



North Coast Regional Water Quality Control Board

March 6, 2023

Aleksandar Aleksandrov
Otto Farms LLC
OPENROAD AGENCY LLC
2515 43rd Street
Astoria, New York 11103

Certified Mail: 7021-0950-0001-6500-0738

Subject: Notice of Violation of Cleanup and Abatement and 13267 Order No. R1-2021-0053 for Humboldt County Assessor's Parcel Numbers 208-111-020 and 208-111-021

File: Cannabis Program, Humboldt County, CIWQS Place IDs 829405 and 829393

Dear Aleksandar Aleksandrov, Otto Farms LLC, and OPENROADAGENCY LLC:

This letter provides notice that you are in violation of Required Action No. 3 of the above-referenced Order, for failure to fully implement the approved Cleanup Restoration and Monitoring Plan (CRMP) by November 15, 2022.

Background

On October 13, 2021, the Regional Water Board issued Cleanup and Abatement Order R1-2021-0053 (the Order). The Order pertains to the discharge and threatened discharge of waste to waters of the state on Humboldt County APNs 208-111-020 and 208-111-021 (the Property), which is owned and/or operated by you.

The Order directs you to decommission road segments and stream crossings, stabilize riparian areas, remediate spills, and clean up and abate the discharge of earthen materials and untreated storm water into Little Larabee Creek, and its unnamed tributaries per the approved Cleanup Restoration and Monitoring Plan (CRMP). The CRMP is comprised of the following workplans: the Tier 3 Cleanup and Restoration Plan (July 25, 2018) and Addendum (September 17, 2019), the Hazardous Material Remediation Plan (August 26, 2021), and the Disturbed Area Stabilization Plan (May 20, 2021).

As described in the January 6, 2023 Notice of Violation (NOV) sent to you, you are in violation of the Order's Required Action No 3, which requires full implementation of the CRMP by November 15, 2022. The January 6, 2023 letter also transmitted a December

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

6, 2022 inspection report documenting the failure to fully implement the CRMP and site conditions that represent threats to water quality. Though the January 6, 2023 NOV was delivered to your above address on January 14, 2023, the Regional Water Board has not received any response from you.

Noncompliance with Order

Required Action No. 3 directs you to fully implement the approved CRMP as a condition of the Order, pursuant to Water Code Section 13304. 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 complete implementation of an approved CRMP by November 15, 2022, resulting in 107 days of violation as of March 3, 2023. This violation is ongoing and will accrue additional days of violation until the required actions are satisfied.

Please contact Adona White of my staff at 707-576-2672 or Adona.White@waterboards.ca.gov or myself at 707-576-2835 or 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

cc:

North Coast Regional Water Quality Control Board

Northcoast.Cannabis@waterboards.ca.gov

Claudia Villacorta, Claudia.Villacorta@waterboards.ca.gov

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Adona White, Adona.White@waterboards.ca.gov

State Water Resources Control Board

Nathan Jacobsen, Nathan.Jacobsen@waterboards.ca.gov

Department of Fish and Wildlife

Joshua Zulliger, Joshua.Zulliger@wildlife.ca.gov

Aleksandar Aleksandrov, Otto Farms LLC,
OPENROADAGENCY LLC
Notice of Violation

- 3 -

March 6, 2023

David Manthorne, David.Manthorne@wildlife.ca.gov

Humboldt County

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Howton, Branden, bhowton1@co.humboldt.ca.us

Floyd Law Firm

Carlton Floyd, cdfloyd@floydlawfirm.net