CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
NORTH COAST REGION

Cleanup and Abatement and
Investigative Order No. R1-2026-0020

for
Eyal Rifer
Assessor Parcel Number

046-221-28-00
Mendocino County

This Cleanup and Abatement and Investigative Order No. R1-2026-0020 (Order) is issued to Eyal Rifer (hereafter referred to as the Discharger) based on provisions of Water Code section 13304, which authorizes the North Coast Regional Water Quality Control Board (North Coast Water Board) to issue a cleanup and abatement order, and Water Code section 13267, which authorizes the North Coast Water Board to issue investigative orders requiring the preparation and submittal of technical and monitoring reports.

The Executive Officer finds, with respect to the Discharger's acts, or failure to act, the following:

PURPOSE OF THE ORDER

1. This Order requires the Discharger to clean up and abate the effects of discharges and threatened discharges of waste associated with inadequately constructed or maintained cultivation pads, roads, watercourse crossings and reservoirs on Mendocino County Assessor's Parcel Number (APN) 046-221-28-00 (hereafter Property), and to eliminate the threat of future discharges of waste to unnamed tributaries of Robinson Creek, tributary to the Russian River. Investigation and cleanup actions required under this Order shall be conducted to comply with the Porter-Cologne Water Quality Control Act (Wat. Code § 13000 et seq.), the Water Quality Control Plan for the North Coast Region (Basin Plan[1]), the State Water Resources Control Board's (State Water Board's) Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304 (Resolution 92-49), and other applicable State and North Coast Water Board plans, policies, and regulations.

[1] The Basin Plan can be found at:
https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/

Property Location and Description

2. The Property is located southwest of the town of Ukiah in Mendocino County, approximately 0.72 mile southwest of the confluence of the unnamed watercourses with Robinson Creek. The unnamed watercourses on the Property and Robinson Creek are waters of the state. The Russian River and its tributaries are Clean Water Act section 303(d)-listed as impaired due to elevated sedimentation/siltation and temperature. The Total Maximum Daily Loads (TMDLs) for pathogens, sediment and temperature for the Russian River are currently under development.

Responsible Party

3. This Order finds that the Discharger is a responsible party for the conditions that are threatening to cause or permit the discharge of waste creating a condition of pollution based on the following:

   a. Parcel information available from the Mendocino County Assessor's Office, as accessed via Digital Map Products' LightBox Vision online service, indicates that the Discharger purchased the Property through a deed of trust with a recording date of June 11, 2013. The Discharger has owned the Property since that time, including the dates that staff inspected the Property and documented discharges and threatened discharges of waste into waters of the state, and continues to own the Property to date.

   b. For purposes of this Order, the North Coast Water Board is naming the Discharger as a responsible party on the basis that they owned the Property at the time of the discharges and currently owns the Property where there exists ongoing threatened discharges that could cause or permit the discharge of waste creating a condition of pollution or nuisance. The Discharger had or should have had knowledge of the activities that resulted in the discharges and threatened discharges of waste and had the legal ability to prevent those activities and resulting impacts from occurring. Moreover, as the current owner, the Discharger is responsible for the conditions currently existing on the Property. The Discharger, therefore, has the legal responsibility to clean up and abate the conditions on the Property.

   c. The North Coast Water Board reserves the right to amend this Order, or issue a subsequent Order, to add additional responsible parties when/if those parties are identified.

Factual Basis of Order

4. On August 11, 2025, North Coast Water Board staff (Staff) inspected the Property during the execution of search warrants obtained by California Department of Fish and Wildlife (CDFW) law enforcement. 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. Staff

left a Field Notice of water quality violations at the Property, along with a language services flyer. The notice included brief descriptions of conditions of discharge or threatened discharge affecting waters of the state. It also requested that the Discharger contact staff within 72 hours to discuss their intentions to correct these violations.

5. Based on observations made during the inspection, Staff issued a Notice of Violation to the Discharger on December 2, 2025, which included a copy of Staff's inspection report and enclosed a language services flyer to the Discharger. Staff received no response from the Discharger. On January 14, 2026, Staff issued a draft Cleanup and Abatement and Investigative Order to the Discharger to address the violations at the Property. Based on subsequent email and telephone exchanges with the Discharger, Staff issued revised versions of the Notice of Violation and inspection report (incorporated herein as Attachment 1) to the Discharger on May 15, 2026.

6. The conditions creating discharges and threatened discharges of waste Staff observed at the Property, as further documented in the attached inspection report and Notice of Violation, include the following:

    a. Cannabis cultivation area within the required riparian setback of a watercourse as noted at WQ20 of the inspection report;

    b. Gasoline powered pumps, generators and petroleum product containers in the vicinity of WQ5, WQ7 and WQ9 that were stored without secondary containment and without cover, as noted in the inspection report;

    c. Water storage bladders without secondary containment and within the required riparian setback, at WQ4 and WQ18 as noted in the inspection report;

    d. Cannabis plant waste discharged to land at WQ18, as noted in the inspection report;

    e. Fertilizers and potting soil discharged to land at WQ7, WQ10, and WQ20, as noted in the inspection report;

    f. Controllable sediment delivery sites[2] at the locations of poorly designed/maintained roads and culverted stream crossings, WQ2, WQ3, WQ17, & WQ23, as noted in the inspection report;

[2] Controllable sediment delivery sites are generally areas that are discharging or have the potential to discharge sediment to waters of the state, that are caused or affected by human activity and may feasibly and reasonably respond to prevention and minimization management measures.

g. Outdoor kitchen on bare ground with cooking oil and other kitchen materials near WQ11, as noted in the inspection report.

Beneficial Uses, Basin Plan Prohibitions, and Water Quality Objectives

7. The Basin Plan designates beneficial uses, establishes water quality objectives, contains implementation programs for achieving objectives, and incorporates by reference the plans and policies adopted by the State and North Coast Water Board.

8. Existing and potential beneficial uses for the Ukiah Hydrologic Subarea within the Russian River Hydrologic Unit include the following: Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Industrial Service Supply (IND), Industrial Process Supply (PRO), Groundwater Recharge (GWR), Freshwater Replenishment (FRSH), Navigation (NAV), Hydropower Generation (POW), Water Contact Recreation (REC1), Non-Contact Water Recreation (REC2), Commercial or Sport Fishing (COMM), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), Wildlife Habitat (WILD), Rare, Threatened, or Endangered Species (RARE), Migration of Aquatic Organisms (MIGR), Spawning, Reproduction, and/or Early Development (SPWN), Shellfish Harvesting (SHELL), and Aquaculture (AQUA). Beneficial uses of any specifically identified water body generally apply to all its tributaries. Additionally, Native American Culture (CUL); Flood peak attenuation/Flood Water Storage (FLD); and Wetland habitat (WET) applies to all watersheds where those uses exist and have the potential to exist.

9. The Basin Plan contains specific standards and provisions for maintaining high-quality waters of the state that provide protection to the beneficial uses listed above. The Basin Plan's Action Plan for Logging, Construction, and Associated Activities includes two waste discharge prohibitions (See section 4.2.1 of the Basin Plan):

   a. Prohibition 1 – "The discharge of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature into any stream or watercourse in the basin in quantities deleterious to fish, wildlife, or other beneficial uses is prohibited."

   b. Prohibition 2 – "The 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 is prohibited."

10. Chapter 3 of the Basin Plan contains water quality objectives not to be exceeded as a result of waste discharges. The water quality objectives that are considered of particular importance in protecting the beneficial uses from unreasonable effects due to waste discharges from land development include the following:

a. Sediment: "The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses."

b. Settleable Material: "Waters shall not contain substances in concentrations that result in deposition of material that causes nuisance or adversely affect beneficial uses."

c. Suspended Material: "Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses."

d. Turbidity: "Turbidity shall not be increased more than 20 percent above naturally occurring background levels. Allowable zones of dilution within which higher percentages can be tolerated may be defined for specific discharges upon the issuance of discharge permits or waiver thereof."

North Coast Water Board and State Water Board Resolutions

11. As part of the North Coast Water Board's efforts to control sediment discharges and restore sediment-impaired water bodies, the North Coast Water Board adopted the Total Maximum Daily Load Implementation Policy Statement for Sediment Impaired Receiving Waters in the North Coast Region, which is also known as the Sediment TMDL Implementation Policy, on November 29, 2004. This Policy was adopted through Resolution R1-2004-0087. The Sediment TMDL Implementation Policy directs the Executive Officer to use "all available authorities, including existing regulatory standards and permitting and enforcement tools, to more effectively and efficaciously pursue compliance with sediment-related standards by all discharger of sediment waste." The goals of the policy are to control sediment waste discharges to impaired water bodies so that the TMDLs are met, sediment water quality objectives are attained, and beneficial uses are no longer adversely affected by sediment.

12. To address sources of elevated water temperature to reduce impairments to waters of the state and prevent further impairment, the North Coast Water Board adopted the Policy for Implementation of the Water Quality Objective for Temperature in the North Coast Region (Temperature Implementation Policy) through Resolution R1-2014-0006. To attain and maintain the water quality objectives for temperature, the policy directs the North Coast Water Board to implement programs and collaborate with others to prevent, minimize, and mitigate temperature alterations associated with certain activities, including, but not limited to, activities that result in either the removal of riparian vegetation that provide shade to a waterbody, sediment discharges, impoundments and other channel alterations, reduction of instream summer flows, and/or reduction of cold water sources.

13. State Water Board Resolution 92-49 sets forth the policies and procedures to be used during an investigation and cleanup of a polluted site and requires that

cleanup levels be consistent with State Water Board's Statement of Policy with Respect to Maintaining High Quality Waters in California (Resolution 68-16). Resolution 92-49 requires the waste to be cleaned up in a manner that promotes attainment of either background water quality, or the best water quality that is reasonable if background levels of water quality cannot be restored. Any alternative cleanup level to background must: (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Water Board. Resolution 92-49 directs that investigations and cleanup and abatement proceed in a progressive sequence. To the extent practical, it directs the North Coast Water Board to require and review for adequacy written work plans for each element and phase, and the written reports that describe the results of each phase of the investigation and cleanup.

Legal Basis of the Order

14. Water Code section 13304, subdivision (a), states, in relevant part, "any person who has discharged or discharges waste into waters of this state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts.."

15. "Waste" is defined by Water Code section 13050, subdivision (d), to include, "sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for the purpose of, disposal."

    a. Earthen material, including sediment, when discharged to waters of the state, is a "waste" as defined in Water Code section 13050, subdivision (d). Additionally, the improperly stored potting soil and gasoline containers, cultivation-related debris and trash, and domestic discharge are "waste" as defined in Water Code section 13050, subdivision (d).

16. "Pollution" is defined in Water Code section 13050, subdivision (l)(1), as an alteration of the quality of the waters of the state by waste to a degree that unreasonably affects either the waters for beneficial use or facilities that serve these beneficial uses. As documented during the inspection of the Property, earthen

material, improperly stored soil and gasoline containers, cultivation-related waste and trash, and domestic waste from unauthorized cannabis cultivation and associated activities on the Property discharged, or still have the potential to discharge, into unnamed watercourses tributary to Robinson Creek and the Russian River, in a manner that could unreasonably affect the beneficial uses of waters of the state.

a. Discharges of sediment and other inert material alter the hydrologic and sediment transport regimes of surface waters by affecting the flow of water and establishment of vegetation. Such changes may lead to adverse conditions such as flooding, increases in suspended sediment and turbidity, accelerated erosion of the watercourse bed or banks, and localized accumulation of deleterious materials. Additionally, such discharges directly threaten wildlife habitat and aquatic species (Beneficial Uses impacted: RARE, MIGR, SPWN, COLD, COMM, SHELL, and WILD). Increased sedimentation and turbidity can result in increased treatment and/or maintenance costs for downstream agricultural and municipal users that withdraw and treat the water (Beneficial Uses impacted: AGR and MUN). Sediment laden storm water can also discharge to surface water and result in increased turbidity that may affect the recreational and aesthetic enjoyment of the surface waters (Beneficial Uses impacted: REC-1 and REC-2).

b. The discharge of organic and earthen material in the Russian River watershed is especially problematic because, as noted above, the Russian River is listed as an impaired waterbody under Section 303, subdivision (d), of the Clean Water Act due to several pollutants, including sedimentation/siltation and high-water temperatures. Sediment delivery impacts the migration, spawning, reproduction, and early development of cold-water fish.

c. Suspended sediment in surface waters can cause harm to aquatic organisms by abrasion of surface membranes and interference with respiration and sensory perception in aquatic fauna. Suspended sediment can reduce photosynthesis in and survival of aquatic life by limiting the transmittance of light. The Basin Plan contains a water quality objective for sediment, which requires that the suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses. Suspended sediment can result in (1) increased turbidity (loss of clarity) resulting in decreased light transmittance, biological productivity, and aesthetic value; and (2) physical suffocation through burial of bottom dwelling (benthic) organisms, salmonid eggs, and alevin (newly spawned salmon or trout still carrying its yolk). Sediment can also physically damage gills causing fish mortality; increase physiological stress; reduce reproduction; impair normal feeding and predator avoidance behaviors, resulting in impacts to commercial and recreational fishing resources; increase water temperature; and

fill in lagoons and wetlands converting them from aquatic to terrestrial habitat. These water quality impacts occur both during sediment transport and sediment deposition.

d. Sediment is also a known transport mechanism for toxics (e.g., metals and synthetic organics), which bind to sediment particles (Beneficial Uses threatened: REC1, REC-2, COLD, SPWN, RARE, MIGR, COMM, MUN, and WILD).

e. Petroleum products used for lubricants and fuels, including gasoline, can enter waters through spills and leakage from generators, pumps, storage containers, and improper storage and disposal, and can result in contamination of freshwater sources. Spilled oil in freshwater habitats can affect mammals, aquatic birds, insects, fish, microorganisms and sensitive vegetation. Heavier petroleum products can sink and can become trapped in gravels, contributing to long-term exposures, while lighter petroleum products can accumulate on the surface of water and spread downstream where it can collect on stream beds, log jams, and at the water's edge. Petroleum products can also dissolve into the water column where it can be ingested by fish and other freshwater organisms. The actual behaviors of the product in water will depend on the characteristics of the petroleum product and that of the water body amphibian exposure to petroleum products can be particularly detrimental as they breathe through their skin, and coating can be lethal. Oil and fuel exposure to fish can cause impaired functions, physical deformities, and compromised reproduction. In addition, human exposure to petroleum products from ingestion and exposure can have impacts to the central nervous system, eyes, and respiratory tract. (Beneficial Uses that are threatened include: REC 1, REC-2, COLD, SPWN, RARE, MIGR, COMM, MUN, and WILD).

f. Discharges of excess nutrients from soil amendments, especially nitrates and phosphorus, can lead to eutrophication and algal blooms. Algal blooms can block light, clog fish gills, and cause an increase in biological oxygen demand as they die, severely lowering dissolved oxygen levels available to sustain aquatic ecosystems. Lowered dissolved oxygen concentrations can also provide favorable conditions for proliferation of pathogenic bacteria. In addition, excess nutrients can contribute to toxic algal blooms which create bio accumulative toxins that can be deleterious to aquatic ecosystems and wildlife that may consume aquatic fauna (Beneficial Uses threatened: RARE, MIGR, WILD, COLD, COMM, and SPWN). Eutrophication and algal blooms can also affect the recreational and aesthetic enjoyment of surface waters. Direct exposure to toxic algae can lead to rashes, respiratory problems, and neurological effects in humans, and can raise costs for water treatment plants and contribute to harmful byproducts when treated (Beneficial Uses that are threatened include: REC-1, REC-2, and MUN).

g. The dumping and discarding of trash and other miscellaneous debris has the potential to alter the hydrologic regimes of surface waters, threaten wildlife habitat and aquatic species, and impact sediments and soils, which may affect surface and ground water quality. As such, the beneficial uses threatened by the observed dumping and discarding of trash are as follows: municipal and domestic supply, agricultural supply, industrial process supply, freshwater replenishment, contact water recreation, non-contact water recreation, warm freshwater habitat, cold freshwater habitat, and wildlife habitat.

h. Discharges of domestic waste to land has the potential to pollute groundwater, soil, and hydrologically connected surface water and can result in impacts to water quality. Domestic wastewater can contain nitrogen and phosphorus from food, and certain soaps and detergents. The beneficial uses threatened by discharges of domestic waste to land include Municipal and Domestic Water Supply (MUN), Industrial Water Supply (IND), Industrial Process Water Supply (PRO), Agricultural Water Supply (AGR), and Freshwater Replenishment to Surface Waters (FRSH),

17. Cleanup and abatement is necessary to ensure that any discharge of waste or existing condition of pollution is cleaned up, that the threat of unauthorized discharges to waters of the state from the Property are prevented, background water quality conditions are restored, and that any impacts to beneficial uses are mitigated. Issuance of a cleanup and abatement order pursuant to Water Code section 13304 is appropriate and consistent with the policies of the North Coast Water Board and State Water Board.

Technical Reports Required

18. Water Code section 13267, subdivision (a), provides that the North Coast Water Board, “in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement authorized by this division [Division 7], may investigate the quality of any water of the state within its region.” Water Code section 13267, subdivision (b), provides that the North Coast Water Board, in conducting an investigation, may require a discharger to furnish, under penalty of perjury, technical or monitoring program reports. The burden, including costs, of these technical reports, shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. Staff estimates the total cost of technical reports required by this Order to be between $11,340 to $42,680 over an estimated period of six years (one year for planning and implementation and up to five years of monitoring). The costs of the technical or monitoring reports required by this Order bear a reasonable relationship to the need for these reports and the benefit to be gained by these reports, as discussed below:

1. The Cleanup, Restoration, and Monitoring Plan (CRMP) is a technical report that is necessary to: (1) assess impacts to waters of the state resulting from the cannabis cultivation, alteration of the bed and bank of watercourses, and the discharge and threatened discharge of sediment and cannabis cultivation waste; (2) determine the appropriate restoration and abatement work to correct those impacts; and (3) create a plan along with an implementation schedule that will guide the scope of work to clean up and abate the discharges and threat of discharges of waste on the Property. By requiring the Discharger to submit a CRMP, the North Coast Water Board or its delegated officer will have the opportunity to review and approve the scope of the proposed restoration and corrective actions to confirm that the proposed work will adequately remediate site conditions and prevent the discharges of sediment and other wastes from further impacting the beneficial uses of sensitive water bodies. As previously mentioned, the Russian River and its tributaries are Clean Water Act section 303(d)-listed as impaired due to elevated sedimentation/siltation and elevated temperature, thereby heightening the need for this technical report to reduce further impairment to waters of the state. The CRMP requirements (i.e., field inspection and report preparation) are comparable to that of preparing a combined Site Management Plan, Site Erosion and Sediment Control Plan, and Disturbed Area Stabilization Plan as presented in the 2017 Direct Cost Analysis[3], which is estimated to cost between $4,860 and $14,120. The burden, including costs, of preparing and submitting the CRMP, therefore, bears a reasonable relationship to the need for the report and the benefits to be obtained from the report.

2. A separate Completion Report is necessary to demonstrate that the Discharger successfully completed implementation of the CRMP in a timely manner in accordance with this Order. The benefit derived from Completion Report is the North Coast Water Board's, or its delegated officer's, ability to verify that remedial activities and best management practices were adequately implemented to ensure that cleanup and abatement activities remedy all water quality threats and impacts. The cost of a Completion Report (i.e., field

[3] The State Water Board considered the estimated costs associated with various technical reports regarding site characterization, stabilization, and restoration during the adoption and amendment of the State Water Resources Control Board Cannabis Cultivation Policy Principles and Guidelines for Cannabis Cultivation and General Order. Estimated costs for technical reports were presented in the State Water Board's 2017 Direct Cost Analysis For the Proposed Cannabis Cultivation Policy (2017 Direct Cost Analysis)(https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/20171017_cannabis_cultivation_policy_cost_analysis.pdf). The costs to develop the technical reports required in this Order are anticipated to be comparable to the preparation of reports presented in the 2017 Direct Cost Analysis, as detailed in Paragraph 24, subparagraphs a-d.

inspection and report preparation) is comparable to that of a Site Closure Report as described in the 2017 Direct Cost Analysis described above, which is estimated to cost between $1,080 and $4,760 for the report. The burden, including costs, of preparing and submitting Completion Report therefore bears a reasonable relationship to the need for the report and the benefits to be obtained from the report.

3. Annual Monitoring Reports are necessary to allow the North Coast Water Board, or its delegated officer, to confirm the long-term stability of restored areas, to identify any areas where restoration is failing or needs improvement, and to demonstrate the effectiveness of erosion control measures in preventing sediment discharges to waters of the state. Given the condition of the Property, observation and maintenance of the completed project for a period of five years is needed to ensure that the anticipated water quality benefits are achieved in the long-term and that CRMP components continue to function and remain effective. The costs to prepare Annual Monitoring Reports (i.e., field inspection and report preparation) are comparable to that of a Site Closure Report as presented in the 2017 Direct Cost Analysis, which is estimated to cost between $1,080 and $4,760 for each report. Therefore, the cost to prepare five Annual Monitoring Reports is estimated to be between $5,400 and $23,800. The burden, including costs, of preparing and submitting the Completion Report, therefore, bears a reasonable relationship to the need for the report and the benefits to be obtained from the report.

The Discharger named in this Order currently owns the Property and owned the Property at the time of North Coast Water Board staff's inspections during which the discharges and threatened discharges were observed, and thus is appropriately responsible for providing the reports required under this Order.

California Environmental Quality Act

19. Issuance of this Order is an enforcement action by a regulatory agency to enforce the laws and regulations administered by the North Coast Water Board and is exempt from provisions of the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15321. This action may also be considered exempt because it is an action by a regulatory agency for the protection of natural resources (Cal. Code Regs., tit. 14, § 15307) and an action by a regulatory agency for the protection of the environment (Cal. Code Regs., tit. 14, § 15308). To the extent that the Order requires earth-disturbing and revegetation activities not to exceed five acres in size and to assure restoration of stream habitat and prevent erosion, such actions are exempt from provisions of CEQA pursuant to California Code of Regulations, title 14, section 15333. Should additional environmental review be required by the North Coast Water Board in connection with the requirements of this Order, the North Coast Water Board may recover from the Discharger the costs

associated with preparing and submitting documents for environmental review. (Pub. Resources Code, § 21089).

REQUIRED ACTIONS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13267 and 13304, that the Discharger shall clean up the wastes and abate the impacts to water quality in accordance with the scope and schedule set forth below and submit the technical and monitoring reports as further described below.

1. **Submit a Cleanup, Restoration, and Monitoring Plan**: By June 30, 2026, the Discharger shall submit to the North Coast Water Board for approval, a proposed CRMP acceptable to the North Coast Water Board or its delegated officer. The CRMP shall include, but not be limited to:

    a. An assessment of any direct and indirect impacts to waters of the state on the Property, including, but not limited to, rivers, streams, seeps, springs, bogs, and wetlands, caused by developed features used for cannabis cultivation and associated activities, such as greenhouses/cultivation areas, roads, reservoirs, and all other disturbed areas on the Property. The assessment shall also identify controllable sediment sources that can be practicably treated/stabilized to prevent future discharges to receiving waters. The assessment shall characterize the location and quality of the watercourses and wetlands on the Property before the impacts occurred and their current conditions. The assessment shall be completed by an appropriately qualified professional and must, at a minimum, address surface water hydrology, bed and bank stability, riparian and aquatic habitat and loss thereof, channel slope stability, active or potential erosion and sedimentation sites, stability of graded and disturbed features, reservoirs, culverts, and other stream crossings, as well as roads and all disturbed areas on the Property. The assessment shall include aerial photographs and/or satellite images, photographs, topographic maps, or drawings, etc., of existing Property conditions, and include a detailed map of features accurately depicting the Property's topography, all graded surfaces, all waters of the state, including a forensic delineation of waters of the state, drainages, stream crossings, instream structures, and the functional status of these features. Assessment findings shall serve as the basis for the CRMP;

    b. A plan for Property restoration, including a description of how long-term impacts from erosion and sedimentation sources will be abated (e.g., re-grading and reengineering, graveling or paving road surface, etc.). The CRMP shall include a proposal to restore beneficial uses of any waters of the state on the Property that were adversely impacted or threatened by unauthorized site development/disturbance activities, including the tributaries to the Robinson Creek and any springs, seeps, bogs, or wetlands (e.g. restoration of the stream channels and any adjoining wetlands). The plan shall include replanting and

revegetation of disturbed, impacted, and restored areas and their associated riparian areas with native vegetation. The plan shall contain, at a minimum, design specifications for roads, graded areas, any water crossings, in-stream structures, riparian and aquatic habitat restoration, surface drainage controls, and erosion and sediment controls. The CRMP shall comply with the design standards and requirements included in the Cannabis Cultivation Policy[4] and the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State[5].

c. If waters of the state cannot feasibly be restored to its pre-disturbance condition, then the CRMP shall include a proposal to provide mitigation to compensate for any permanent impacts to waters of the state that cannot be restored, which resulted from unauthorized activities on the Property during the Discharger's ownership and/or operation. Compensatory mitigation shall comply with applicable policies and procedures, such as the state's No Net Loss Policy and the State Wetland Definition and Procedures for Discharges of Dredge and Fill Material to Waters of the State. The Compensatory Mitigation Proposal shall (1) describe existing and proposed site conditions at the proposed mitigation sites; (2) describe implementation methods used to provide compensatory mitigation; (3) propose a land use covenant, deed restriction, or other legal mechanism to be used to preserve all mitigation sites in place and in perpetuity; (4) include photo point monitoring that will document success of the compensatory mitigation; and (5) propose a schedule for the submittal of progress updates during compensatory mitigation work. Restoration work proposed in the CRMP will require permitting, which may have additional mitigation requirements.

d. An implementation schedule that includes a time schedule for submitting permit applications to all applicable local, state, and federal agencies, detailed project milestones to fulfill the requirements of this Order once those permits are obtained, and a deadline for having fully implemented and completed the CRMP.

2. **Modifications to the approved CRMP**: The Discharger shall notify and obtain approval from the North Coast Water Board or its delegated officer prior to making any modifications to the approved CRMP.

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[4] The Cannabis Cultivation Policy can be found at: https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf

[5] State Wetland Definition and Procedures for Discharges of Dredge and Fill Material to Waters of the State can be found online at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/procedures.pdf

3. **Complete the Cleanup and Restoration**: By October 15, 2026, the Discharger shall complete all work to clean up and abate the Property as outlined in the CRMP approved by the North Coast Water Board or its delegated officer.

4. **Completion Report for the CRMP**: No more than 60 days after completing implementation of the CRMP, the Discharger shall submit a Completion Report for the CRMP for approval by the North Coast Water Board or its delegated officer. The Completion Report shall include accurate depictions, documentation, and as-built designs of all completed restoration construction and/or abatement measures included in the approved CRMP to demonstrate the CRMP has been fully implemented. This report shall also include pre- and post-construction photographs taken at each photo point, as depicted on site maps/figures.

5. **Annual Monitoring Reports**: Upon completion of the restoration and mitigation under the CRMP, the Discharger shall submit annual monitoring reports by May 31 of each year, beginning in 2027, for at least five years or until the North Coast Water Board or its delegated officer approves a request to discontinue monitoring. Such a request may be submitted when the approved success criteria in the CRMP are met with supporting documentation. Each annual monitoring report shall include, at a minimum, a completed inspection checklist, photos of areas restored, and a description of any location where restoration is failing and/or needs to be corrected to achieve the success criteria.

GENERAL REQUIREMENTS AND NOTICES

1. **Duty to Use Qualified Professionals**: The Discharger shall provide documentation that identifies plans and reports required under this Order are prepared under the direction of appropriately qualified professionals. As required by the California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. The Discharger shall include a statement of qualification and registration numbers of the responsible lead professionals in all plans and reports required under this Order. The lead professional shall sign and affix their registration stamp to the report, plan, or document. The required activities must be implemented by the appropriately qualified/licensed professional as otherwise required by law.

2. Signatory Requirements: All technical reports submitted by the Discharger shall include a cover letter signed by the Discharger, or a duly authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to his/her knowledge, the report is true, complete, and accurate. The Discharger shall also state in the cover letter whether he/she will implement the recommendations/proposals provided in the report and the schedule for

implementation. Any person signing a document submitted under this Order shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

3. **Notice of Onsite Work**: The Discharger, or a duly authorized agent, shall notify North Coast Water Board staff at least 48 hours prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation and is not routine monitoring, maintenance, or inspection. The Discharger shall contact Ermias Berhe at (707) 445-6128 or by email Ermias.Berhe@waterboards.ca.gov.

4. **Notice of Change in Ownership or Occupancy**: The Discharger shall file a written report on any changes in the Property's ownership or occupancy. This report shall be submitted to North Coast Water Board staff no later than 30 days prior to a planned change and shall reference the number of this Order.

5. **Reasonable Access:** The Discharger shall allow the North Coast Water Board, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to enter at reasonable times to inspect the Property and any records that must be kept under the conditions of this Order for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code.

6. **Submissions:** The CRMP and all monitoring reports, technical reports, or notices required under this Order shall be submitted to North Coast Water Board staff at the addresses provided below.

By email (preferred) to:

Ermias Berhe, Engineering Geologist
Ermias.Berhe@waterboards.ca.gov

Or by mail to:

North Coast Regional Water Quality Control Board
Attn: Ermias Berhe
5550 Skylane Boulevard, Suite A,
Santa Rosa, CA 95403

7. **Other Regulatory Requirements:** The Discharger shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning the work.

8. **Cost Recovery:** Pursuant to Water code section 13304, the North Coast Water Board is entitled to all reasonable costs it actually incurs to investigate and abate the effects of unauthorized discharges of waste and to oversee/supervise the cleanup of such waste, or other restoration action, required by this Order. If requested by the North Coast Water Board, the Discharger shall enroll in the State Water Board's Cost Recovery Program and shall reimburse the State of California for all reasonable costs actually incurred by the North Coast Water Board.

9. **Delayed Compliance:** If for any reason, the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the North Coast Water Board or its delegated officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as a delay is recognized and prior to the compliance date. An extension may only be granted by modification of this Order or by a letter from the Executive Officer. The North Coast Water Board acknowledges that local, state, and federal permits may cause a delay beyond the control of the Discharger and will take all the available relevant facts into consideration when considering whether or not to exercise its enforcement authority.

10. **Modifications:** Any modification to this Order shall be in writing and approved by the North Coast Water Board or its delegated officer including any potential extension requests.

11. **Enforcement Authority:** If the Discharger fails to comply with the requirements of this Order, this matter may be referred to the Attorney General for judicial enforcement or a complaint for administrative civil liability may be issued by the North Coast Water Board. Failure to comply with this Order may result in the assessment of an administrative civil liability of up to $10,000 per violation per day and/or up to $10 per gallon when the violation results in the discharge of waste, pursuant to Water Code sections 13268, 13350, and/or 13385. The North Coast Water Board reserves its right to take any enforcement actions authorized by law, including, but not limited to, violation of the terms and conditions of this Order.

12. **No Limitation of Water Board Authority:** This Order in no way limits the authority of the North Coast Water Board to institute additional enforcement actions or to require additional investigation and cleanup of the Property consistent with the Water Code. This Order may be modified if additional information becomes available.

13. **Requesting Review by the State Water Board:** Any person aggrieved by this action of the North Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the

petition no later than 5:00 p.m., 30 days following the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: (https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request.

This Order is issued under authority delegated to the Executive Officer by the North Coast Water Board pursuant to R1-2012-0062 and is effective upon the date of signature.

Digitally signed by Valerie Quinto
Date: 2026.05.21 09:23:46 -07'00'

Water Boards

Valerie Quinto

Executive Officer

Attachment:

a. Revised NOV and Report of August 11, 2025, Inspection