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## North Coast Regional Water Quality Control Board

June 15, 2021

Substantial Green, INC  
Val Marinov  
345 Franklin Street  
San Francisco, CA 94102  
[vfinejewelry@gmail.com](mailto:vfinejewelry@gmail.com)

Certified Mail 7016 0750 0001 0048 7372

Vessela Iordanova and Ramtin Moghadam  
68 Ayamonte Court  
San Ramon, CA 94583  
[vfinejewelry@gmail.com](mailto:vfinejewelry@gmail.com)

Certified Mail 7016 0750 0001 0048 7389

Dear Val Marinov, Vessela Iordanova, and Ramtin Moghadam:

**Subject: Notice of Violation and Transmittal of Inspection Report for April 23, 2021 Inspection of Humboldt County Assessor's Parcel 217-401-003**

**File:** Cannabis Program Inspections, Humboldt County, April 2021  
CIWQS Place ID 849509; Cannabis General Order WDID: 1\_12CC402277

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's Parcel Number (APN) 217-401-003 (the Property):

1. State Water Resources Control Board Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order) various provisions
2. Water Quality Control Plan for the North Coast Region (Basin Plan) Section 4.2.1

According to our records, the cannabis cultivation operation located on this Property is enrolled for coverage under the Cannabis General Order as Tier 1, High Risk to water quality. On April 23, 2021, North Coast Regional Water Quality Control Board (Regional Water Board) staff (Staff) inspected the Property and observed water quality violations, as described herein. Within 30 days, please contact Regional Water Board staff to discuss your plan to correct the observed violations.

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GREGORY A. GIUSTI, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

## **Background**

On July 27, 2018, Val Marinov, on behalf of Substantial Green, INC, submitted information through the State Water Resources Control Board's (State Water Board's) online portal for discharges of waste associated with cannabis cultivation related activities for APN 217-401-003, and identified Vessela Iordanova and Ramtin Moghadam as landowners of the Property. Based on the information submitted by Val Marinov, the cannabis cultivation activities on this Property are classified as Tier 1 High Risk. Effective July 27, 2018, the Property was enrolled in Cannabis General Order WQ 2019-0001-DWQ, WDID 1\_12CC402277.

LandVision records show that as of February 10, 2020, the Property is owned by Ramtin Moghadam.

On April 23, 2021, staff from the Regional Water Board and the California Department of Fish and Wildlife (CDFW), inspected the Property, accompanied by you and your consultant, Green Roads Consulting. For Regional Water Board staff, 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 (Attachment B – April 23, 2021 Inspection Report). Please review the inspection report carefully and completely. The inspection report contains recommendations for correcting observed violations and advises you of required plans for stabilization of near-stream areas and the Regional Water Board permits necessary for instream work and projects/activities that result in discharges of waste to receiving waters.

## **Relevant Requirements**

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

## **Observed Violations**

As documented in the April 23, 2021 Inspection Report Regional Water Board, Staff observed violations of the Basin Plan and the Cannabis General Order as summarized in Table 1.

*Table 1. Summary of violations documented by Regional Water Board staff during the April 23, 2021 Inspection.*

<b>Locations</b>	<b>Violation Types</b>
WQ1-WQ10	State Water Resources Control Board Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order) Attachment A, Section 1 - General Requirements and Prohibitions, Terms 25-27, 32, and 37 and Section 2 - Requirements Related to Water Diversions and Waste Discharge for Cannabis Cultivation, Terms 2, 7-8, 10, 12, 14-17, 22, 24, 26, 28, 31, 48,49, 56, 57, 59, 60, 103, and 105.
WQ1-WQ4, WQ6-WQ10	Water Quality Control Plan for the North Coast Region (Basin Plan) Section 4.2.1 for actual and threatened discharges of sediment to watercourses

### **Site Management Plan (SMP)**

Pursuant to the Cannabis General Order, all enrollees must submit a Site Management Plan within 90 days of enrollment, and implement the measures identified therein. On your behalf, Green Roads Consulting developed and submitted an SMP, dated November 2018. As documented in the Inspection Report, Staff observed that the remediation treatments identified in the SMP had not been implemented according to the schedule contained in the SMP.

### **Disturbed Area Stabilization Plan (DASP)**

The Cannabis General Order enrollment in Tier 1 High Risk requires, in part, that a Disturbed Area Stabilization Plan be submitted for approval by the Executive Officer, describing measures to stabilize disturbed areas to prevent and minimize discharges and achieve the riparian setback requirements. As documented in the Inspection Report, a DASP has not been submitted for approval, although cannabis-cultivation related disturbance within riparian setbacks on the Property threatens the quality and beneficial uses of receiving waters.

For the purposes of Cannabis General Order, land disturbance is defined as including all activities whatsoever associated with developing or modifying land for cannabis cultivation, related activities, or access. Land disturbance activities include, but are not limited to, construction of roads, buildings, water storage areas, excavation, grading, and site clearing. Disturbed land includes cultivation areas, storage areas where soil or soil amendments (e.g., potting soil, compost, or biosolids) are located. All access roads and water crossings that have not been designed, constructed, and maintained consistent with the Handbook for Forest, Ranch, and Rural Roads and Attachment A of the Cannabis General Order, are considered disturbed areas, as well.

Note that the High Risk designation is considered to be a temporary condition, with the requirement that enrollees of High Risk sites will take steps to develop and implement Disturbed Area Stabilization Plans to stabilize disturbed areas, and cease all cannabis cultivation-related activities located within riparian setbacks. For this subject Property, once you have stabilized the riparian setback area, and the Regional Water Board approves the work, you can request to reclassify the site as either low or moderate risk, depending upon the site conditions, allowing a lower annual fee to be assessed. Your High-Risk designation is therefore temporary until you reconfigure your operations to comply with the riparian setback requirements, per an approved plan.

### **Additional 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 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**

As mentioned above, the April 23, 2021 Inspection Report provides recommendations to correct the alleged violations, as well as to address features and conditions that threaten to impact water quality.

**Within 30 days of this letter**, please advise Regional Water Board staff Adona White of your intentions, plan, and schedule to implement recommendations in the inspection report. If you have questions about what is required of you to comply with the requirements outlined above, and to advise as to your plan and schedule to correct the alleged violations, please contact Regional Water Board staff Adona White by email at [Adona.White@waterboards.ca.gov](mailto:Adona.White@waterboards.ca.gov) or by phone at (707) 576-2672.

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.

You may also contact me at [Diana.Henrioulle@waterboards.ca.gov](mailto:Diana.Henrioulle@waterboards.ca.gov). Additionally, we are available to meet with you if you wish to discuss this letter or our waste discharge regulatory programs in further detail.

Sincerely,

Diana Henrioulle, P.E.  
Enforcement Unit

210615\_ACW\_dp\_Marinov003\_NOV

Attachments: Attachment A - Regulatory Citations  
Attachment B - April 23, 2021 Facilities Inspection Report, Map, and  
Photo Appendix

**cc: North Coast Regional Water Quality Control Board**

[Northcoast.Cannabis@waterboards.ca.gov](mailto:Northcoast.Cannabis@waterboards.ca.gov)

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David Manthorne, [David.Manthorne@wildlife.ca.gov](mailto:David.Manthorne@wildlife.ca.gov)

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**Division of Water Rights**

Stormer Feiler, [Stormer.Feiler@waterboards.ca.gov](mailto:Stormer.Feiler@waterboards.ca.gov)

**Humboldt County Planning and Building**

Cliff Johnson, [CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)

### Attachment A- Regulatory Citations

<b>Regulatory Section</b>	<b>Citation</b>
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 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)”
Cannabis General Order, Cannabis Cultivation Policy Attachment A	<a href="https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf">https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf</a>  <a href="https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf">https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf</a>

## FACILITIES INSPECTION REPORT

Region/Office: 1	Status: Performed	Reg. Measure ID: 423066
Program Type: IRRICANNABIS	WDID: 1_12CC402277	Order Number: 2019-0001-DWQ
Scheduled Insp. Date: 04/23/2021	Actual Insp. Date: 04/23/2021	

### Discharger Information

Party ID: 581867	Discharger Organization Name: Substantial Green, Inc.		
Address: 345 Franklin Street	City, State, Zip: San Francisco, CA 94102		
Discharger Contact Person: Val Marinov	Discharger	347-504-3389	
	Contact Phone:		
Discharger Contact Email Address: vvfinejewelry@gmail.com			

### Facility Information

Place ID 849509	Facility Name: Substantial Green, Inc. - 217-401-003		
Address: 2929 Homestead Road	City, State, Zip: Blocksburg, CA 95514		
County: Humboldt	Latitude: 40.285973	Longitude: -123.680391	Method:

### Lead Inspector Information

Lead Inspector Party ID: 526285	Lead Inspector Name: Adona White		
Inspector Type:	<input checked="" type="checkbox"/> State	<input type="checkbox"/> State Contractor	<input type="checkbox"/> EPA Contractor
	<input type="checkbox"/> EPA and State (EPA Lead)	<input type="checkbox"/> EPA and State (State Lead)	<input type="checkbox"/> EPA (Regional)

## INSPECTION TYPE

Inspection Type: B Type compliance inspection

## VIOLATIONS

Were Violations noted during this inspection?  Yes  No

Violation ID	Violation Type	Occurrence Date	Rank	Description
1090826	Order Conditions	04/23/2021	B	State Water Resources Control Board Order WQ 2019-0001DWQ (Cannabis General Order) various provisions at locations WQ1-WQ10
1090827	Basin Plan Prohibition	04/23/2021	B	Water Quality Control Plan for the North Coast Region (Basin Plan) Section 4.2.1 at locations WQ1-WQ4, WQ6-WQ10.

### INSPECTION SUMMARY (REQUIRED) (500 character limit)

WQ1, WQ6, WQ9 - in 2021 hydrologically disconnect, shape & surface road to prevent discharge of sediment.  
 WQ2, WQ5, WQ7, WQ8 - submit Disturbed Area Stabilization Plan to remove soil, fill, and infrastructure from riparian setback  
 WQ2, WQ3, WQ4, W8 - Submit instream work/water quality certification application  
 WQ2, WQ7, WQ8 - restore natural channels & setback topography, revegetate  
 WQ8 - Decommission crossing and flat  
 WQ3, WQ4, WQ10 - hydrologically disconnect road, upgrade crossing

### GENERAL NOTES (OPTIONAL) (2000 character limit)

Locations on Figure 1.  
 WQ1 - 475 to 474, road is located east of and next to a watercourse, is undrained and is rilled.  
 WQ2 - 476 is a cultivation flat located within 20 feet of a Class III watercourse channel but drains away due to topography. Flat was constructed by pushing fill onto wood in the watercourse. Fill is eroded by flow. At 477, potting soil is dumped over outboard edge above watercourse.  
 WQ3 - 478 is a culvert (STX1 in SMP), too short and high, eroded outlet.  
 WQ4 - 479 is a culvert (STX2) located on a low gradient section of Class II watercourse still flowing water. The culvert is too short. The road segment leading west from the crossing is hydrologically connected to the crossing and carries runoff from the cultivation area (CA3) at 480.  
 WQ5 - Unlike upstream, downstream of the road crossing at WQ4, I observed extensive algae growth in channel, now desiccated. At 480, associated with CA3, areas hydrologically connected to the watercourse are used for storage and use of nutrients and soil.  
 WQ6 - Road in riparian area lacks shaping, drainage, and surfacing, has rills and sediment delivery to Class III watercourse.  
 WQ7 - At 484, CA5 greenhouse is in Class III setback, and CA5 is hydrologically connected to road and then to Class II watercourse at WQ8.  
 WQ8 - A Class II stream crossing at 481 (STX3) leads to cultivation flat CA6 that is not viable to grow due to setbacks. At 482, on the east end of the flat, potting soil placed over the edge onto the bank of a Class III. The flat is not drained and holds water.  
 WQ9 - Road surface discharges to watercourse.  
 476 is well. Tank pad at 475 should be evaluated for stability.  
 WQ10 - Crossing and onstream pond located on incised watercourse; needs work.  
 SMP identifies remediation treatments by 2019; it did not appear that any of the identified treatments have been completed. Need SMP update. Discharger has agreement for crossing work from CDFW but needs water quality certification.

For Internal Use (Optional)

Reviewed By:	(1)	(2)	(3)
CIWQS Entry Date:		Regional Board File Number:	CIWQS Inspection ID:



Figure 1. Inspection Map of APN 217-401-003, with aerial photo, watercourse dashed line, inspection route line, field GPS location numbers, and locations of water quality concern as WQ1-WQ10.

WQ1: Riparian road segment



*Figure 2. WQ1- steep dirt road segment id located next to watercourse, lacks drainage facilities or surfacing, and has developed rills and threatens sediment delivery to watercourse.*

WQ2: CA1 and CA2



*Figure 3. At 477 Potting soil is pushed over slope to Class III watercourse to the south of cultivation flat..*



*Figure 4. CA1*



*Figure 5. Cultivation waste near 476 dumped over slope to Class III watercourse.*



*Figure 6. Fill associated with the construction of the cultivation flat was pushed on top of logs and organic material in the Class III watercourse to the north.*



*Figure 7. Class II watercourse is incising with raw banks.*

**WQ3: Class II Watercourse Crossing**



**WQ4: Class II Crossing and hydrologically connected road and flat**



*Figure 8. Culvert inlet with road surface connection.*



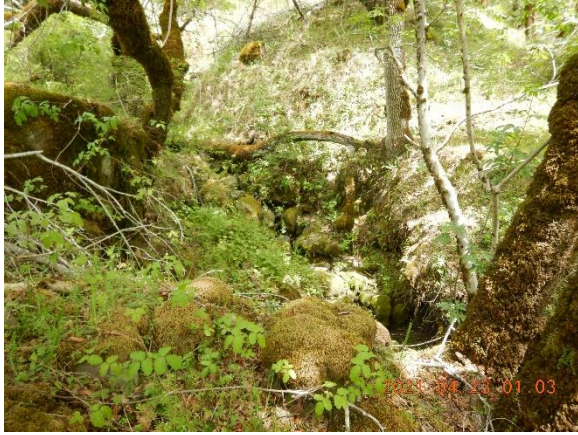
*Figure 9. Checker lily.*



*Figure 10. Checker lily.*



*Figure 11. Desiccated algae in Class II watercourse, downstream of stream crossing at WQ4.*



*Figure 12. Watercourse upstream of crossing, free of algae.*



*Figure 13. Drainage off road is directed to watercourse at WQ4.*



*Figure 14. Road segment to crossing; Class II watercourse crossing at WQ4 is located at tree on left of photo.*



*Figure 15. Rills on hydrologically connected steep road segment.*



*Figure 16. Road and portion of greenhouse flat are hydrologically connect to watercourse at WQ4.*

WQ5: Class II watercourse setback



*Figure 17. Stored items in front area of greenhouse that drains to watercourse at WQ4.*

WQ6: Riparian road with discharge to  
Class III watercourse



*Figure 18. Greenhouse and other related facilities drain to riparian road, which discharges to the adjacent watercourse.*



*Figure 19. A daylighted seep located along a cut bank is ditched and routed around the building and discharged to the hydrologically connected road at WQ6.*



*Figure 20. Riparian road at WQ6 lacks drainage structures and is hydrologically connected to adjacent watercourse.*



*Figure 21. Discharge from road to steep slope to watercourse.*



Figure 22. Sediment deposition along flowpath from riparian road to watercourse at WQ6.

WQ7: Greenhouse at CA5 in setback and hydrologically connected to watercourse



Figure 23. Interior of greenhouse at WQ7.



Figure 24. Exterior of greenhouse at WQ7. Drainage from the flat is routed to a ditch along the cutbank and drains to road and watercourse.



Figure 25. A drain pipe from the greenhouse at WQ7 is discharged on to the road near 484.



Figure 26. High concentration, water soluble fertilizer.



Figure 27. Feed tank located outside of greenhouse.



Figure 30. Debris in Class III.

WQ8:



Figure 28. Behind the greenhouse at WQ7 is soil potting area located within the riparian setback



Figure 31. Road out to flat not viable for cultivation.



Figure 29. Soil pile located on bank of Class III watercourse at WQ7.



Figure 32. Class II watercourse crossing at 481.



*Figure 33. WQ -Watercourse upstream of watercourse crossing at 481.*



*Figure 35. WQ8 -Constructed flat cut bank looking north.*



*Figure 34. WQ8 – Constructed flat not viable for cultivation due to riparian setbacks, including along watercourse to south. Flat is poorly drained and holds water.*



*Figure 36. WQ8 – Fill slope looking north.*



*Figure 37. WQ8 – Fill slope looking west.*



Figure 38. WQ8 – Soil pile over bank of old cultivation flat.

WQ9: Road surface erosion, transport, and delivery



Figure 39. WQ9 – Road segments combine and concentrate stormwater at 485.



Figure 40. WQ9 – Concentrated stormwater is discharged to watercourse at 485.



Figure 41. WQ9 – sediment deposition on bank of class III watercourse on flowpath from road to stream at 485.

Well and tanks:



Figure 42. Well and water tanks at 486.



Figure 43. Fill slope of tank pad at 486 is steep.

WQ10: Pond



*Figure 44. Looking down at wetland area upslope of pond.*



*Figure 45. Channel upstream of road and pond.*



*Figure 46. Scoured channel downstream of road and upstream of pond.*



*Figure 47. Pond at overflow pipe, minimal free-board.*



*Figure 48. Cracks in berm near outlet pipe.*



*Figure 49. Pond outlet pipe downspout to channel with rock recently placed.*