

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
NORTH COAST REGION**

**EMERGENCY CLEANUP AND ABATEMENT ORDER AND
INVESTIGATIVE ORDER NO. R1-2026-0061**

FOR

**Louis Neve and Raelene Neve
Assessor's Parcel Number 022-290-005-000
Sonoma County**

This Cleanup and Abatement Order is issued to Louis Neve and Raelene Neve (hereafter referred to as the Discharger) at the property located at Sonoma County Assessor's Parcel Number (APN) 022-290-005-000 (the Property), 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 require the preparation and submittal of technical and monitoring reports.

FINDINGS

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

1. **Purpose of the Order:** This Order requires the Discharger to clean up and abate the effects of recent unpermitted clearing, grubbing, grading, and excavating within and adjacent to Americano Creek, tributary to the Estero Americano, including the removal of riparian willow woodland and wetland vegetation, and the placement (side-casting) of dredged sediment and woody debris within and adjacent to Americano Creek and its associated wetlands. These activities resulted in the discharge of loose sediment into the Americano Creek streambed and adjacent wetlands, and created conditions that threaten further discharges from unstable, steeply sloped excavated banks and unconsolidated sediment castings, unprotected disturbed soil, and debris piles left on site. The discharges and the clearing/excavation of the streambed, riparian, and wetland habitat has degraded and removed aquatic resources protected by the North Coast Water Board. This Order requires investigation and cleanup actions in compliance 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), State Water Resources Control Board (State Water Board) Resolution 92-49, 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.

2. **Responsible Parties:** The Discharger, as the Property owners and the persons excavating and discharging or creating a threat of discharge, with the legal ability to control the activities on the Property that resulted in the discharge and threat of discharge, are the responsible parties for purposes of this Order. This Order finds that Louis Neve and Raelene Neve are the responsible parties, and are jointly and severally liable.
 - a. Per records from the Clerk-Recorder-Assessor of the County of Sonoma, accessible via Digital Map Products' Lightbox service, as of September 16, 2026, Louis Neve and Raelene Neve own Assessor Parcel Number (APN) 022-290-005-000, associated with the address 9001 Roblar Road, Petaluma, CA.
 - b. During a multi-agency inspection on September 1, 2026, one of the two property owners identified from the Clerk-Recorder-Assessor records, Louis Neve, acknowledged responsibility for the work and provided consent for agency staff to inspect the property.
 - c. The North Coast Water Board reserves the right to amend this Order to add additional responsible parties when/if those parties are identified.
3. **Property Location and Description:** The Property is located in an unincorporated, agricultural area of Sonoma County, in the vicinity of Valley Ford and Bloomfield, and contains a section of Americano Creek, the mainstem to the Estero Americano, between Roblar Road and Valley Ford Road. According to the National Wetland Inventory¹ (NWI) and California Aquatic Resource Inventory² (CARI), the Property contains a large, mapped wetland exhibiting characteristics of a Freshwater Forested/Shrub Wetland (historically arroyo and red willow woodland) transitioning to a "wetland stream" reach underlain by Blucher fine sandy loam (a mapped hydric soil). All aquatic features on the Property are waters of the state and waters of the United States (references hereafter to waters of the United States are also waters of the state)³. According to the Clerk-Recorder-Assessor, the Property is approximately 89.09 acres.

¹ <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

² <https://www.sfei.org/cari>

³ The North Coast Water Board administers and enforces the Clean Water Act (CWA). The CWA regulates what it refers to as "navigable waters" and defines those water as "waters of the United States." Waters of the United States has been interpreted broadly by the agencies responsible for implementing the CWA to include all traditionally navigable waters and their tributaries. (40 C.F.R. 122.2) The Porter-Cologne provides the North Coast Water Board additional authority to regulate discharges of waste into "waters of the state." (Wat. Code § 13260.) The term "waters of the state" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." (Wat. Code § 13050 subd. (e).) All waters of the United States that are within the borders of California are also waters of the state for purposes of the Porter-Cologne.

4. **Watershed Setting:** The discharge and threatened discharge to Americano Creek are located within the Estero Americano Hydrologic Area (HA) of the Bodega Hydrologic Unit (HU) (HU/HA 115.30). Americano Creek in this reach flows through areas of mapped hydric (Blucher) soils and, based on North Coast Water Board staff (Staff) September 1, 2026 site visit and desktop review, functions as a “wetland stream.” Downstream of the disturbed area but still on the Property, the Americano Creek channel appears to have been historically straightened and relocated to flow directly to Valley Ford Road before turning to flow parallel to the road toward the Valley Ford Road bridge. Based on topography and soils mapping, the creek’s original alignment appears to have flowed more directly toward that bridge. The Water Quality Control Plan for the North Coast Region⁴ (Basin Plan) designates beneficial uses of water within Hydrologic Areas. Chapter 2 (Table 2-1) of the Basin Plan identifies the existing and potential beneficial uses for the Estero Americano Hydrologic Area, while the California Clean Water Act section 303(d) List provides information regarding watershed-specific impairments and Total Maximum Daily Loads (TMDLs). The Bodega Hydrologic Unit (HU) is Clean Water Act section 303(d)-listed as impaired due to elevated nutrients and sedimentation/turbidity. A TMDL has not yet been developed for the Bodega HU.
5. **Property History:** There is no record of North Coast Water Board regulatory or enforcement history with the Property. Historical aerial imagery reviewed by Staff, including imagery from 1993, 2003, 2013, and as recently as 2024, shows a mature arroyo/red willow woodland and wetland occupying the area later cleared, grubbed, and dredged. The exact date of the unpermitted work has not been confirmed.
6. **Factual Basis of Order:** The Discharger’s activities and the conditions observed at the Property, as documented in the North Coast Water Board inspection report and Notice of Violation (NOV and Inspection Report; Attachment A), and as detailed below, 1) caused discharges of waste into waters of the state in violation of the Basin Plan, and 2) threaten to cause or permit waste to be discharged where it is, or probably will be, discharged to waters of the state, and create a condition of pollution or nuisance.
 - a. The Property is located along Americano Creek between Roblar Road and Valley Ford Road, within a reach that flows through a large NWI and CARI-mapped wetland and mapped hydric (Blucher) soils and is subject to a Sonoma County 200-foot Riparian Corridor setback. The Discharger cleared and grubbed woody willow vegetation predominantly consisting of arroyo and red willow, excavated sections of the mainstem channel of Americano Creek, and spread the resulting spoils in and along the creek channel and banks, and in upland locations that included riparian and wetland areas. An estimated area of approximately 4.78

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https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/basin_plan_documents/

acres was disturbed along approximately 2,000 feet of the Americano Creek mainstem, resulting in steep, unstable 2:1 side slopes on the dredged channel. Seven piles of woody debris, including stumps and stems of large-diameter trees (6 to 10 inches in diameter), remain on site.

- b. The excavated channel was observed intercepting the summer groundwater table, with damp soil and shallow pooling present within the impacted reach. Sediment appeared to have been pushed up toward the outlet of the Roblar Road crossing. No erosion or sediment control measures (e.g., jute mats, wattles, straw mulch, seeding) were in place at the time of the September 1, 2026 site visit.
- c. On August 24, 2026, Staff were notified by Permit Sonoma personnel, of unpermitted channelization, grading, and clearing of vegetation associated with the mainstem of the Americano Creek south of Roblar Road. The California Department of Fish and Wildlife (CDFW) and the US Army Corps of Engineers (USACE) were also notified. On August 25, 2026, Andrew Lee, Code Enforcement Division, Permit Sonoma, issued a "Notice and Order-Grading and/or Drainage Alteration without Permit" which stated that "unpermitted grading in Americano Creek drainage" had occurred and that ordered the Property owner to stop all work. Additionally, Staff received a CalEPA complaint referral from Permit Sonoma dated August 27, 2026.
- d. On September 1, 2026, Staff conducted a site visit to the Discharger's parcel. Staff met with County of Sonoma personnel, and personnel from the California Department of Fish and Wildlife (CDFW), and Louis Neve, one of the two property owners identified in the Clerk-Recorder-Assessor records. Staff inspected the portion of the Property where unpermitted activities occurred, which included a 2,000-foot stretch of Americano Creek and observed approximately 4.78 acres of extensive site disturbance caused by heavy equipment grading, vegetation clearing, and spoils deposition. The northern upstream section of the Americano Creek and surrounding areas was most heavily impacted. Americano Creek channel had been widened following excavation activities and in some areas was up to approximately 42 feet wide and 8 feet deep. The creek's riparian area had been extensively cleared. Seven large stockpiles consisting of woody and herbaceous vegetation and loose earthen material were deposited in various locations adjacent to the creek. The southern section exhibited a smaller excavated channel (approximately 10 feet wide and 4 feet deep) with loose soil spread up to 65 feet wide across the banks. Heavy equipment tracks and bucket teeth marks were observed in the creek and on the creek banks in both the northern and southern sections. A ford crossing Americano Creek was observed in the southern section. Loose loamy sediment partially or fully buried wetland species throughout the corridor, though intact downstream willow habitats, and surviving native plants indicate that the cleared area previously supported significant wetland and riparian ecosystems.

- e. On September 23, 2026, USACE, San Francisco District, issued a Notice of Alleged Violation to the Discharger for the unpermitted clearing and grading activities occurring in and adjacent to Americano Creek at the Property. The notice advised Mr. Neve that such activities constitute a violation of Section 404 of the Clean Water Act, directed him to cease any ongoing work in waters of the United States, and outlined potential civil and criminal enforcement penalties. To facilitate their initial investigation, USACE requested that the property owner submit a completed Investigation Questionnaire within 15 days of receipt and contact USACE within the same timeframe to grant regulatory staff immediate site access to inspect the alleged violation and determine appropriate administrative or legal remedies.
 - f. On September 30, 2026, the North Coast Water Board issued a Notice of Violation (NOV) to the Discharger following the September 1, 2026 site inspection. In the NOV, Staff determined the Discharger's activities and the conditions observed at the Property as detailed in Attachment A constituted violations of Prohibitions 1 and 2 of Basin Plan Section 5.3.1, California Water Code Sections 13260 and 13264(a), and Section 301 of the federal Clean Water Act. The NOV cautioned that failure to address these conditions could subject the Discharger to administrative civil liabilities under Water Code Sections 13350 and 13385 of up to \$10,000 per day and \$10 per gallon of waste discharged. To prevent further water quality degradation, the NOV recommended that the Discharger submit a plan by October 12, 2026, to stabilize and winterize the site, manage unconsolidated sediment and woody debris, remove anthropogenic waste, and implement erosion control best management practices.
7. **Beneficial Uses, Water Quality Objectives, and Basin Plan Prohibitions:** The Basin Plan designates beneficial uses (Chapter 2), establishes water quality objectives (Chapter 3), incorporates by reference statewide implementation programs, plans, and policies adopted by the State Water Board (Chapter 4), and contains regionwide implementation programs, prohibitions, plans, and policies adopted by the North Coast Water Board (Chapter 5). Beneficial uses of any specifically identified water body generally apply to all of its tributaries.
- a. Existing beneficial uses designated for the Estero Americano Hydrologic Area (HA 115.30) include Agricultural Supply (AGR), Navigation (NAV), Water Contact Recreation (REC-1), Non-Contact Water Recreation (REC-2), Commercial and Sport Fishing (COMM), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), Estuarine Habitat (EST), Wildlife Habitat (WILD), Rare, Threatened, or Endangered Species (RARE), Migration of Aquatic Organisms (MIGR), Spawning, Reproduction, and/or Early Development (SPWN), and Shellfish Harvesting (SHELL). Potential beneficial uses designated for the area include Municipal and Domestic Supply (MUN), Industrial Service Supply (IND), Industrial Process Supply (PRO), and Aquaculture (AQUA).

- b. Chapter 3 of the Basin Plan contains water quality objectives not to be exceeded as a result of waste discharges. The water quality objectives considered of particular importance in protecting the beneficial uses from unreasonable effects due to waste discharges from land clearing and earthwork activities include the following:
 - i. Suspended Material: "Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses."
 - ii. Settleable Material: "Waters shall not contain substances in concentrations that result in deposition of material that causes nuisance or adversely affects beneficial uses."
 - iii. 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."
 - iv. 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."
- c. Chapter 5 of 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 (Action Plan) includes two waste discharge prohibitions:
 - i. 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."
 - ii. 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."

The Discharger's unpermitted clearing, grading, and dredging activities, and the resulting discharge of sediment and woody debris to and near Americano Creek and its associated wetland, violate Prohibition 1 and Prohibition 2 of the Action Plan for Logging, Construction, and Associated Activities contained in the Basin Plan.

8. **Findings of Pollution:** The discharges and threatened discharges described above have altered and threaten to further alter the quality of waters of the United States to a degree that unreasonably affects those waters for beneficial use. Therefore, the

discharges and threatened discharges create a condition of pollution subject to this Order in accordance with Water Code section 13304, as follows:

- a. Discharges of sediment and other inert materials 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.
 - b. Suspended sediment in surface waters can cause harm to aquatic organisms by abrasion of surface membranes, interference with respiration and sensory perception, and by reducing photosynthesis and light transmittance necessary for aquatic life. The Basin Plan's sediment objective requires that the suspended sediment load and discharge rate of surface waters not be altered in a manner that causes nuisance or adversely affects beneficial uses.
 - c. The Bodega Hydrologic Unit, within which the Property is located, is Clean Water Act section 303(d)-listed as impaired due to elevated nutrients and sedimentation/turbidity; a TMDL has not yet been developed for the Bodega HU. The removal of willow riparian woodland and wetland vegetation, and the dredging and destabilization of the Americano Creek channel, are especially problematic given this existing impairment, as they remove shade, bank stability, and pollutant filtration functions historically provided by the riparian/wetland corridor, and increase the delivery of sediment to an already-impaired water body, particularly with the winter 2026/27 rainy season approaching.
 - d. The removal of wetland and riparian habitat and the placement of dredge spoils in remaining wetland areas also directly threatens wildlife and aquatic habitat, including habitat potentially used by anadromous and resident fish and amphibian and macroinvertebrate communities associated with the Estero Americano system.
9. **Failure to Obtain Necessary Permits:** The Discharger's activities resulting in the discharge and threatened discharge were conducted without authorization from applicable federal, state, and local agencies, including coverage under any of the following regulatory permits:
- i. A Clean Water Act section 401 Water Quality Certification, Waste Discharge Requirements, or a Waiver thereof, from the North Coast Water Board.
 - ii. A Clean Water Act section 404 permit from the U.S. Army Corps of Engineers for dredge and fill activities in waters of the United States.
 - iii. A Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW) under Fish and Game Code section 1602 for substantial change to the bed, channel, or bank of a river, stream, or lake.

- iv. A Grading Permit from Permit Sonoma for work in a Riparian Corridor Combining Zone.

10. Legal and Regulatory Authority: Water Code section 13304, subdivision (a) states, in relevant part:

“A 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 causes, 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... Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.”

- a. “Waste” is defined by Water Code section 13050, subdivision (d) to include sewage and any other waste substances, whether 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 prior to, and for purposes of, disposal.
 - i. Sediment and woody debris, when discharged to waters of the state, are “waste” as defined in Water Code section 13050. The Discharger caused or permitted waste to be discharged, or to be deposited where it will be, or has the potential to be, discharged, to Americano Creek and its associated wetland, which are waters of the state.
- b. “Pollution” is defined by Water Code section 13050, subdivision (l)(1) as an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either waters of the state for beneficial use or facilities which serve these beneficial uses.

11. Cleanup and Abatement Action Necessary: Cleanup and abatement is necessary to ensure that discharges of waste to waters of the state in violation of Basin Plan prohibitions, and discharges or threatened discharges of waste to waters of the state creating a condition of pollution, are appropriately cleaned up, that background water quality conditions are restored, and that any impacts to beneficial uses are mitigated. Actual discharges in violation of the Basin Plan occurred through the dredging of approximately 2,000 feet of the Americano Creek mainstem and the side-casting of dredge spoils into adjacent wetland and creek-bank areas. Threatened discharges remain from the seven debris piles left on site, the exposed and unstable 2:1 dredge

slopes, and the disturbed/graded area lacking erosion control, particularly given the approaching winter 2026/27 storm season. The current condition of pollution and threatened pollution is a violation of applicable water quality regulations, and 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.

12. **Technical Reports Required:** Water Code section 13267, subdivision (a) provides that the North Coast Water Board may investigate the quality of any water of the state within its region in connection with any action relating to the Basin Plan. 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.

The technical reports required by this Order pursuant to Water Code section 13267 are necessary to investigate the quality of water of the state on the Property, assure compliance with this Order, and protect waters of the United States.

The technical reports are further necessary to demonstrate that appropriate methods will be used to clean up waste discharged to waters of the United States, to ensure that cleanup complies with Basin Plan requirements and State Water Board Resolution 92-49, and to ensure that the Discharger will implement adequate and effective best management measures and practices to control and minimize future pollutant discharges from the Property.

In accordance with Water Code section 13267, subdivision (b), the findings in this Order provide the Discharger with a written explanation with regard to the need for remedial action and reports and identify the evidence that supports the requirements to implement cleanup and abatement activities and submit the reports.

This Order requires two types of technical reports, including an **Interim Stabilization Plan (ISP)** and the **ISP Completion Report**. Staff estimates that the total cost of preparing and submitting these reports is between approximately \$4,000 and \$8,800 (reporting costs only). The burden of compiling these reports bears a reasonable relationship between the need for these reports and the benefits to be gained by these reports, as discussed below:

- a. Interim Stabilization Plan (Required Action 2): The ISP is a technical report necessary to identify immediate, temporary erosion and sediment control best management practices (BMPs) to stabilize the disturbed and dredged areas of the Property, including the excavated Americano Creek channel, exposed 2:1 dredge slopes, and debris piles. These BMPs are also necessary to minimize sediment discharge to Americano Creek and its associated wetland in advance of and during the winter 2026/27 storm season. The scope of ISP preparation (site reconnaissance, BMP siting and design, and a site map with

implementation schedule) is comparable to a basic erosion control/stormwater pollution prevention plan for a rural site of this size as presented in the State Water Resources Control Board, October 2017, Direct Cost Analysis for the Proposed Cannabis Cultivation Policy (2017 Direct Cost Analysis)⁵, which is estimated to cost between \$2,800 and \$6,000. The burden bears a reasonable relationship to the need for prompt, professionally designed site stabilization ahead of the winter storm season.

- b. ISP Completion Report (Required Action 4): The ISP Completion Report is a technical report necessary to demonstrate that the Discharger has installed and made functional all BMPs identified in the approved ISP, with photographic documentation of each BMP location as presented in the 2017 Direct Cost Analysis, which is estimated to cost between \$1,200 and \$2,800. The burden bears a reasonable relationship to the need for documented confirmation that the Property is stabilized before onset of the winter storm season.

The Discharger named in this Order own and/or operate activities on the Property from which waste was discharged and thus are appropriately responsible for providing the reports.

13. **California Environmental Quality Act:** Issuance of this Order is being taken for the protection of the environment and to enforce the laws and regulations administered by the North Coast Water Board and, as such, is exempt from provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, sections 15061, subdivision (b)(3), 15306, 15307, 15308, and 15321. This Order generally requires the Discharger to submit plans for approval prior to implementation of cleanup, abatement, and restoration activities at the Property. Mere submittal of plans is exempt from CEQA, as submittal will not cause a direct or indirect physical change in the environment. CEQA review at this time would be premature and speculative, as there is not yet enough information concerning the Discharger's proposed cleanup, abatement, or restoration activities and possible associated environmental impacts. To the extent the Order requires earth-disturbing and re-vegetation activities not to exceed five acres in size, undertaken to assure restoration of stream and wetland habitat and prevent erosion, this Order is exempt from CEQA pursuant to California Code of Regulations, title 14, section 15333. If the North Coast Water Board determines that implementation of any plan required by this Order will have a significant effect on the environment that is not otherwise exempt from CEQA, the North Coast Water Board will conduct the necessary and appropriate environmental review prior to implementation of the applicable plan. The Discharger will bear the costs, including the North Coast Water Board's costs, of determining whether

⁵ State Water Resources Control Board, 2017 Direct Cost Analysis (Cannabis Cultivation Policy Cost Analysis, dated October 17, 2017). Available at: https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/20171017_cannabis_cultivation_policy_cost_analysis.pdf

implementation of any required plan will have a significant effect on the environment and, if so, of preparing any documents necessary for the North Coast Water Board to satisfy its environmental review obligations under CEQA.

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, schedule, performance standards, and requirements set forth below and provide the following technical reports and information:

1. **Qualified Professional Oversight:** Conduct all work under the direction and oversight of a California professional civil engineer or professional geologist experienced in surface water quality and hydrology, geologic investigation and characterization, earthwork and geotechnical investigation, sediment and erosion control, and riparian/wetland restoration. All workplans and reports submitted to the Executive Officer of the North Coast Water Board shall be signed and stamped by a licensed professional.
2. **Submit an Interim Stabilization Plan (ISP) for Erosion and Sediment Control:** By October 12, 2026, the Discharger shall submit an Interim Stabilization Plan (ISP) to the North Coast Water Board for approval by the Executive Officer or delegate. The ISP shall identify immediate, temporary erosion and sediment control best management practices (BMPs) to stabilize the site and minimize sediment discharge to Americano Creek and its associated wetland in advance of and during the winter 2026/27 storm season. The ISP shall also address the vegetation stockpiles and what BMPs will be implemented to prevent discharge of earthen or vegetative material into Americano Creek. The ISP shall include a site map identifying BMP locations, an implementation schedule, and a proposed completion date.
3. **Implement the ISP:** No more than five (5) days after approval of the ISP by the North Coast Water Board or its delegated officer, or as otherwise directed by the Executive Officer given the emergency nature of the site conditions, the Discharger shall commence implementation of the ISP, and shall complete implementation of all ISP measures no later than **November 13, 2026**. Authorization under this requirement applies exclusively to the work specified in the approved ISP. Any work beyond the scope of the approved ISP must obtain separate permit coverage prior to initiation.
4. **ISP Completion Report:** By November 20, 2026, the Discharger shall submit an ISP Completion Report to the North Coast Water Board documenting that all ISP BMPs have been installed and are functional, including photographs of each BMP location. associated scope

GENERAL REQUIREMENTS AND NOTICES

1. **Duty to Use Qualified Professionals:** The Discharger shall provide documentation that plans and reports required under this Order are prepared under the direction of appropriately qualified professionals. As required by 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.
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 their knowledge, the report is true, complete, and accurate. The Discharger shall also state in the cover letter whether they will implement the recommendations/proposals 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 Change in Ownership or Occupancy:** The Discharger shall file a written report on any change in the Property’s ownership or occupancy. This report shall be filed with the North Coast Water Board no later than 30 days prior to a planned change and shall reference the number of this Order.
4. **Reasonable Access:** The Discharger shall allow the North Coast Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to enter the Property at reasonable times to inspect the Property and any records that must be kept under the conditions of this Order, for purposes of assuring compliance with this Order or as otherwise authorized by the Water Code.
5. **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 work. For example, Fish and Game Code section 1602 requires a person or entity to notify CDFW before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of

a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; or 4) depositing or disposing of debris or other material where it may pass into a river, stream, or lake. The failure to notify CDFW constitutes a violation of Fish and Game Code section 1602. Proposed dredge or fill within waters of the United States requires a Clean Water Act section 404 permit from the U.S. Army Corps of Engineers. Proposed work within waters of the United States or waters of the state requires a Water Quality Certification or other Waste Discharge Requirements from the North Coast Water Board. Proposed work within unincorporated Sonoma County, including work located within a Riparian Corridor Combining Zone, may require applicable local grading, zoning, or site development permits from Permit Sonoma prior to commencing construction.

6. **Cost Recovery:** Pursuant to Water Code section 13304, the State or 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 and supervise the cleanup of such waste or other restoration action required by this Order. 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 pursuant to the procedures established in that program. Pursuant to Water Code section 13304, subdivision (c)(2), any costs not reimbursed constitute a lien on the affected Property upon the North Coast Water Board's serving notice of the lien on the property owner and recordation of the lien.
7. **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 Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay and 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.
8. **Potential Liability:** 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 \$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 for violation of the terms and conditions of this Order.
9. **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 revised as additional information becomes available.

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

11. **Requesting Review by the State Water Board:** Any person aggrieved by this or any final 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:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

This Order is effective upon the date of signature.

 Digitally signed by
Valerie Quinto
Date: 2026.09.30
12:07:09 -07'00'

Valerie Quinto
Executive Officer

260061_Neve_Americano_Creek_CAO

Attachment A: North Coast Water Board September 30, 2026 Inspection Report
and Notice of Violation