

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

**CLEANUP AND ABATEMENT AND
INVESTIGATIVE ORDER NO. R1-2026-0062**

for

**Siskiyou Telephone Company, North Sky Communications, LLC, and Kinnan
Engineering, Inc. dba KEI Directional Drilling**

Siskiyou County and the North Coast Region

This Cleanup and Abatement and Investigative Order (Order) is issued to Siskiyou Telephone Company, North Sky Communications, LLC, and Kinnan Engineering, Inc. dba KEI Directional Drilling (collectively, the Dischargers) pursuant to California Water Code (Water Code) section 13304, which authorizes the North Coast Regional Water Quality Control Board (North Coast Water Board) to require cleanup and abatement of waste discharges, 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 Dischargers' acts, or failure to act, the following:

- 1. Purpose of the Order:** This Order requires the Dischargers to clean up and abate the effects of unauthorized discharge of drilling waste generated by horizontal directional drilling (HDD)¹ from the Grant Bluffs bore entry pit along Salmon River Road near Somes Bar, Siskiyou County, to waters of the state, including a wetland, an unnamed stream that is tributary to the Salmon River, and the Salmon River. This Order further requires immediate investigation, and cleanup to prevent further harm and unauthorized discharges consistent with the *Porter-Cologne Water Quality Control Act* (Wat. Code § 13000 et seq.), the *Water Quality Control Plan for the*

¹ HDD waste — a mixture of water and bentonite clay used to lubricate the drill bit, stabilize the borehole, and carry cuttings to the surface during horizontal directional drilling operations. The return mixture — which picks up soil, sand, rock fragments, and the bentonite itself — is properly called HDD return slurry or HDD waste. HDD waste includes all drilling fluids, additives, and materials or byproducts used in or produced by HDD activities as well as any comingled groundwater and/or stormwater.

North Coast Region (Basin Plan), State Water Resources Control Board (State Water Board) 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:** This Order finds that the Dischargers are responsible parties, and are all jointly and severally liable: (a) Siskiyou Telephone Company (SisTel), the utility company, owner, and developer of the Siskiyou Telephone Middle-Mile Broadband project (Project), in partnership with California Department of Technology, and the Legally Responsible Person under the *NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities – Order WQ 2022-0057-DWQ and Order WQ 2022-0057-DWQ, NPDES No. CAS000002* (Construction General Permit) enrollment for the Project; (b) North Sky Communications, LLC (North Sky²), the general contractor responsible for constructing the Project; and (c) Kinnan Engineering dba KEI Directional Drilling (Kinnan), the HDD subcontractor performing the directional drilling for the Project. The Dischargers have caused or permitted, or threatened to cause or permit, waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state, creating or threatening to create a condition of pollution or nuisance. 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.

3. Background:

- a. The Project comprises approximately 55 acres of underground construction and begins in Siskiyou County, California, near the town of Seiad Valley, and ends in Humboldt County, California, within the Six Rivers National Forest. The Project is divided into eight Segments, each identified with a separate Work Order (Work Order 2, 3, 4, 5, 7, 11, 13, and 15). The unauthorized discharge is associated with a portion of Segment/Work Order 13, referred to as the Grant Bluffs Bore, specifically the bore pit at the entry area (Entry Pit). The Grant Bluffs Bore Entry Pit is located at approximately 41.3356° N, 123.4059° W; nearest address 6304 Butler Mountain Road, Somes Bar.
- b. Segment/Work Order 13 (Caltrans EA 02-1K710; EFIS No. 0224000156) is to install fiber optic conduit along approximately 8.79 miles of Salmon River Road in Siskiyou County, outside the Caltrans right-of-way and largely within the Six Rivers National Forest.
- c. The Segment/Work Order 13 operates under Siskiyou County Permit 26-68-D5F-O and a special use permit issued by the Six Rivers National Forest on April 24,

² North Sky is named as a responsible party under Cleanup and Abatement and Investigative Order No. R1-2026-0038, issued by the North Coast Water Board on June 17, 2026, for unauthorized disposal and discharges of HDD waste to Redwood Creek and the South Fork Eel River.

2026, that states in part: “No waste or by-product shall be discharged into water in connection with the use and occupancy authorized by this permit except in full compliance with all applicable federal, state, and local environmental and other laws.”

- d. The Environmental Commitments Record for Work Order 13 (ECR; last modified June 23, 2026) requires, among other measures: (i) BIO-13, development of a plan for prompt and effective response to accidental spills and submittal of an HDD Frac-Out Plan to the U.S. Fish and Wildlife Service prior to starting HDD work; (ii) AQUATIC/RIPARIAN-1, a minimum 100-foot buffer between ground disturbance and the edge of aquatic resources and riparian habitat, with biological monitoring where the buffer cannot be avoided; (iii) AQUATIC/RIPARIAN-2, sediment controls installed and maintained to intercept sediment before it reaches an aquatic resource; and (iv) AQUATIC/RIPARIAN-3, a site-specific spill prevention plan, including containment berms where necessary to prevent spilled materials from reaching aquatic resources. The Grant Bluffs Bore Entry Pit is located adjacent to a wetland and approximately 50 feet from unnamed perennial stream that is tributary to the Salmon River (Tributary 1³).
- e. The Project has Construction General Permit coverage as a Risk Type 1 LUP, WDID 1 47C411008 for which SisTel is the Legally Responsible Person. Stantec prepared the Stormwater Pollution Prevention Plan (SWPPP) for the Project, most recently amended April 22, 2026 (Amendment 3). The SWPPP lists operating hours of Monday through Saturday, 07:00 to 18:00, and requires that liquid waste, including dewatering discharge, be contained and disposed of properly and never allowed to enter surface waters; that the North Coast Water Board be notified 24 hours before a planned dewatering discharge, or within 24 hours of an emergency dewatering discharge; and that corrective measures be implemented immediately following identification of a discharge. Apart from general fact-sheet guidance included as an appendix to the SWPPP, the SWPPP contains no site-specific measures for management of HDD waste or dewatering of bore return water. The Construction General Permit does not authorize the discharge of HDD waste to waters of the state.
- f. *Water Quality Order No. 2023-0068-DWQ Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification* was developed for the Middle-mile Broadband Network Initiative (General MMBN WDRs/401 Certification) and designed to address these threats by prohibiting the discharge of HDD waste to waters of the state, requiring proper containment and disposal of drilling muds and compounds, and establishing conditions that authorize dredge or fill activity only when protective measures are followed. Additionally, the General MMBN WDRs/401 Certification includes specific requirements to

³ Tributary 1 is designated by a solid line symbol shown in blue on United States Geological Survey Topographic Maps.

address risks related to HDD, including measures to prevent and respond to inadvertent returns of drilling fluids to waters of the state. The Project is not enrolled under the General MMBN WDRs/401.

- 4. Discharge Event:** According to Bonfire Infrastructure Group (Bonfire), which provides project management and project supervision on behalf of SisTel, in a verbal and written incident summary provided on September 24, 2026, to North Coast Water Board staff (Staff), on September 23, 2026, groundwater began flowing into the Grant Bluffs Bore Entry Pit and comingling with the HDD waste, causing the comingled volume to exceed the holding capacity of the Entry Pit. The Dischargers removed HDD waste from the bore pit via vac jet truck three times during the workday to prevent discharge, the last time in the evening, and left the site unattended overnight. When crews returned the next morning, on September 24, 2026, a mixture of groundwater and HDD waste had overflowed from the Grant Bluffs Bore Entry Pit and beneath the silt fencing and fiber rolls installed as best management practices (BMPs) and discharged to the adjacent wetland, reached Tributary 1, and discharged to the Salmon River.
- a. On September 24, 2026, at 8:58, Bonfire called to report the discharge to Staff and provided the written summary of the incident and proposed remediation and mitigation measures, including vacuum excavation of the flow path from the silt fence to the Salmon River, a reinforced fiber roll at the confluence, a second row of silt fence and a sandbag berm, pH testing, enlargement of the Entry Pit, twice-daily pit evacuation, and Sunday monitoring. The summary states that North Sky was already conducting vacuum excavation from the Entry Pit and that all recovered HDD waste has been transported to Custom Crushing in Yreka. Bonfire representative informed Staff that someone was now stationed onsite at all times to prevent the Grant Bluffs Bore Entry Pit from overflowing again.
 - b. Following communication with Staff, Bonfire, on behalf of SisTel, reported the discharge to the California Governor's Office of Emergency Services (*Cal OES Control No. 26-4952*). The report stated that the overflow reached vegetation and a small creek approximately 50 feet from the work site, that testing found traces of clay in the creek, and that the creek leads to the Salmon River. The report estimated the discharge quantity as less than 30 gallons.
 - c. On September 24, 2026, at approximately 16:45 Staff conducted an emergency inspection of the Grant Bluffs Bore Entry Pit and areas impacted by the HDD waste discharge. Staff observed turbid water flow still rising from the Entry Pit, although no drilling was occurring, and documented HDD waste deposition beyond the pit and stormwater BMP, within the adjacent wetland, within Tributary 1, and within the Salmon River. Project representatives stated that they were visually monitoring 24 hours per day seven days per week and pumping out the Entry Pit as needed to prevent further discharge.

- d. On September 29, 2026, California Department of Fish and Wildlife (CDFW) personnel inspected the Grant Bluffs Bore Entry Pit and impacted areas. In a call with Staff on September 29, 2026, CDFW personnel stated that the also observed HDD waste deposition outside of the pit and stormwater BMP, within the adjacent wetland, within Tributary 1, and within the Salmon River. CDFW personnel stated that recoverable material was still present within waters of the state and that clean up and removal should occur prior to wet weather.

5. Watershed Impacts

The Grant Bluffs Bore drains to the Salmon River Hydrologic Area of the Klamath River Hydrologic Unit. The Salmon River is designated under the Wild and Scenic Rivers Act and supports Southern Oregon/Northern California Coast coho salmon (federally and state threatened), Upper Klamath-Trinity Rivers spring-run Chinook salmon (state threatened), fall-run Chinook salmon, and summer and winter steelhead. Late September and October coincide with spring-run Chinook spawning and the onset of fall-run Chinook spawning in the Salmon River. The Salmon River lies within the ancestral territory of the Karuk Tribe and supports Tribal cultural and subsistence uses.

The Dischargers' activities at the Grant Bluffs Bore Entry Pit 1) caused and continue to threaten discharges of HDD waste and groundwater into the adjacent wetland, Tributary 1, and the Salmon River, including to waters of the state and United States⁴, and 2) cause or permit, and threaten to cause or permit, waste to be discharged or deposited where it is, or probably will be, discharged to waters of the state, and create and/or threaten to create a condition of pollution or nuisance.

6. Beneficial Uses, Water Quality Objectives, and Basin Plan Prohibitions

- a. The Water Quality Control Plan for the California Regional Water Quality Control Board, North Coast Region (Basin Plan)⁵ designates beneficial uses of water within Hydrologic Subareas, establishes water quality objectives and implementation programs for protecting beneficial uses, and incorporates by

⁴ 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 waters as "waters of the United States." Waters of the United States includes traditionally navigable waters and tributaries as defined in 40 C.F.R. section 122.2. The Porter Cologne Water Quality Control Act provides the Regional 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.

⁵ Available online here:
https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/

reference the plans and policies adopted by the State and Regional Water Boards.

- b. **Basin Plan Prohibitions:** The Basin Plan contains specific prohibitions that provide protection to the beneficial uses identified in the Salmon River watershed.

- i. The Basin Plan's *Action Plan for Logging, Construction, and Associated Activities* includes the following waste discharge prohibitions:

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 watercourse⁶ in the basin in quantities deleterious to fish, wildlife, or other beneficial uses is prohibited.”

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 deleterious to fish, wildlife, or other beneficial uses is prohibited.”

- ii. The Basin Plan's *Action Plan for the Klamath River Total Maximum Daily Loads Addressing Temperature, Dissolved Oxygen, Nutrient, and Microcystin Impairments in the Klamath River in California and Lost River Implementation Plan* specifies in the Klamath River Basin: “Discharges of waste that violate any narrative or numerical water quality objective that are not authorized by waste discharge requirements or other order or action by the North Coast Water Board or State Water Board are prohibited.”

7. North Coast Water Board TMDL Implementation

The entire Salmon River is Clean Water Act section 303(d) listed as impaired due to elevated water temperature and dissolved oxygen. The North Coast Water Board adopted, and the U.S. Environmental Protection Agency approved, Total Maximum Daily Load (TMDL) for temperature in the Salmon River in 2005 and for temperature, dissolved oxygen, nutrients, and microcystin in the Klamath River in 2010. The Basin Plan's Klamath River TMDL Action Plan identifies implementation actions to achieve the TMDL load allocations, including control of sediment discharges and protection of riparian shade, and contains a prohibition on discharges in violation of water

⁶ As provided in the Basin Plan's *Guidelines for Implementation and Enforcement of Discharge Prohibitions Relating to Logging, Construction, or Associated Activities*, “[t]he definition for ‘stream or watercourse’ as those terms are used in the waste discharge prohibitions relative to logging and construction activities shall be interpreted by the North Coast Water Board to mean the following: Natural watercourse as designated by a solid line or dash and three dots symbol shown in blue on the largest scale United State Geological Survey Topographic Map most recently published.”

quality objectives in the Klamath River Basin. Although the Salmon River is not listed as impaired for sediment, the Basin Plan sediment, settleable material, and turbidity objectives apply, and the high quality of Salmon River waters must be maintained consistent with State Water Board Resolution No. 68-16.

8. Grant Bluffs Bore Discharge Conditions Impacting or Threatening to Impact Water Quality and Beneficial Uses

The discharge of HDD waste from the Grant Bluffs Bore Entry Pit has caused, and threatens to continue to cause, exceedances of the aforementioned water quality objectives by introducing HDD waste and associated soil and rock cuttings into the adjacent wetland, Tributary 1, and the Salmon River. Chapter 3 of the Basin Plan states that controllable water quality factors⁷ shall conform to the water quality objectives contained therein. The discharge of HDD waste is a controllable factor that must be eliminated consistent with the Antidegradation Policy and State Water Board Resolution No. 68-16.

With the ongoing groundwater inflow to the Grant Bluffs Bore Entry Pit, the continued presence of HDD waste along the flow path, in the adjacent wetland and Tributary 1, and at the Salmon River confluence, and the pending onset of the rainy season, the HDD waste has the potential to further degrade surface water quality and adversely affect the COLD, SPWN, MIGR, RARE, WILD, CUL, MUN, REC-1, and REC-2 beneficial uses of Tributary 1 and the Salmon River. Precipitation events or physical disturbance has the potential to remobilize settled HDD waste and transport additional fine sediment to waters of the state. HDD waste deposited in the interstitial spaces of the streambed has the potential to smother benthic invertebrate communities and degrade spawning gravel quality during the Chinook salmon spawning season. Suspended clay particles that cloud the water column are capable of impairing fish feeding and reducing dissolved oxygen exchange through gills.

The discharge of HDD waste from the Grant Bluffs Bore threatens to further alter the quality of waters of the state and potentially alter the quality of waters of the state to a degree that unreasonably affects waters for beneficial uses. Therefore, the threatened discharges of waste create a condition of threatened pollution subject to this Order in accordance with Water Code section 13304.

- 9. Legal Basis of the Order:** 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

⁷ The Basin Plan Chapter 3 defines controllable water quality factors as, “those actions, conditions, or circumstances resulting from human activities that may influence the quality of the waters of the state and that may be reasonably controlled.”

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.”

This Order is issued pursuant to California Water Code (Water Code) section 13267 and conforms to and implements policies and requirements of the Porter Cologne Water Quality Control Act (Division 7, commencing with Water Code section 13000) including section 13267, and the Basin Plan adopted by the North Coast Water Board including beneficial uses, water quality objectives, and implementation plans.

Water Code section 13267, subdivision (a), provides that the North Coast Water Board may investigate the quality of any waters 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 reports required by this Order will assist the North Coast Water Board in determining whether the Dischargers have taken, or will take, necessary actions to protect water quality and the beneficial uses of surface waters in the Salmon River watershed. The burden of compiling these reports, including the costs associated with collecting the information, bears a reasonable relationship to the benefits that will be obtained from having the necessary information for the North Coast Water Board to properly regulate and monitor the site and to protect water quality.

“Waste,” is defined by Water Code section 13050, subdivision (d), and includes, “earthen material, including sediment when discharged to waters of the state. The sediment described above threatens to discharge into the waters of the state in a manner that has created or threatens to create a condition of pollution as defined by Water Code section 13050 subdivision (l)(1), by altering the quality of the waters of the state. The extent of these threatened and actual discharges of waste could be deleterious to fish, wildlife, or other beneficial uses.

- a. “Discharges of sediment and other inert material can 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, and WILD). Tributaries provide habitat for amphibians and are tributary to streams that provide habitat for salmonids. Increased sedimentation and turbidity can also 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 sediment is especially problematic in this watershed because the Salmon River supports one of the few remaining wild populations of spring-run Chinook salmon in the Klamath Basin, along with fall-run Chinook salmon, coho salmon, and steelhead, and is Clean Water Act section 303(d)-listed as impaired due to elevated temperature. Sediment delivery to streams impacts the migration, spawning, reproduction, and early development of these cold-water fish.
- c. Impacts to beneficial uses occur both during sediment transport and sediment deposition. In addition to the problems associated with suspended sediment, sediment is also an excellent transport mechanism for toxics (e.g., metals and synthetic organics) and nutrients, which bind to sediment particles. (beneficial uses impacted: REC1, REC-2, COLD, SPWN, RARE, MIGR, COMM, MUN, and WILD).

10. Cleanup and Abatement Action Necessary: Cleanup and abatement is necessary to ensure that threatened discharges of waste to waters of the state threatening to create a condition of pollution and nuisance, are appropriately cleaned up, that background water quality conditions are restored, and that any impacts to beneficial uses are mitigated.

The unauthorized discharge of HDD waste could alter the quality of waters of the state to a degree which would unreasonably affect waters of the state for beneficial uses. The current condition of pollution is a violation of applicable water quality regulations and the issuance of this Order pursuant to Water Code section 13304 is appropriate and consistent with the policies of the North Coast Water Board.

11. Necessary Technical Reports: Water Code section 13267, subdivision (b) provides that the North Coast Water Board may require a discharger to furnish, under penalty of perjury, technical or monitoring reports. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained. The technical reports required by this Order are necessary to investigate the quality of waters of the state, characterize the full extent of waste discharge, and protect beneficial uses.

The reports required by this Order address containment and cleanup planning, waste characterization, stream impacts assessment, sensitive receptor survey, and, where warranted, each necessary to fully understand and remediate the discharge to a sensitive salmonid watershed during rearing and spawning seasons. Detailed descriptions of each report are outlined in the Required Actions section. 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. The following provides a summary of the need for each required report and an estimate of the reporting cost⁸.

- a. **Immediate Cessation and Containment Certification (Required Action 1):** The certification confirming cessation of all unauthorized discharges of HDD waste, is a technical report necessary to confirm compliance with the most urgent requirement of this Order. Estimated reporting costs range between \$700 and \$2,000.
- b. **Waste Disposal Plan (Required Action 2):** The Waste Disposal Plan is necessary to ensure that all waste is properly managed and disposed of at appropriately managed and approved locations to prevent additional impacts to water of the state. Estimated reporting costs range between \$5,700 and \$13,900.
- c. **Corrective Action Plan (Required Action 3):** The Corrective Action Plan (CAP) is a technical report necessary to ensure that containment, source control, and cleanup measures are designed, documented, and implemented in a manner that prevents further unauthorized discharges of HDD waste and remediates the discharge that has already occurred. Weekly progress reports are technical reports necessary to document cleanup and containment activities in real time, including Grant Bluffs Bore Entry Pit monitoring during non-working hours, and to evaluate cleanup effectiveness during the active remediation period, anticipated to be six-weeks. The CAP Completion Report is a technical report necessary to demonstrate that the Dischargers have implemented and completed all cleanup and abatement activities required by the approved CAP, with documented evidence of proper off-site disposal and certification by a licensed professional. Estimated reporting costs for producing the CAP and the CAP completion reports range between \$19,000 and \$50,900.
- d. **Discharge Incident and Characterization Report (Required Action 4):** The Discharge Characterization Report is a technical report necessary to establish the factual record of the discharge, including drilling fluid products and additives, Grant Bluffs Bore Entry Pit capacity and groundwater inflow, the sequence of

⁸ State Water Resources Control Board, Underground Storage Tank Cleanup Fund, Cost Guidelines FY 2025-26 (rev. 07/2026). Available on the USTCF webpage, waterboards.ca.gov; State Water Resources Control Board, Water Quality Order No. 2023-0068-DWQ, Waste Discharge Requirements and CWA Section 401 Water Quality Certification, Middle-Mile Broadband Network Initiative, August 14, 2023; North Coast Regional Water Quality Control Board, Salmon River Temperature Total Maximum Daily Load and Implementation Plan, Resolution No. R1-2005-0058, June 22, 2005.; U.S. Bureau of Labor Statistics, Occupational Outlook Handbook: Zoologists and Wildlife Biologists, 2024-25 edition. <https://www.bls.gov/ooh/life-physical-and-social-science/zoologists-and-wildlife-biologists.htm>; ZipRecruiter, Environmental Consulting Salary — California, March 2026; Senior Fisheries Biologist market rates, GEI Consultants Northern California.; Campos EPC, Inadvertent Release Contingency Plan, Rio Dell HDD Pipeline, Eel River Crossing, May 15, 2026.

events resulting in the unauthorized discharge, the discharge pathway, and the volume discharged and recovered. Estimated reporting costs range between \$5,200 and \$12,200.

- e. **Aquatic Resource Impacts Assessment and Sensitive Receptor Survey (Required Action 5):** The Aquatic Resource Impacts Assessment and Sensitive Receptor Survey is a technical report necessary to characterize the extent of impacts to aquatic resources, including but not limited to habitat, listed biological resources and water supply receptors in the wetland, Tributary 1 and the Salmon River. The report should also include any existing aquatic delineations conducted as part of the larger project. This report will assist Staff in evaluating the potential for direct and indirect impacts to surface waters for the remainder of the project. The assessment scoped to the reach from the point of discharge to the Salmon River confluence and the affected area of the Salmon River. Estimated reporting costs range between \$7,200 and \$20,900.
- f. **Emergency Response and Notification Plan (Required Action 6):** The Emergency Response and Notification Plan is a technical report necessary to ensure timely response and notification in the event of additional unauthorized discharges of waste from the Project. Estimated reporting costs range between \$2,100 and \$5,200.

12. Notification: On October 7, 2026, Staff notified Bonfire by phone of its intent to issue this Order, and discussed the Dischargers' plans to address conditions at the Grant Bluffs Bore Entry Pit and threats associated with the discharge. Due to the urgent need to address the imminent threat to waters of the state, the environment, and public health, this Order has been issued as expeditiously as possible. The Dischargers can seek changes or comment on this Order once it is issued. Moreover, under Water Code section 13320, they can petition the State Water Resources Control Board for review, as explained in General Requirements and Notices, Paragraph 11, below.

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 Dischargers to submit plans for approval prior to implementation of cleanup, abatement, and restoration activities at the site. Mere submittal of plans is exempt from CEQA as submittal will not cause a direct or indirect physical change in the environment and/or is an activity that cannot possibly have a significant effect on the environment. CEQA review at this time would be premature and speculative, as there is simply not enough information concerning the Dischargers' proposed cleanup, abatement or restoration activities and possible associated environmental impacts. To the extent that the Order requires earth-disturbing and re-vegetation activities not to exceed five acres in size and to assure restoration of stream habitat

and prevent erosion, this Order is exempt from provisions of 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 implementation of any plan required by this Order will have a significant effect on the environment and, if so, in preparing any documents necessary for the North Coast Water Board to satisfy its environmental review obligations under CEQA. If necessary, the Dischargers and a consultant acceptable to the North Coast Water Board shall enter into a memorandum of understanding with the North Coast Water Board regarding such costs prior to undertaking any environmental review.

REQUIRED ACTIONS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13304 and 13267, that the Dischargers shall clean up any wastes and abate the actual and threatened impacts to water quality in accordance with the scope and schedule set forth below and provide the technical reports as required below.

1. Immediate Cessation of Unauthorized Discharges - Region Wide

The Dischargers shall immediately cease all unauthorized discharges of HDD waste to waters of the state and disposal of HDD waste at any unpermitted location, including from the Grant Bluffs Bore Entry Pit or any other location within the North Coast Region without prior written authorization from the North Coast Water Board. All HDD waste, including groundwater returning through the bore, shall be contained and managed at all times, including during non-working hours, weekends, and holidays, in a manner that prevents overflow or release to any location where it could pass into waters of the state. HDD waste shall be stored, processed, and/or disposed of only at a properly permitted disposal facility or at a location that holds applicable waste discharge requirements or general permit coverage approved in advance by the North Coast Water Board and all applicable local agencies.

By **October 19, 2026**, the Dischargers shall each submit a written certification certifying compliance with this provision including a description of the containment measures in place and identifying each facility receiving HDD waste and its permit status.

2. Waste Disposal Plan - Project Wide

By **October 19, 2026**, submit a Project-wide plan for proper off-site storage, processing, and disposal of all HDD waste at a permitted facility, including all material recovered during in-stream and riparian cleanup. Include the identity of each receiving facility, including specific site address, Assessor Parcel Number, and/or coordinates, site contact information for the receiving facility, a proposed

transport and disposal schedule, volumes to be disposed of at each facility, and generation rate.

3. Corrective Action Plan - Grant Bluffs Bore

By **October 26, 2026**, the Dischargers shall submit a proposed Corrective Action Plan (CAP) for the Grant Bluffs Bore, prepared by an appropriately licensed and qualified professional and subject to review and approval by the North Coast Water Board Executive Officer or their designee, for completion of abatement measures necessary to prevent further unauthorized discharges of HDD waste and to remediate the discharges that have already occurred. The CAP shall include, at a minimum, the following elements:

a. Stabilization, Source Control, and Containment

- i. Identification of all discharge locations and pathways from the Grant Bluffs Bore Entry Pit to the adjacent wetland, Tributary 1, the Salmon River, and any other potential discharges to waters of the state.
- ii. Provide a comprehensive source control, discharge prevention, and containment management plan for all remaining work associated with the Grant Bluffs Bore, including the Entry Pit, exit area, and any other associated work. The plan must:
 - Specify containment measures sized to accommodate the combined volume of HDD waste, the maximum potential groundwater inflow rate, and potential stormwater volume, with adequate freeboard to prevent discharges to waters of the state.
 - Include specific stabilization, source control, and containment BMPs, as well as assessment and prevention measures for any persistent groundwater discharge.
 - Describe evacuation frequency and volumes, high-level alarm or continuous monitoring procedures, and staffing during non-working hours, weekends, and holidays.
 - Identify contingency measures that will be implemented if containment capacity is exceeded in order to prevent additional discharges.
- iii. All proposed site stabilization, source controls, and containment measures shall be reflected in the regulatory documents, site specific plans, scopes of work, design drawings and specifications as applicable, including an amendment to the project SWPPP (WDID 1 47C411008) prepared by the QSD that addresses management of HDD drilling fluid, groundwater, stormwater, and bore return water.

b. Wetland, In-Stream and Riparian Cleanup

- i. Provide proposed plan, prepared by a qualified professional with expertise in freshwater ecology, that includes all necessary information and supporting

documentation outlining the proposed cleanup activities, methods, schedule, and selected BMPs to remove HDD waste discharged from the Grant Bluffs Bore Entry Pit, including from the upland flow path, the adjacent wetland, Tributary 1, the Salmon River, and any other impacted waters of the state. The methodology shall include measures to minimize impacts to water of the state and provide protection of wetland and riparian vegetation; amphibians, fish and other sensitive resources; and proposed actions to prevent the resuspension and downstream transport of settled HDD waste as well as any other impacts or discharge to water of the state including wetlands, Tributary 1, and the Salmon River during abatement activities.

- ii. Proposed disposal location(s) for all material recovered during cleanup.
- iii. The Dischargers are responsible for obtaining any applicable and necessary permits and/or authorizations from other regulatory agencies prior to the commencement of any work. North Coast Water Board authorization is limited to the specific work required and approved under the CAP. Any work beyond the scope of the approved CAP may require additional separate permit coverage prior to initiation.

c. Implementation Schedule

- i. A detailed schedule for completion of all CAP tasks, with specific milestone dates, identification of personnel with responsibility in conducting each task, and criteria for determining task completion.
- ii. The Dischargers shall notify Staff in writing (email is acceptable) at least 24 hours before commencing any activity described in the approved CAP.
- iii. The Dischargers shall provide notification to all applicable local, state, federal, and tribal agencies and partners, and any downstream water users, any other potentially impacted parties of the schedule of all abatement and remediation actions, including any potential impacts, such as increased turbidity, due to the remediation actions.

d. CAP Completion

Upon written approval of the CAP and implementation schedule by the North Coast Water Board Executive Officer, or their designee, the Dischargers shall commence implementation of the approved CAP no later than five (5) calendar days following approval. The Dischargers shall complete the work specified in the approved CAP per the approved schedule of implementation.

e. Weekly Progress Reports

Beginning upon CAP approval, and continuing until CAP completion, the Dischargers shall submit weekly progress reports to the North Coast Water Board. Each report shall include: a summary of all major cleanup, abatement, and containment activities conducted during the reporting period; monitoring logs, including during non-working hours; documentation of any new release of

HDD waste; all available truck manifests, haul logs, or load tickets for HDD waste disposal; evaluation of the effectiveness of ongoing cleanup measures; photographic documentation of work areas; identification of any problems or delays and proposed solutions; and a schedule outlook for the following reporting period.

f. CAP Completion Report

No later than 14 days following completion of all activities described in the approved CAP, the Dischargers shall submit a CAP Completion Report to the North Coast Water Board. This report shall include a summary and photographic documentation of all completed cleanup and abatement measures clearly keyed to site maps; confirmation of proper off-site disposal of all HDD waste with disposal facility receipts; a statement of professional certification by the responsible licensed professional, assessment of migration waste as it relates to physical habitat and sensitive receptors ; and a determination of whether the impacted areas have been returned to pre-impacted conditions and if any additional cleanup and/or mitigation is necessary based on conditions observed at completion.

4. Discharge Incident and Characterization Report - Grant Bluffs Bore

By **November 9, 2026**, the Dischargers shall submit a Discharge Characterization Report for the Grant Bluffs Bore, prepared by and/or under the direction of a qualified professional, that provides a complete accounting of the HDD waste generated, contained, discharged, and disposed of in connection with the Grant Bluffs Bore. The report shall include, at minimum:

- a. Documentation of the sequence of events leading up, during and in response to the incident that resulted in the discharge of HDD waste to waters of the state from the Grant Bluffs Bore Entry Pit, including but not limited to: all work conducted, parties conducting activities, contributing conditions, dates and times events occurred, volumes, duration of discharge, all corrective actions taken, any cleanup measure taken, and any changes in management, BMPs, and operations.
- b. A map showing the entry pit, BMP locations, the overflow flow path, the affected wetland, the point(s) of delivery into Tributary 1, affected reaches of Tributary 1 and the Salmon River, and all HDD waste disposal locations, with GPS coordinates.
- c. Provide all waste generation volumes, processing, storage, and disposal locations from the start of the Grant Bluffs Bore to the date of this Order, including dates, composition, volumes (gallons), disposal locations, sampling results, additives used, and identification of personnel in responsible charge.
- d. Identification of all drilling fluid waste, products, and any additives used including manufacturer, product name, mixing ratios, quantity, and safety data sheets, and

a characterization of the constituents of the HDD waste, their concentrations, and breakdown products.

- e. Copies of the HDD Frac-Out Plan, spill prevention and response plan, Dewatering Plan, standard operating procedures, site specific BMP plans, or other documentation of control measures in place at the time of the incident, as well as SWPPP inspection records applicable to the Grant Bluffs Bore, and all biological, water quality, and construction monitoring logs and field results (including pH and turbidity) from the start of the bore to the date of this Order.
- f. All available truck manifests, haul logs, or load tickets for HDD waste transported from the site, and documentation that Custom Crushing in Yreka, or any other receiving facility, is authorized to accept HDD waste.
- g. Estimates of the volume of HDD waste discharged from the Entry Pit on each overflow occasion, date of and time of overflow, the volume that reached the wetland, Tributary 1, and the Salmon River, and the volume recovered to date, with the basis for each estimate.

5. Aquatic Resource Impacts Assessment and Sensitive Receptor Survey – Project Wide

Dischargers shall submit a Stream Impacts Assessment and Sensitive Receptor Survey, prepared by or under the direction of a qualified professional, including methodologies, procedures and results, that characterizes the full extent of impacts to aquatic habitat and sensitive biological resources resulting from the discharge of HDD waste and providing information regarding sensitive receptors. The assessment shall include, but not be limited to:

a. Physical Habitat Assessment and Sensitive Receptor Survey- Grant Bluffs Bore

By **October 19, 2026**, the Dischargers shall submit a Stream Impacts Assessment and Sensitive Receptor Survey for the Grant Bluffs Bore:

Physical Habitat Assessment

- i. A survey of HDD waste deposition in the adjacent wetland, in Tributary 1 from the point of discharge to the Salmon River confluence, including the road crossing and bedrock cascade, and in the Salmon River at and downstream of the confluence(s) with Tributary 1, documenting the longitudinal and cross-sectional extent of deposits and estimating the volume and thickness of settled material.
- ii. An assessment of impacts to streambed substrate quality, including fine sediment embeddedness of gravels and cobbles, and an evaluation of the degree to which spawning and rearing habitat suitability has been impacted.

- iii. Documentation of all survey methods, survey reach boundaries, sampling locations (with GPS coordinates), and photographs keyed to a site map.

Sensitive Receptor Survey

- i. Aquatic Biological Resources: A qualitative assessment of benthic macroinvertebrate community condition in affected reaches compared to reference conditions upstream of the discharge, as an indicator of food web impacts to juvenile salmonids.
- ii. Water Supplies: A survey of known or reasonably suspected domestic water supply wells and surface water diversions, including domestic and agricultural water intakes, within the potentially affected area of the Salmon River downstream of the discharge point.
- iii. A determination of any identified receptors that have been or may be adversely affected by the discharge of HDD waste, and if so, provide a plan for any needed additional water quality sampling, notification or remediation.

b. Physical Habitat Assessment - Project Wide

By **November 9, 2026**, the Dischargers shall submit a project-wide Physical Habitat Assessment for the Project:

Physical Habitat Assessment

- i. Copies of aquatic resource delineation reports and/or documents that identify all surface waters of the state directly and indirectly impacted by the discharge. Surface waters of the state include wetlands, streams, creeks, riparian areas, seeps etc.
- ii. Documentation showing where project activities, including discharges, past, ongoing, and future cleanup efforts, are located in relation to waters of the state.
- iii. Copies of any existing aquatic resource delineation reports and/or documents identifying surface waters of the state for the remaining portion of this segment and also for the overall Project. These reports typically consist of field observations and desktop evaluations using online datasets such as National Wetland Inventory (NWI) and California Aquatic Resource Inventory (CARI).

6. Emergency Response and Notification Plan - Project Wide

By **November 9, 2026**, submit a project-wide plan for emergency response and notification associated with unauthorized discharges and impacts waters of the state. The plan shall include list of emergency contacts including, but not limited to CalOES, applicable local, state, federal, and tribal agencies and partners, and any downstream water users, any other potentially impacted parties.

The discharge notification report shall include, at a minimum:

- CalOES Incident/Assessment Form, a full description and map of the accidental discharge incident (i.e. location, time and date, source, discharge constituent and quantity, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted.
- If applicable, any required sampling data, a full description of the sampling methods including frequency/dates and times of sampling, equipment, and locations of sampling sites.
- A summary of the cause of the discharge and all immediate corrective actions taken.

GENERAL REQUIREMENTS AND NOTICES

- 1. Duty to Use Qualified Professionals:** The Dischargers shall provide technical and monitoring reports prepared under the direction of appropriately qualified professionals. In preparing the technical reports, any engineering or geologic evaluations and judgments shall be performed by or under the direction of registered professionals pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1. Reports submitted by or on behalf of the Discharger shall include a statement of qualifications and registration numbers of the responsible lead professional. The lead professional shall sign and affix their registration stamp to the report.
- 2. Signatory Requirements:** All technical reports submitted by the Dischargers shall include a cover letter signed by the Dischargers, 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 Dischargers 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 this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
- 3. Reasonable Access:** The Dischargers shall allow the North Coast Water Board, or an authorized representative, upon presentation of credentials and other documents as required by law, to enter at reasonable times to inspect any facility, property, or disposal site relevant to this Order and to review any records required to be kept

under this Order for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code.

- 4. Submissions:** All submissions, monitoring reports, technical reports, or notices required under this Order shall be submitted to SMARTS and to the North Coast Water Board staff at the addresses provided below. North Coast Water Board staff will coordinate to obtain approval of the required submittals.

By email (preferred) to:

The North Coast Water Board at NorthCoast@Waterboards.ca.gov, Heaven Moore at Heaven.Moore@Waterboard.ca.gov, and Monica Bueno at Monica.Bueno@Waterboards.ca.gov.

Or by mail to:

North Coast Regional Water Quality Control Board,
Attn: Heaven Moore and Monica Bueno
5550 Skylane Blvd, Suite A, Santa Rosa, CA 95403

- 5. Other Regulatory Requirements:** The Dischargers shall obtain all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning the work.
- 6. Cost Recovery:** Pursuant to Water Code section 13304, the State or North Coast Water Board is entitled to all reasonable costs actually incurred to investigate and abate the effects of unauthorized discharges of waste and to oversee cleanup and restoration actions required by this Order.
- 7. Delayed Compliance:** If for any reason, the Dischargers are 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 or their designee, the Dischargers 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 but no later than 5 days prior to the compliance date. An extension may only be granted by modification of this Order or by a letter from the Executive Officer or their designee.
- 8. Modifications:** Any modification to this Order shall be in writing and approved by the North Coast Water Board or its delegated officer.
- 9. Enforcement Authority and Potential Liability:** If the Dischargers fail 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 \$1,000 dollars per day for violation of technical reporting requirements and liability of \$5,000 per day of violation 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 the right to take any enforcement actions authorized by law, including, but not limited to, violation of the terms and conditions of this Order

10. 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 consistent with the Water Code. This Order may be revised as additional information becomes available.

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 al. 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
Claudia E Villacorta
Date: 2026.10.09
13:48:34 -07'00'

Valerie Quinto
Executive Officer