



North Coast Regional Water Quality Control Board

November 30, 2023

Certified Mail: 7021 0950 0001 6500 2114

Kenneth and Donna Bowman
59 Maple Hills Road
Miranda CA 95553
donnabowman238@gmail.com

Dear Kenneth and Donna Bowman,

Subject: Notice of Violation for Failure to Comply with Cleanup and Abatement and Water Code Section 13267 Order No. R1-2022-0046 (Order) Required Action Nos. 2, 4 and 6

File: Cannabis Program Enforcement, Mendocino and Trinity County, 2021 Inspections, CIWQS Place IDs: 874180 and 874435

This letter provides notice that you are in violation of Required Action Nos. 2, 4 and 6 of the above-referenced Order, for failure to fully implement an Interim Stabilization Plan (ISP) by November 15, 2023, failure to submit a complete and acceptable Cleanup, Restoration, and Monitoring Plan (CRMP) by April 1, 2023, and for failure to complete implementation of an approved CRMP by October 15, 2023.

Background

On October 26, 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 of Mendocino County Assessor's Parcel Number (APN) 011-530-08-01 and Trinity County APNs 022-200-33-00 and 022-200-31-00 (the Property), for which you own.

Required Action No. 1 of the Order requires you to submit a proposed ISP by November 25, 2022. On October 14, 2023, Hohman & Associates Forestry Consultants (Hohman & Associates) submitted an ISP on your behalf. The Regional Water Board approved the ISP on October 23, 2023. The approved ISP includes a deadline to complete implementation of the ISP by November 15, 2023. On November 16, 2023, Hohman & Associates informed Regional Water Board staff (Staff) that the ISP had not been fully implemented and on November 28, 2023, Hohman & Associates informed Staff that they were unable to make contact with you. You will need to complete implementation of the ISP to comply with Required Action No. 2.

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

Required Action No. 4 of the Order requires you to submit a proposed CRMP by April 1, 2023. The Regional Water Board has not received a proposed CRMP from you or your agent. Required Action No. 6 of the Order requires you to fully implement and complete the actions contained in an approved CRMP by October 15, 2023. You will need to submit a proposed CRMP and obtain approval before you can comply with this requirement.

Noncompliance

Required Action No. 1, submittal of an adequate and complete ISP for approval, and Required Action No. 4, submittal of an adequate and complete CRMP for approval, are conditions of the Order required pursuant to Water Code section 13267. Required Action No. 2, complete implementation of the ISP, and Required Action No 6, complete implementation of a CRMP, are conditions 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 submitted the ISP, which was due by November 25, 2022, on October 14, 2023, resulting in 323 days of violation. You have failed to submit a proposed CRMP for approval by April 1, 2023, resulting in 244 days of violation as of December 1, 2023. Additionally, you have failed to complete implementation of the approved ISP by November 15, 2023, resulting in 16 days of violation and you failed to complete implementation of an approved CRMP by October 15, 2023, resulting in 47 days of violation as of December 1, 2023. 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

cc: Discharger's Agents

Hohman and Associates, mpera@hohmanandassociates.com

Wendy Fetzer, wfetzer@pacific.net

North Coast Regional Water Quality Control Board

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