



North Coast Regional Water Quality Control Board

October 13, 2022

Eugene Woodstock
360 Grey Cliff Ln
Garberville, CA 95542

Certified Mail No. 7021 0950 0001 6499 8968

Dear Eugene Woodstock:

Subject: Notice of Violation, Transmittal of Inspection Report for September 15, 2022, Inspection of Humboldt County Assessor's Parcel No. 033-081-056-000, and Requirement to Respond within 30 days

File: Cannabis Program Inspections, Humboldt County, September 15, 2022, CIWQS Place ID 859712

THIS LETTER REQUIRES THAT YOU ACT WITHIN 30 DAYS

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: 033-081-056-000 (the Property):

1. State Water Resources Control Board Order No. WQ 2019-0001-DWQ General Waste Discharge Requirements and Waiver of 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 Prohibition 2

On September 15, 2022, North Coast Regional Water Quality Control Board (Regional Water Board) staff inspected the Property and observed active outdoor cannabis cultivation.

Background

On July 11, 2019, Green Cliff Farms, Inc (Applicant) 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 033-081-056-000, and listed Eugene Woodstock as landowner of the Property; the same mailing address was provided for the Applicant and Eugene Woodstock. Based on the information submitted by the Applicant, the cannabis cultivation activities are classified as 1L. Effective July 28, 2020, the Property was enrolled into State Cannabis Order No. WQ 2019-0001-DWQ, WDID 1_12CC420247.

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

LandVision records show that the Property was sold to Eugene Woodstock by Wanda D Sousa and The Sousa Family Trust, on April 17, 2015.

On September 15, 2022, staff from the Regional Water Board, accompanied by staff of the California Department of Fish and Wildlife (CDFW), State Water Board Division of Water Rights, and personnel of various law enforcement agencies 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. During the inspection, staff observed cannabis cultivation operations of sufficient size and scope to require regulatory coverage under the Cannabis General Order.

Attached is a copy of the water quality inspection report (Attachment B – Property 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 may 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 September 15, 2022, inspection report, Regional Water Board staff observed violations of the Water Quality Control Plan for the North Coast Basin (Basin Plan) Section 4.2.1 Prohibition 2. In addition, staff observed violations of the Cannabis General Order Attachment A, Section 1 - General Requirements and Prohibitions Nos. 25-27, and Section 2 - Requirements Related to Water Diversions and Waste Discharge for Cannabis Cultivation Nos. 3-4, 8, 15-16, 28, 31, 48-51, 53, 56, 59, 61-62, 113, 119-120, 126, and 130. Staff observed these violations at Property locations identified in the inspection report as WQ1 through WQ5.

Site Management Plan (SMP)

Pursuant to the Cannabis General Order, all enrollees must submit a Site Management Plan within 90 days of enrollment. As of the date of this letter, no SMP has been submitted. Additionally, and the deadline for submitting your SMP has passed.

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 pursuant to Water Code section 13350.

Inspection Report Recommendations

As mentioned above, the September 15, 2022, 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 Ermias Berhe 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 Ermias Berhe by email at Ermias.Berhe@Waterboards.ca.gov or by phone at (707) 445-6128.

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
Senior Water Resources Control Engineer

Filename 220915_Eugene Woods_NOV_Report

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
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Kason Grady, Kason.Grady@waterboards.ca.gov
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Division of Water Rights

Taro Murano, Taro.Murano@waterboards.ca.gov
Christopher Van De Wyngard, Christopher.VandeWyngard@waterboards.ca.gov
Ryan Babb, Ryan.Babb@waterboards.ca.gov
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Department of Fish and Wildlife

Ryan Bourque, ryan.bourque@wildlife.ca.gov
Cheri Sanville, cheri.sanville@wildlife.ca.gov

County Sheriff's Office

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

County Planning and Permitting

Robert Russell, rrussell@co.humboldt.ca.us

Department of Cannabis Control

Marlen Richmond, marlen.richmond@cannabis.ca.gov

Attachment A – Regulatory Citations

Regulatory Section	Citation
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 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

Attachment B – Facilities Inspection Report

FACILITIES INSPECTION REPORT

Region/Office: 1	Status: Performed	Reg. Measure ID: 432977

Discharger Information

Party ID: 600077	Discharger Organization Name: Green Cliff Farms, Inc		
Address: 360 Graycliff Road	City, State, Zip: Garberville, CA 95542		
Discharger Contact Person:	Eugene Woodstock	Discharger Contact Phone:	510-435-5904
Discharger Contact Email Address: greencliffarms@gmail.com			

Facility Information

Place ID: 859712	Facility Name: Green Cliff Farms, Inc		
Address: 360 Graycliff Road	City, State, Zip: Garberville, CA 95542		
County: Humboldt	Latitude: 40.071702	Longitude: -123.772714	Method:

Lead Inspector Information

Lead Inspector Party ID: 591567	Lead Inspector Name: Ermias Berhe		
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: Miscellaneous inspection

VIOLATIONS

Were Violations noted during this inspection? Yes No

Violation ID	Violation Type	Occurrence Date	Rank	Description
1109184	Order Conditions	09/15/2022	B	Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order) various provisions at WQ3-WQ5
1109185	Basin Plan Prohibition	09/15/2022	B	Water Quality Control Plan for the North Coast Region (Basin Plan) Section 4.2.1 Prohibition 2 at a watercourse crossings WQ1 and WQ2

INSPECTION SUMMARY (REQUIRED) (500 character limit)

Recommendation:

1. Remove or properly contain the soil at inspection point WQ5, cannabis plant waste southwest of WQ5 and other plant waste at WQ3 to prevent discharge during a storm event.
2. Retain a Qualified Professional to assess the conditions of stream crossings at WQ1 and WQ2 and submit a 401 Water Quality Certification Application to address applicable water quality issues.
3. Submit a Site Management Plan (SMP) with a timeline for compliance and all required Annual Monitoring Report.

GENERAL NOTES (OPTIONAL) (2000 character limit)

As of the date of this inspection report, the Site Management Plan (SMP) and Annual Monitoring Reports for Fiscal Years 2020 and 2021 have not been submitted. Additionally, the annual fee for FY 2021 has not been paid.

On the southeastern corner of the property, I observed two culverted partially clogged watercourses at WQ1 and WQ2 threatening sediment delivery to surface waters. I also observed cannabis cultivation areas north of Inspection Point WQ4 on the eastern portion of the property. I observed uncontained or improperly stored plant waste at Inspection Point WQ3, uncontained potting soil at Inspection Point WQ5 and cannabis plant waste southwest of WQ5 threatening sediment and waste delivery to surface waters during storm events.

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



Figure 1 inspection map

Photo Log of September 15, 2022, Inspection of Eugene Woodstock Property, Humboldt County APN 033-081-056-000

Photos taken by Ermias Berhe unless noted otherwise



Photo 1: Partially clogged outlet of a culverted stream crossing at inspection point WQ1



Photo 2: vegetated stream channel at the inlet of a partially clogged stream crossing at inspection point WQ1



Photo 3: Vegetation covered inlet of a culverted stream crossing at inspection point WQ2



Photo 4: Outlet of a culverted crossing covered with vegetation at inspection point WQ2



09.15.2022 12:35

Photo 5: Uncontained/uncovered plant waste at inspection point WQ3



09.15.2022 12:36

Photo 6: Cultivation areas looking north from inspection point WQ4



09.15.2022 12:38

Photo 7: uncovered/uncontained soil at Inspection point WQ5



09.15.2022 12:44

Photo 8: cannabis cultivation waste southwest of Inspection point WQ5



09.15.2022 12:43

Photo 7: Water Storage tanks at Inspection point WQ6