



North Coast Regional Water Quality Control Board

August 25, 2023

Chong Lor
PO Box 427
Hayfork, CA 96041

Dear Chong Lor:

Subject: Notice of Violation, Transmittal of Inspection Report for August 2, 2023, Inspection of Trinity County Assessor's Parcel Number 019-490-029, and Requirement to Respond within 30 days

File: Cannabis Program Inspections, Trinity County, August 2, 2023, CIWQS Place ID 874130

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 Trinity County Assessor's Parcel Number 019-490-029 (the Property):

1. State Water Resources Control Board (State Water 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. California Water Code (Water Code) Section 13264(a)

According to our records, the cannabis cultivation operation located on this Property is enrolled for coverage under the Cannabis General Order as tier 1, low risk.

On August 2, 2023, North Coast Regional Water Quality Control Board (Regional Water Board) staff inspected the Property and observed cannabis cultivation in raised beds. Within 30 days, please contact Regional Water Board staff to discuss your plan to correct the observed violations.

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

Background

On May 18, 2021, Kristiana Wright submitted information through the State Water Board's online portal for discharges of waste associated with cannabis cultivation related activities for the Property and listed Chong Lor as landowner of the Property and as the cultivator. Based on the information submitted by Kristiana Wright, the cannabis cultivation activities are classified as tier 1, low risk. Effective June 23, 2021, the Property was enrolled into the Cannabis General Order with WDID 1_53CC435716.

On August 2, 2023, staff from the Regional Water Board, accompanied by staff of the California Department of Fish and Wildlife, 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.

Attached is a copy of the water quality inspection report (Attachment B – Inspection Report and Attachment C – Inspection Photo Log). Please review the inspection report carefully and completely. The inspection report contains recommendations for correcting observed violations.

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 August 2, 2023, inspection report, Regional Water Board staff observed violations of the California Water Code section 13264(a). In addition, staff observed violations of the Cannabis General Order Attachment A, Section 1 - General Requirements and Prohibitions Nos. 32 and 37 and Section 2 - Requirements Related to Water Diversions and Waste Discharge for Cannabis Cultivation Nos. 7, 8, 10, 15, 17, 22, 57, 62, 104, 105, 114, 117, 119, and 123.

Additional Potential Liabilities

The Regional Water Board is in the process of considering whether the violations of the Water Code 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.

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
Mona Dougherty, Mona.Dougherty@waterboards.ca.gov

California Department of Fish and Wildlife
Ashley Worth, Ashley.Worth@wildlife.ca.gov
Jennifer VanDyke, Jennifer.Vandyke@Wildlife.ca.gov
Travis Jarrett, Travis.Jarrett@wildlife.ca.gov

Attachment A – Regulatory Citations

Regulatory Section	Citation
California Water Code Section 13264(a)	<p>“No person shall initiate any new discharge of waste or make any material changes in any discharge, or initiate a discharge to, make any material changes in a discharge to, or construct, an injection well, prior to the filing of the report required by Section 13260 and no person shall take any of these actions after filing the report but before whichever of the following occurs first: (3) The issuance of waste discharge requirements pursuant to Section 13263. (2) The expiration of 140 days after compliance with Section 13260 if the waste to be discharged does not create or threaten to create a condition of pollution or nuisance and any of the following applies:... (3) The issuance of a waiver pursuant to Section 13269.”</p>
Cannabis Policy and General Order No. WQ 2019-0001-DWQ	<p>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_attach_a.pdf) and (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf)</p>

FACILITIES INSPECTION REPORT

Region/Office: 1	Status: Performed	Reg. Measure ID: 443356

Discharger Information

Party ID: 624493	Discharger Organization Name: Lor, Chong		
Address: Po Box 427	City, State, Zip: Hayfork, CA 96041		
Discharger Contact Person: Chong Lor	Discharger	530-768-9173	
		Contact Phone:	
Discharger Contact Email Address: chonglor1973@gmail.com			

Facility Information

Place ID 874130	Facility Name: Chong Lor		
Address: 8661 Rattlesnake Road	City, State, Zip: Hayfork, CA 96041		
County: Trinity	Latitude: 40.401132	Longitude: -123.249264	Method:

Lead Inspector Information

Lead Inspector Party ID: 569684	Lead Inspector Name: Katherine Hawken		
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
1119476	Other Codes	08/02/2023	B	California Water Code Section 13264

INSPECTION SUMMARY (REQUIRED) (500 character limit)

Observations:
 I observed access to the property requires driving through Post Creek. I observed cannabis plants in raised beds, with fertilizer containers, in a cultivation area that spanned multiple parcels (Photo 1). I observed restricted use pesticide Abacus (Photo 2). I observed an onstream pond with plastic tarps and tires in the stream, and tires in the berm (Photo 3). I observed the pond berm/ road prism was bare dirt and eroding into the stream (Photo 4).

GENERAL NOTES (OPTIONAL) (2000 character limit)

Observations continued:
 Across from the pond I observed a well, generator, and portable toilet (Photo 5). I observed cannabis plants, cultivation related waste, and sediment from terraces perched above a dry streambed (Photo 6). I observed a pump with a petroleum product spill beneath it (Photo 7). I left a field notice on the property with the warrant (Photo 8).

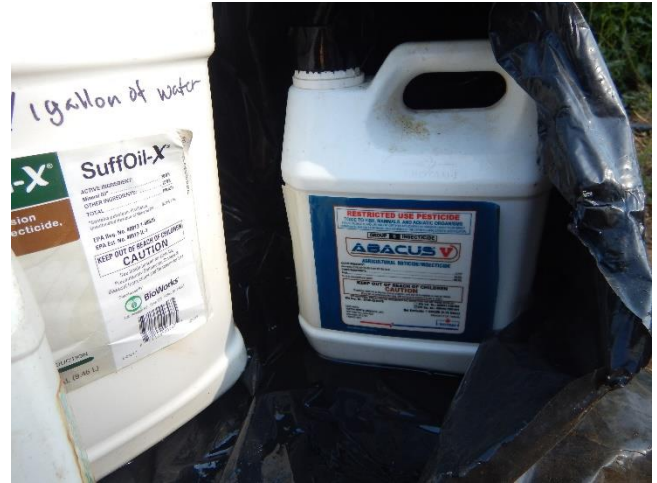
Recommendations:

1. Adhere to the California Department of Pesticide Regulation guidance on appropriate pesticide use for cannabis cultivation.
2. Retain a qualified professional to assess the pond and berm’s stability, and apply for a 401 Water Quality Certification prior to work in stream.
3. Store and contain all cultivation-related waste, and chemicals, including fertilizers, pesticides, and petroleum products, properly to prevent spillage and potential for migration/transport into receiving waters. Store generator and pump in an area with secondary containment.
4. Relocate all cannabis cultivation activities, supplies, and trash outside of the riparian setbacks (50 feet from Class III, 100 feet from Class II, 150 feet from Class I).

For Internal Use (Optional)

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

Chong Lor Inspection Photo Log
Photos taken by Kate Hawken on August 2, 2023



Photos 1 and 2: Cannabis plants in raised beds with fertilizer containers (left). Pesticides including restricted use Abacus (right).



Photos 3 and 4: Onstream pond with plastic tarps and tires in stream and in berm (left). Bare dirt berm/ road prism (right).



Photo 5: Well, generator, and portable toilet.



Photo 6: Cultivation related waste and sediment perched above dry stream.

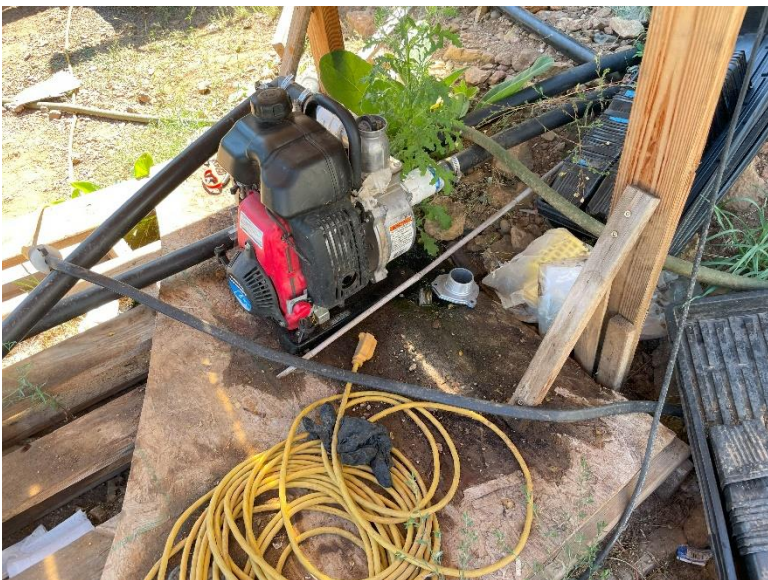


Photo 7: Pump with petroleum product spill on wooden board.

**-FIELD NOTICE-
WATER QUALITY VIOLATIONS**



NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD STAFF HAVE OBSERVED CERTAIN VIOLATIONS OF THE CALIFORNIA WATER CODE RELATED TO WATER QUALITY AND CANNABIS CULTIVATION ON THIS PROPERTY.

I. Inspection Information

Date: 8/2/23 Inspector: KAR Hawken
 Owner: Long Inc Operator: _____
 Address: _____ APN: 019-440-079

II. California Water Code Violations

- Water Code 13260.** Commercial cannabis cultivation with site conditions requiring regulatory coverage for waste discharge or proposed discharge that could affect the quality of the water of the state, with no record of regulatory coverage in CIWQS Water Boards' database. See Section III.
- Water Code 13264.** Actual discharges of waste without regulatory coverage or material changes to existing authorized waste discharge activities without regulatory coverage. See Section III.

These violations may subject you to civil or criminal liability. See reverse for code text.

III. Conditions of Discharge or Proposed/Threatened Discharge Affecting Waters of the State (REQ'D)

Actual Discharge	Threatened Discharge	Brief description and location:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sediment/Fill <u>improvement</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Soils/Potting Material <u>in creek</u>
<input type="checkbox"/>	<input type="checkbox"/>	Runoff
<input type="checkbox"/>	<input type="checkbox"/>	Fertilizers/Pesticides
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Petroleum/Chemicals
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cultivation Waste <u>in creek</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refuse/Debris/Human Waste <u>in creek</u>
<input type="checkbox"/>	<input type="checkbox"/>	Other

Notes: _____

Unauthorized discharges of waste as defined in Water Code section 13050 may subject you to fines of up to \$5,000/day per violation, pursuant to Water Code section 13350. See reverse for code text.

IV. Actions To Be Taken

YOU ARE HEREBY PROVIDED NOTICE OF THESE VIOLATIONS AND THE NEED TO RESOLVE THEM.

Please contact Kate Hawken at Kathrine.Hawken @waterboards.ca.gov or (707) 445-6127, within 72 hours to discuss your intentions to correct these violations.

Please note: The violations outlined in this notice are not a description of all recorded Water Code violations on the property. You will receive a complete Inspection Report and Notice of Violation in approximately 30 days. Additional actions may also be required to address violations documented by other local or state departments/agencies. You must comply with all applicable requirements for cleanup activities which may require permits. Failure to obtain applicable permits and comply with applicable requirements may subject you to additional violations and enforcement action.

Inspector Signature: [Signature] Date: 8/2/23
 Delivery Method of Notice: with warrant

Photo 8: Field notice left on property with warrant.