upslope from the reservoir to a tank collecting spring water at WQ 12 (Photo 19). From the spring we walked a short distance east and uphill and arrived at a legacy road trending south. The road surface was covered with duff and had been reclaimed by saplings. We walked south and observed two small watercourses that had been culverted below the old road at WQ 13 and WQ 14, and had also been used as waste disposal locations (Photo 20-Photo 23).

From WQ 14, we walked to the greenhouse located at WQ 15 (Photo 24) and I observed the large pile of potting soils, that is identified in the 2015 Inspection Report, remained behind the greenhouse (Photo 25). We then walked north to the reservoir outlet at WQ 11 and followed the receiving waters west where I observed a perched and undersized culvert conveying the watercourse across Oak Rock Road at WQ 16 (Photo 26 and Photo 27). This culvert, which was identified as C2 in the 2015 Inspection Report, is too small relative to the size of the receiving watercourse and installed shallow in the road fill resulting in a steep drop at the outlet that was scouring the downstream watercourse.

We continued south and I observed two more culverts that appeared undersized at WQ 17 and WQ 18 (Photo 28 thru Photo 31). Further south, Oak Rock Road passes the property boundary and loops back north onto the property. I observed a long section of road from WQ 19, to the north, without drainage before an inboard ditch directs surface water over the road and towards a tributary to Sproul Creek in the vicinity of WQ 20 (Photo 32 and Photo 33).

We walked back along Oak Rock Road to a point north of WQ 10 and headed west down a smaller and less used road. I observed a relatively new stream crossing at WQ 21 that appeared to be installed at channel grade (Photo 34 and Photo 35). Farther west, in the vicinity of WQ 22, I observed a watercourse approaching the road from the northeast, which is then directed along the northern boundary of the road before turning at a right angle and crossing the road through a culvert perpendicular to the road axis. The road approaching from the east is steep and likely contributes significant stormwater to the area. The hillslope to the south of the road segment that interrupts and parallels the watercourse is marked by a broad braided stream network. I observed an incised drainage immediately west from where the watercourse is culverted below the road (Photo 36).

From this point we returned to our vehicles parked on Oak Rock Road and had a tailgate discussion. I explained that a water quality certification (WQC) was required for all instream work and the Dischargers should submit applications for WQC at least 60 days before the planned start work date. I also explained that staff had provided comments on the submitted CRP to the Dischargers and the Regional Water Board had not yet received a revised plan following these comments. I informed Mr. Cahill that, although the Regional Water Board Executive Officer had not yet issued a final CAO, the Dischargers had delayed too long to implement cleanup and I anticipated I would recommend the Regional Water Board Executive Officer finalize the order if it appeared the Dischargers were not on track to perform cleanup work during next summer.

<i>Map point(s)</i>	<i>Feature</i>	<i>Brief Description</i>	<i>Water Quality Concern</i>	<i>Associated Photo(s)</i>
WQ 1- WQ 2, WQ 9, and WQ 19- WQ 20	roads concentrating storm water	Roads lack out sloping, rolling dips, or ditch relief culverts at sufficient intervals to prevent erosion by stormwater.	threatened discharge of waste to receiving waters	Photo 1- Photo 2, Photo 11- Photo 15, and Photo 32- Photo 33

<i>Map point(s)</i>	<i>Feature</i>	<i>Brief Description</i>	<i>Water Quality Concern</i>	<i>Associated Photo(s)</i>
WQ 3– WQ 8, WQ 10, WQ 13– WQ 14, and WQ 16– WQ 18	inadequate stream crossings.	Culverts have failed, are too small, or are poorly aligned resulting in channel erosion.	threatened discharge of waste to receiving waters	Photo 3– Photo 10, Photo 14– Photo 15, Photo 20– Photo 23, Photo 26– and Photo 31,
WQ 11	reservoir outlet armored with woody debris	Logs armoring channel outlet may be transported by stormflows.	threatened discharge of waste to receiving waters	Photo 17 and Photo 18
WQ 13 and WQ 14	waste in watercourse	scrap wood and metal placed in watercourses	discharge of waste to a suspected water of the state of California	Photo 20– Photo 23
WQ 15	waste potting soils	waste potting soils uncovered and adjacent to wetlands	threatened discharge of waste to receiving waters	Photo 25
WQ 15	greenhouse bordering wetlands.	Greenhouse is close to wetlands.	threatened discharge of waste to receiving waters	Photo 24
WQ 22	road redirecting watercourse	Road leading to historical cultivation area redirects drainage and concentrates stormwater.	threatened discharge of waste to receiving waters	Photo 36

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:

Road at WQ 1 collects stormwater in an inboard ditch and delivers it to the neighboring drainage to the south at WQ 2 instead of directing the flow to the northeast. The culvert at WQ 9 receives road runoff from a long section of road to the north and the watercourse receiving the culvert flow is incising. The road between WQ 9 and WQ 10 lacks drainage features and is hydrologically connected to a tributary to the west of WQ 20. The road leading to a historical cultivation area at WQ 22 interrupts a watercourse

2. Stream crossing maintenance and improvement:

Stream crossings at WQ 3 through WQ 8, WQ 10, WQ 13, WQ 14, WQ 16, WQ 17, WQ 18 and WQ 22 are either undersized, poorly aligned or have failed.

3. Riparian and wetland protection and management:

The greenhouse and associated waste potting soil pile at WQ 15 is adjacent to a wetland.

4. Spoils management: Other than the potting soils at WQ 15 discussed below, I did not observe any spoils piles.

5. Water storage and use:

The spring diversion at WQ 12 appears to be diverting 100 percent of natural flow.

6. Irrigation runoff:

I did not observe significant threats to water quality associated with irrigation runoff.

7. Fertilizers and soil amendments:

I observed a large pile of waste potting soils uncontained and adjacent to a wetland at WQ 15. The potting soils were hosting invasive thistles.

8. Pesticides:

I did not observe anything that I identified as pesticides on the property.

9. Petroleum products and other chemicals:

I did not observe petroleum products and other chemicals being stored or used on the property.

10. Cultivation-related wastes:

Landfill at WQ 13 includes waste cannabis plant stalks.

11. Refuse and human waste:

Landfills at WQ 13 and WQ 14 appear to be within watercourses.

Recommendations

1. I recommend the property owner(s) and/or tenant(s) immediately remove waste materials from watercourses at WQ 13 and 14, remove waste potting soils from areas adjacent to wetlands at WQ 15, and dispose of these wastes in accordance with applicable Humboldt County requirements.
2. I recommend the property owner(s) and/or tenant(s) retain a licensed professional to develop and submit a revised CRP that includes:
 - a. revisions recommended in Staff's May 1, 2019 comments,
 - b. plans to address controllable sediment sources identified in this inspection report that are not covered in the CRP submitted on March 7, 2019, such as:
 - i. replacing culverts that cross Pepperwood Springs Road along the northern boundary of the property,
 - ii. decommission stream crossings and hydrologically connected segments of historical roads that are not currently used such as the roads leading past WQ 13 and WQ 14, and WQ 21 and WQ 22,
 - iii. and hydrologically disconnect all roads from receiving waters that are planned to be kept in commission.
3. I recommend the property owner(s) and/or tenant(s) submit to the Regional Water Board an application for WQC for any proposed instream work, at least 60 days before the proposed start work date.

Application for Water Quality Certification under the Statewide Cannabis Order WQ 2019-0001-DWQ:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf

4. I recommend the property owner(s) and/or tenant(s) comply with requirements/directives from CDFW and the Division of Water Rights with respect to appropriate permitting/licensing for water source(s), diversion(s), storage, and use, and ensure that water storage features are modified/maintained so as to minimize the potential for adverse impacts to water quality and beneficial uses.

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.

Selected Photos



Photo 1—Looking south from WQ 1 toward WQ 2. Road collects stormwater and discharges to inboard ditch, shown in the right of the image before discharging into incising channel at WQ 2 pictured in the below photo.



Photo 2—Looking south and downstream at incised upstream stretch of watercourse at WQ 2.



Photo 3—Looking west at culvert outlet located at WQ 3. The culvert is perched, and the channel has incised below the outlet.



Photo 4—Looking south and downhill at culvert outlet located at WQ 3.



Photo 5—Stream channel in the vicinity of WQ 4.



Photo 6—Looking north at watercourse upstream from road at WQ 5.



Photo 7—Looking south at culvert outlet at WQ 5. The top of the culvert is visible to the center-right of the image.



Photo 8—Looking west at culvert outlet at WQ 6.



Photo 9—Looking west in the vicinity of the expected culvert outlet located at WQ 7.



Photo 10—Looking south at culvert outlet at WQ 8. The road prism has failed above the culvert outlet.



Photo 11—A 24-inch diameter corrugated plastic pipe extending from the road fill at WQ 9.



Photo 12 Looking west towards incising watercourse downstream from pipe at WQ 9.



Photo 13—A hole in the road surface connecting to ditch relief culvert below the road located north of WQ 10.



Photo 14—A 12inch diameter culvert perched above a scoured watercourse at WQ10.



Photo 15—The watercourse downstream from culvert pictured in previous image at WQ 10.



Photo 16—Looking east at the reservoir located at WQ 11.



Photo 17—Reservoir outfall at WQ 11. Note the cut logs armoring the channel where the reservoir outfall delivers to the receiving watercourse.



Photo 18—Looking upstream towards the reservoir outfall at WQ 11



Photo 19—Tank collecting spring water at WQ 12.



Photo 20—Waste lumber and plant stalks in a watercourse at WQ 13.



Photo 21—A buried culvert where a legacy road crosses the watercourse at WQ 13.



Photo 22— Scrap metal in a watercourse at WQ 14.



Photo 23— Looking west and downstream at scrap metal in a watercourse at WQ 14.



Photo 24— Looking west towards greenhouse located at WQ 15 from legacy road north of WQ 13.



Photo 25—Uncontained potting soils southwest of greenhouse located at WQ 15.



Photo 26—Looking downstream at two culverts, 12 inch and 18 inches in diameter, directed to an approximately five-foot-wide watercourse at WQ 16.



Photo 27—Looking upstream at the two culverts pictured in the previous image perched five feet above the receiving watercourse at WQ 16.



Photo 28—Looking west and downstream at inlet of a 15-inch diameter metal pipe located at WQ 17.



Photo 29—Looking east and upstream at WQ 17 where culvert discharges into the receiving water. The culvert, visible in the top center of the image is perched several feet above the channel.



Photo 30—Looking west and downstream at inlet of an 18-inch diameter culvert located at WQ 18.



Photo 31—Looking west at receiving waters from culvert at WQ 18



Photo 32—Looking east at road surface in the vicinity of WQ 19. From this location, stormwater is collected by the road and transported in an inboard ditch before leaving the road at WQ 20 pictured below.



Photo 33—Road in the vicinity of WQ 20. Shows a channel eroded in the road-surface from stormwater originating at WQ 19. Sediment laden stormwater threatens to deliver to a tributary to Sproul creek to the right and out of view of the image.



Photo 34—Inlet of an 18-inch diameter culvert at WQ 21.



Photo 35—Looking north at culvert outlet in the vicinity of WQ 21. The culvert is aligned with the stream bottom.



Photo 36—Looking at incised watercourse west of receiving drainage of watercourse that has been redirected by road in the vicinity of WQ 22.