



North Coast Regional Water Quality Control Board

June 25, 2021

Certified Mail 7016 2070 0000 6486 1930

V & P Organics, LLC
PO BOX 25
Garberville, CA 95542

Certified Mail 7016 2070 0000 6486 1923

Pitt Varbano
1271 Evergreen Road PMB 717
Redway, CA 95560
gvarbanova71@gmail.com

To Whom It May Concern:

Subject: **Notice of Violation and Transmittal of Inspection Report for May 26, 2021 Inspection of Humboldt County Assessor's Parcel 033-221-005-000**

File: Cannabis Program Inspections, Humboldt County, May 26, 2021,
WDID 1_12CC415926 CIWQS Place ID 825019

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 Numbers: 033-221-005-000 (the Property):

1. General Order No. WQ 2019-0001-DWQ, Attachment A

On May 26, 2021, North Coast Regional Water Quality Control Board (Regional Water Board) staff (Staff) inspected the Property and observed active cannabis cultivation occurring in hoop-house style greenhouses. Accordingly, this letter directs you to address the violations noticed herein. Within 30 days, please contact Regional Water Board staff to discuss your plan to correct the observed violations.

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

5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403 | www.waterboards.ca.gov/northcoast

Background

On May 26, 2021, staff from the Regional Water Board, accompanied by staff of California Department of Fish and Wildlife and personnel from the Humboldt County Sheriff's Office, inspected the Property. 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 –Facilities Inspection Report and Attachment C – Inspection Map and Photolog). Please review the inspection report carefully and completely. The inspection report contains recommendations for correcting observed violations 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.

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 May 26, 2021 inspection report, Regional Water Board staff observed violations of the General Order No. WQ 2019-0001-DWQ. Staff observed these violations at Property locations identified in the inspection report as CA1 and CA2, SOIL, and BLDR.

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.

Inspection Report Recommendations

As mentioned above, the May 26, 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 Shannon Utley 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 Shannon Utley by email at Shannon.Utley@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.

You may also contact me at Mona.Dougherty@waterboards.ca.gov or by phone at (707) 445-6129. 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,

Mona Dougherty, P.E.
Senior Water Resource Control Engineer
Northern Cannabis Permitting Unit

210625_V&P_Organics_NOV

Attachments: Attachment A - Regulatory Citations
 Attachment B – Facilities Inspection Report
 Attachment C – Inspection Map and Photolog

Certified Mail – Return Receipt requested

cc: **North Coast Regional Water Quality Control Board**
 Northcoast.Cannabis@waterboards.ca.gov
 Claudia Villacorta, Claudia.Villacorta@waterboards.ca.gov
 Kason Grady, Kason.Grady@waterboards.ca.gov
 Shannon Utley, Shannon.Utley@waterboards.ca.gov

Division of Water Rights

Stormer Feiler, Stormer.Feiler@waterboards.ca.gov

Taro Murano, Taro.Murano@waterboards.ca.gov

Department of Fish and Wildlife

Scott Bauer, Scott.Bauer@wildlife.ca.gov

Humboldt County Sheriff's Office

Sergeant Conan Moore, cmoore@co.humboldt.ca.us

Deputy Shane Steele, ssteele@co.humboldt.ca.us

Attachment A – Regulatory Citations

Regulatory Section	Citation
Cannabis policy and General Order No. WQ 2019-0001-DWQ	State Water Resources Control Board Cannabis Cultivation Policy and General Waste Discharge Requirements Order No. WQ 2019-0001-DWQ for Discharges of Waste Associated with Cannabis Cultivation Activities https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attachment_a.pdf and https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf

FACILITIES INSPECTION REPORT

Region/Office: 1	Status: Performed	Reg. Measure ID: 430534
Program Type: IRRICANNABIS	WDID: 1_12CC415926	Order Number: 2019-0001-DWQ
Scheduled Insp. Date:	Actual Insp. Date: 05/26/2021	

Discharger Information

Party ID: 556325	Discharger Organization Name: V & P Organics LLC	
Address: 1271 Evergreen Road Boulevard Pmb#717	City, State, Zip: Redway, CA 95560	
Discharger Contact Person: Christopher Carroll	Discharger Contact Phone:	Multiple Phone Numbers
Discharger Contact Email Address: Multiple Email Addresses		

Facility Information

Place ID 825019	Facility Name: V & P Organics LLC CO	
Address:	City, State, Zip: CA	
County: Humboldt	Latitude: 40.01853897	Longitude: -123.7802948 Method:

Lead Inspector Information

Lead Inspector Party ID: 545131	Lead Inspector Name: Shannon Utley		
Inspector Type:	<input checked="" type="checkbox"/> State	<input type="checkbox"/> State Contractor	<input type="checkbox"/> EPA Contractor <input type="checkbox"/> EPA (Regional)
	<input type="checkbox"/> EPA and State (EPA Lead)	<input type="checkbox"/> EPA and State (State Lead)	

INSPECTION TYPE

Inspection Type: Miscellaneous inspection

VIOLATIONS

Were Violations noted during this inspection? ☒ Yes ☐ No

Violation ID	Violation Type	Occurrence Date	Rank	Description
1091364	Order Conditions	05/26/2021	B	State Water Resources Control Board General Order No. WQ 2019-0001-DWQ requiring secondary containment for water storage bladders.

INSPECTION SUMMARY (REQUIRED) (500 character limit)**Recommendations:**

Update the existing site management plan (SMP) now that cultivation is occurring and reassess the storage of soil, water, and cultivation infrastructure on the property. Submit the updated SMP to the North Coast Regional Water Board within 90 days.

Develop appropriate secondary containment for water storage bladders per the requirements of the Cannabis General Order (No. WQ 2019-0001-DWQ).

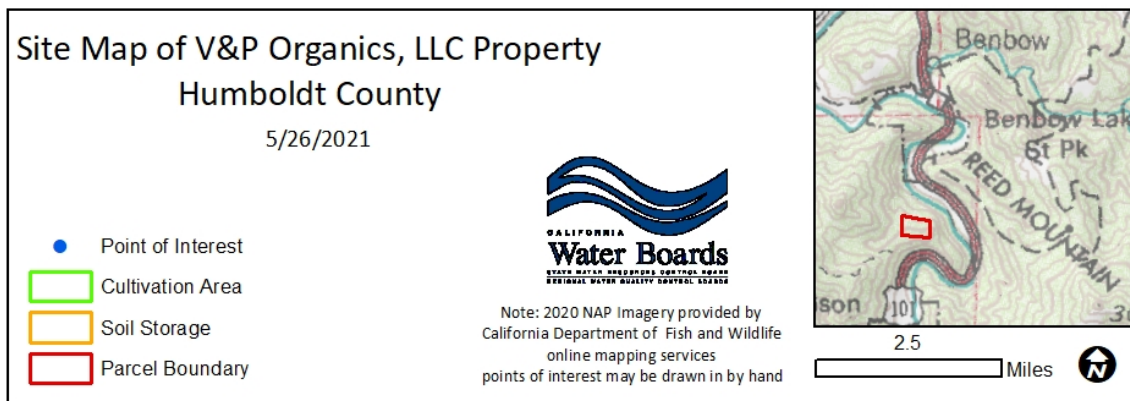
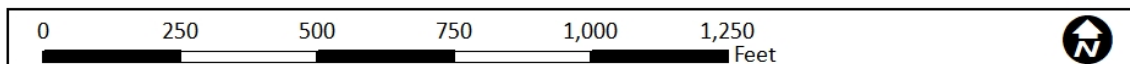
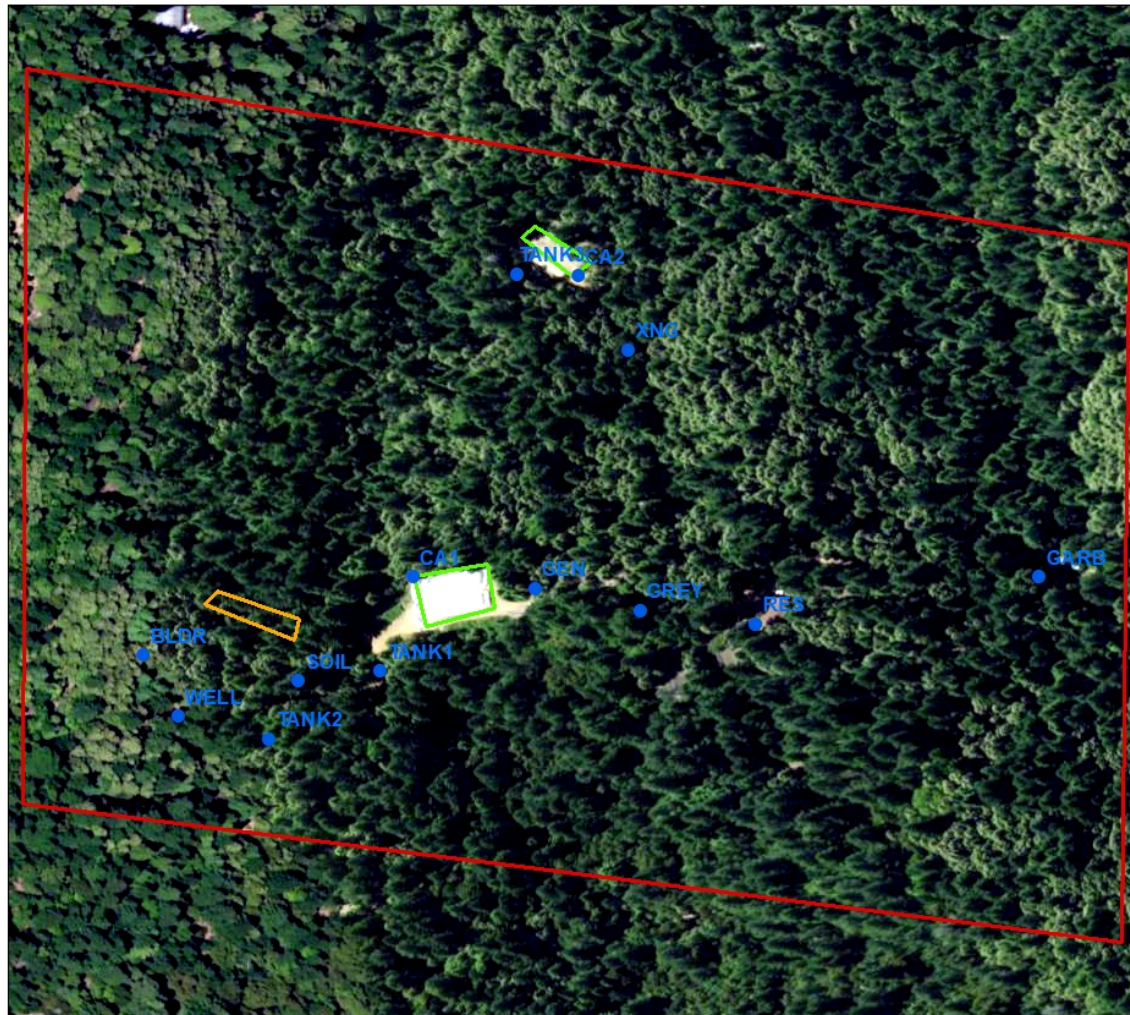
GENERAL NOTES (OPTIONAL) (2000 character limit)**Inspection Description:**

The May 26, 20121, inspection was associated with a criminal search warrant and only portions of the Property were viewed. Please see the attached Map and Appendices for locations and details about features of water quality concern. Active cannabis cultivation was occurring in two locations on the Humboldt County Accessor Parcel Number 033-221-005-000 (hereafter the Property) which is currently enrolled under General Order No. WQ 2019-0001-DWQ. Active cannabis cultivation was occurring inside hoop-house style greenhouses at two locations on the Property (CA1 and CA2 on the Inspection Map). Adjacent to cultivation area CA2 was a Class III watercourse with a culverted stream crossing (XNG). Water storage bladders (BLDR) with approximately 50,000 gallons maximum storage were half full and did not have secondary containment. Cultivation related potting soil (SOIL) and other infrastructure was being stored outside and uncovered along a road segment storage. A greywater discharge pipe (GREY) from an outdoor sink discharged to the ground surface at a structure near the residence (RES).

For Internal Use (Optional)

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

Attachment C – Inspection Map and Photolog



All photographs and GPS locations were taken by Shannon Utley, North Coast Regional Water Quality Control Board

Photo 1: View of hoop-house style greenhouses at cultivation area CA1



Photo 2: Additional view of hoop-house style greenhouses at cultivation area CA1



Photo 3: View of hoop-house style greenhouses at cultivation area CA2



Photo 4: Alternate view of hoop-house style greenhouses at cultivation area CA2



Photo 5: View of the well located near cultivation area CA1



Photo 6: Closer view of the well located on the property.



Photo 7: Half full water storage bladders without secondary containment



Photo 8: Water storage bladders without secondary containment.



Photo 9: Cultivation related potting soil stored on a road segment near CA1



Photo 10: Uncovered potting soil storage area located near CA1



Photo 11: View of the sink and greywater pipe near the residence



Photo 12: Closer view of the sink associated with greywater pipe



Photo 13: View stream crossing XNG
inlet near CA2



Photo 14: View of stream crossing XNG
outlet near CA2

