CLEANUP AND ABATEMENT ORDER

No. R1-2026-0063

Property Owners and Responsible Parties: Luis Castro and Joel E. Castro

Subject Property: Mendocino County Assessor's Parcel Number 154-170-02-00

The North Coast Regional Water Quality Control Board (North Coast Water Board), acting through the Executive Officer, issues this Cleanup and Abatement Order to Luis Castro and Joel E. Castro (the Dischargers), pursuant to Water Code section 13304.

This Order requires the Dischargers to clean up and abate the effects of threatened discharges of waste[1] on the subject property at Mendocino County Assessor's Parcel Number (APN) 154-170-02-00 (hereafter the Property), and to eliminate the threat of future discharges to unnamed watercourses tributaries to Soda Creek, located within the Big River watershed.

FINDINGS

See enclosed Notice of Violation and attached inspection report, which documents conditions on the Property in violation of the Water Quality Control Plan for the North Coast Region (Basin Plan)[2] and Water Code.

The extent of the threatened discharges of waste is such that cleaning up waste or abating the effects of waste is required to protect water quality. The Property is located within the Big River watershed. The Basin Plan establishes beneficial uses for Big River, which include, but are not limited to Municipal and Domestic Supply and Cold Freshwater Habitat. These are often the most sensitive beneficial uses. For a list of all beneficial uses you can contact staff or access the Basin Plan online.

Cleanup actions required under this Order shall be conducted to comply with the Basin Plan, the Porter-Cologne Water Quality Control Act (Wat. Code § 13000 *et seq*.), State Water Resources Control Board (State Water Board) Resolution 92-49 Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water

[1] Water Code section 13050 definitions, including "waste" and "pollution" (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=13050.&lawCode=WAT)

[2] Basin Plan – (https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/)

Code section 13304 (Resolution 92-49)[3], and other applicable State Water Board and North Coast Water Board plans, policies, and regulations.

As described in the inspection report, North Coast Water Board staff observed cannabis cultivation without regulatory coverage that presented the following threats to water quality: disturbed areas; soil-filled growing bags, cannabis cultivation-related waste near the edges of cultivation areas and upslope of watercourses; improper storage of chemicals, generators, pumps, fertilizer-mixed irrigation water, and petroleum product containers without secondary containment and/or cover; and piles of burned materials, including plastic, located at the edge of cultivation areas and upslope of watercourses. These conditions threaten to discharge sediment and waste into the watercourses and, ultimately, into Soda Creek during storm events.

Based on these observations, the Dischargers threaten to cause or permit waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state and threaten to create a condition of pollution. As a result of these actions and site conditions the North Coast Water Board is authorized to order the Dischargers to 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 as described below in this Order. (Water Code § 13304.)

Sites enrolled under State Water Board Order No. WQ 2023-0102-DWQ *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (*Cannabis General Order) are required to comply with the *Cannabis Cultivation Policy Principles and Guidelines for Cannabis Cultivation* (Cannabis Cultivation Policy)[4]. The Cannabis Cultivation Policy is intended to ensure that cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, and springs. Accordingly, cleaning up the Property in accordance with the Cannabis Cultivation Policy would correct the conditions resulting in discharges and threats of discharge.

Luis Castro and Joel E. Castro are the owners of the Property, and receive mail at PO Box 938, Groveland, CA 95321, according to Mendocino County Assessor's Office records, as accessed via LightBox Vision online service.

As the owners of the Property, the Dischargers are responsible for remediating the conditions of threatened discharge on the Property. The Dischargers know or should

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[3] Resolution 92-49 (https://www.waterboards.ca.gov/water_issues/programs/site_cleanup_program/resolution_92_49.html)

[4] Cannabis Cultivation Policy (https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf)

know of the conditions resulting in the threatened discharge and have the legal ability to prevent additional discharges.

ORDER TO CLEANUP AND ABATE WASTE

LUIS CASTRO AND JOEL E. CASTRO ARE HEREBY ORDERED TO TAKE CORRECTIVE ACTION, PURSUANT TO WATER CODE SECTION 13304, BY COMPLYING WITH THE FOLLOWING:

1. By November 15, 2026, install erosion and sediment control measures to disturbed areas to reduce sediment transport under the direction of a Qualified Professional[5] as defined by the State Water Board's *Cannabis Cultivation Policy Principles and Guidelines for Cannabis Cultivation*, and submit photographs of the completed work to the North Coast Water Board.

2. By November 15, 2026, properly dispose of all cannabis cultivation-related materials and all refuse and solid wastes to a solid waste disposal facility authorized to accept that type of waste, and submit photographs of the completed work and the receipts of transportation and disposal to the North Coast Water Board.

3. By November 15, 2026, properly dispose of all liquid wastes (including petroleum products, fertilizers, and irrigation water) to a disposal facility authorized to accept such wastes and properly store with cover and secondary containment all remaining petroleum products, fertilizers, generators, and pumps, and submit photographs of the completed work and receipts of transportation and disposal to the North Coast Water Board.

Other Regulatory Requirements: The Dischargers are responsible for obtaining all applicable local, state, and federal permits necessary to fulfill the requirements of this Order prior to beginning the work. This Order does not relieve the Dischargers from

[5] Qualified professional means individuals licensed in California under the Professional Engineer Act (e.g., Professional Engineer), Geologist and Geophysicist Act (e.g., Professional Geologist, Certified Engineering Geologist, or Certified Hydrogeologist), and Professional Land Surveyors' Act (e.g., Professional Land Surveyor); a California Registered Professional Forester (RPF); and a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD). Qualified QSDs are California licensed civil engineers; professional geologists; landscape architects; professional hydrologists; certified professionals in erosion and sediment control; certified inspectors of sediment and erosion control; and certified erosion, sediment, and storm water inspectors. A Qualified Professional shall only perform work he/she is qualified to complete, consistent with applicable licensing and registration restrictions, and shall certify any work completed. Cannabis cultivation land development in timberland may be designed by a qualified California RPF.

complying with all other local, state, and federal requirements, nor does it preclude the North Coast Water Board from taking any and all other actions allowed by law.

Modifications: Any modification to this Order shall be in writing and approved by the North Coast Water Board or its delegated officer including any potential extension requests. If, for any reason, the Dischargers are unable to comply with the deadlines in this Order, 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 and prior to the compliance deadline.

Enforcement Authority: 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 $5,000 per day pursuant to Water Code section 13350, subdivision (a).

The North Coast Water Board reserves its right to take any enforcement actions authorized by law, including, but not limited to, enforcement for any underlying discharges of waste in violation of the North Coast Water Board's requirements and/or the Water Code.

No Limitation of Water Board Authority: This Order in no way limits the authority of the North Coast Water Board to amend this Order to require additional investigation and cleanup of the Property consistent with the Water Code.

This Order may be modified if additional information becomes available, including adding responsible parties when/if those parties are identified.

California Environmental Quality Act (CEQA) Compliance: Issuance of this Order is an enforcement action by a regulatory agency to enforce the provisions of the Water Code, and is exempt from provisions of the CEQA (Pub. Resources Code § 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15321. This action may also be considered exempt because it involves minor alterations to land and/or is an action by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of natural resources or the environment. (Cal. Code Regs., tit. 14, §§ 15304, 15307, & 15308.)

Requesting Review by the State Water Board: Any person aggrieved by this action of the North Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition no later than 5:00 p.m., 30 days following the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

https://www.waterboards.ca.gov/public_notices/petitions/water_quality/ or will be provided upon request.

This Order is effective upon the date of signature.

Digitally signed by Valerie Quinto
Date: 2026.10.28 14:11:13 -07'00'

Water Boards

Valerie Quinto
Executive Officer

File: Luis Castro and Joel E. Castro_CAO