



North Coast Regional Water Quality Control Board

December 8, 2022

Certified Mail No. 7021 0950 0001 6500 0103

Daniel Maldonado Suarez
3554 Princeton Drive
Santa Rosa, CA 95405

Dear Mr. Suarez,

Subject: Notice of Violation for Failure to Comply with Cleanup and Abatement and Water Code Section 13267 Order No. R1-2022-0016 (Order) Required Action Nos. 1 and 4

File: Cannabis Enforcement, Mendocino County, 2021, APN 011-530-09-01, Daniel Maldonado Suarez, CIWQS Place ID No. 874450

This letter provides notice that you are in violation of Required Action Nos. 1 and 4 of the above-referenced Order, for failure to submit a complete and acceptable Cleanup, Restoration, and Monitoring Plan (CRMP) by May 1, 2022, and for failure to complete implementation of an approved CRMP by October 15, 2022.

Background

On March 17, 2022, the Executive Officer of the North Coast Regional Water Quality Control Board (Regional Water Board) issued the Order to you. The Order pertains to the discharge and threatened discharge of waste to waters of the state on Mendocino County Assessor's Parcel Number 011-530-09-01 (the Property), for which you own.

On April 12, 2022, your agent, Mr. Severdia, submitted a petition to the State Water Resources Control Board (State Water Board) requesting a review and stay of the Order, but the State Water Board did not take action and the petition and request to stay the Order were dismissed by operation of law on July 12, 2022. Therefore, the Order and its required actions remain in effect.

Required Action No. 1 of the Order requires you to submit a proposed CRMP by May 1, 2022, that is acceptable to the Regional Water Board or its delegated officer. The Regional Water Board has not received a proposed CRMP from you or your agent. Required Action No. 4 of the Order requires you to fully implement and complete the actions contained in an approved CRMP by October 15, 2022. You will need to submit a proposed CRMP and obtain approval before you can comply with this requirement.

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

On October 4, 2022, I met with you and your agent and clarified the requirements of the CAO and urged you to hire a qualified professional to develop plans to comply with the terms of the Order.

Noncompliance

Required Action No. 1, submittal of an adequate and complete CRMP for approval, is a condition of the Order required pursuant to Water Code section 13267. Required Action No. 4, complete implementation of the CRMP, is a condition of the Order required pursuant to Water Code section 13304. Violations of requirements imposed pursuant to Water Code section 13267 may result in administrative civil liability of up to \$1,000 per day pursuant to Water Code section 13268. Violations of requirements imposed pursuant to Water Code section 13304 may result in administrative civil liability of up to \$5,000 per day pursuant to Water Code section 13350.

You have failed to submit a proposed CRMP for approval by May 1, 2022, resulting in 221 days of violation as of December 8, 2022. Additionally, you have failed to complete implementation of an approved CRMP by October 15, 2022, resulting in 54 days of violation as of December 8, 2022. These violations are ongoing and will accrue additional days of violation until the required actions are satisfied.

Please contact my staff member Brian Fuller at (707) 576-2806 or by email at Brian.Fuller@waterboards.ca.gov, or myself at (707) 576-2835 or by email at Jeremiah.Puget@waterboards.ca.gov if you have any questions about this letter or the actions required under the Order.

Sincerely,

Jeremiah Puget
Senior Environmental Scientist
Enforcement Unit

Certified Mail – Return Receipt requested

cc: **Discharger's agent**
Jim Severdia, nvmtnman@yahoo.com

Department of Fish and Wildlife
Ryan Bourque, Ryan.Bourque@wildlife.ca.gov
Scott Bauer, Scott.Bauer@wildlife.ca.gov

State Water Resources Control Board. Office of Chief Counsel

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North Coast Regional Water Quality Control Board

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