



EXECUTIVE OFFICER'S REPORT

North Coast Regional Water Quality Control Board

February 2, 2023

Santa Rosa Plain Salt and Nutrient Management Plan – Groundwater Monitoring Plan

Ensuring appropriate use of recycled water as part of local water supplies

Chris Watt

Demand and competition for North Coast water supplies are increasing as our population grows and climate change affects watersheds. Traditionally, the North Coast has met its water needs through surface water diversions and reservoirs, groundwater pumping, and in the last few decades through water conservation and wastewater recycling. The Strategic Plan Update 2008-2012 for the Water Boards prioritized an increase in sustainable local water supplies to meet current and future beneficial uses and to ensure adequate flows for fish and wildlife habitat.

Recycled Water Bolsters Local Water Supplies

In 2009, the State Water Resources Control Board adopted the Recycled Water Policy (Policy) to support the Strategic Plan priority to Promote Sustainable Local Water Supplies. Increasing the acceptance and promoting the use of recycled water is a means towards achieving sustainable local water supplies. The Policy is also intended to encourage beneficial use of treated wastewaters rather than solely their disposal. Adoption of the Policy was supported by several statewide water supply

and reuse associations which advised their member agencies to commit resources to facilitate development of Salt and Nutrient Management Plans (SNMPs) which the Policy made a requirement for all groundwater basins. Subsequent updates to the Policy requested Regional Boards prioritize groundwater basins for salt and nutrient management planning. In 2021, the North Coast Board adopted [Resolution R1-2021-0006](#) prioritizing the 63 North Coast groundwater basins for salt and nutrient management planning and was followed in 2022 by [Resolution R1-2022-0040](#) Groundwater Protection Policy Statement which included direction to staff to:

- 1) continue to evaluate the need for groundwater monitoring in Monitoring and Reporting Programs for recycled water projects in priority groundwater basins which lack an approved Salt and Nutrient Management Plan; and
- 2) continue working with stakeholders in the Santa Rosa Plain sub-basin to utilize an SNMP to protect and restore groundwater quality.

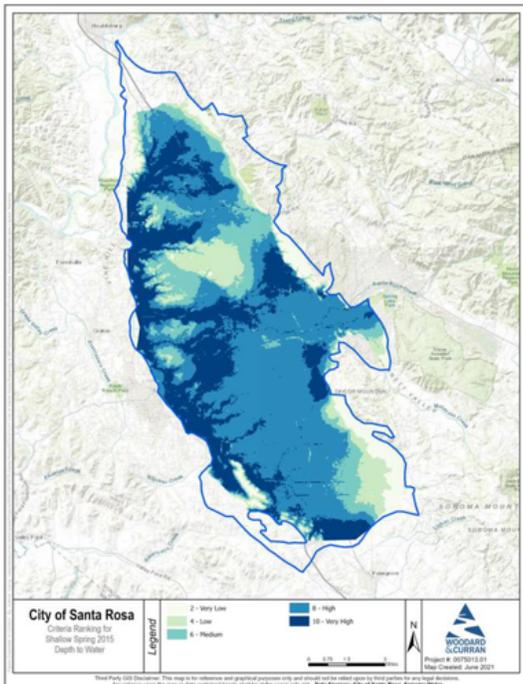
Recycled Water and Salt and Nutrient Management in the Santa Rosa Plain

Since the early 1980s, the purpose of recycled water in the Santa Rosa Plain sub-basin evolved from a means to comply with the Basin Plan prohibition on summer-time discharge of wastewater to surface waters and winter-time restrictions of such discharge to an alternative water supply for agricultural, municipal, and industrial users including exports in support of geothermal energy. In 2010, in response to the Policy,

stakeholders initiated a planning process to develop an SNMP for the Santa Rosa Plain sub-basin which included four workshops and two focus group meetings. Major sources of salts and nutrients in the Santa Rosa Plain sub-basin include agricultural irrigation, recycled water use, septic systems, animal manures, and urban stormwater. Technical analysis performed in support of the SNMP suggested that over a 25-year time horizon projected basin-wide (i.e., average) concentrations of total dissolved solids and nitrate would increase but remain below water quality objectives. The technical analysis did not consider local conditions, localized effects, nor the large data gap in shallow groundwater quality. In March 2013, the City of Santa Rosa published the SNMP in response to which Water Board staff provided comments in support of a proposed Monitoring and Reporting Program (MRP) to support refinement of the SNMP. In 2020, regulatory measures for recycled water producers (Windsor, Rohnert Park, and Santa Rosa) were revised to include the requirement to assess impacts of recycled water storage ponds and use on the water quality of the underlying groundwater basin.

Creating, Implementing, and Adapting a Monitoring Plan

In 2021, Water Board staff worked with City staff and consultants to refine a Groundwater Monitoring Plan which prioritized areas for groundwater monitoring in the Santa Rosa Plain sub-basin using spatial analysis of salt/nutrient sources and sensitivity factors, e.g., soil type and depth to groundwater. The Groundwater Monitoring Plan was approved by the Executive Officer and the City of Santa Rosa then developed a workplan for monitoring well installation. Monitoring well installation is planned for 2023 and monitoring is anticipated to continue as long as recycled water is used in the basin. The monitoring network will adapt as water quality data is collected and analyzed. For example, if monitoring detects statistically significant increasing trends in salts and nutrients it may trigger changes in the production and use of recycled water in the basin, in addition to an expansion of the monitoring well network. Ultimately, data from implementing the monitoring plan will be used to support appropriate production and use of recycled water as an alternative water supply.



Santa Rosa Plain

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Governor’s Wildfire and Forest Resilience Task Force
Jonathan Warmerdam

In response to the unprecedented increase in wildfire activity over the last decade, with millions of acres burned, thousands of structures lost, and hundreds of Californians tragically losing their lives, former Governor Brown and current Governor Gavin Newsom have taken significant steps to curtail the impacts from these events and prevent future wildfires.

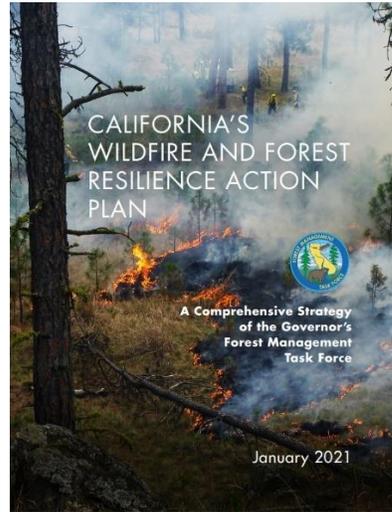
Beginning in 2018, former Governor Brown signed Executive Order B-52-18 as well as Senate Bill-901 (Dodd), which set California on a trajectory of increasing the pace and

scale of fuels management for forest restoration activities. Governor Newsom continued with these objectives, and formally created the Governor’s Wildfire and Forest Resilience Task Force after taking office.

As stated on the its [webpage](#), the Task Force was created to directly confront the near perfect storm of climatic and human-caused conditions that have brought the threat of devastating wildfire and its far-reaching effects to the doorstep of nearly everyone in our state and beyond. The Task Force is a collaborative effort to align the activities of federal, state, tribal, local, public, and private organizations to support programs and projects tailored to the priorities and risks of each region and bring the best available science to forest management and community protection efforts.

In 2020, California and U.S. Forest Service leadership signed the Agreement for Shared Stewardship of California’s Forest and Rangelands, which set the ambitious goal of a new “million-acre management” strategy for fuels treatments across state and federal lands throughout California beginning in 2025.

In 2021, the Task Force finalized the [California’s Wildfire and Forest Resilience Action Plan](#), a *Comprehensive Strategy of the Governor’s Forest Management Task Force*. The Action Plan details a coordinated and focused set of goals and recommendations to meet the million-acre treatment objectives. Goals include: (1) Increasing the Pace and Scale of Forest Health Projects, (2) Strengthening Protection of Communities, (3) Managing Forests to Achieve the State’s Economic and Environmental Goals, (4) Driving Innovation and Measuring Progress, and (5) Maintaining Progress and Partnerships.



Action Plan Cover Page

The Governor’s Task Force meets several times a year in various parts of the state to detail its accomplishments, discuss remaining obstacles, and to showcase the productive work of the Task Force and its regional partners. On February 2-3, 2023 the Task Force is meeting at the Santa Monica Mountains Conservancy for the Southern California Regional Meeting.

California has recently been successful in securing and allocating funding to support the capacity development and implementation of actions set forth in the Action Plan, including funding through the passage of Senate Bill-901 and some windfall budget surpluses over the past few years. However, as California approaches a more fiscally conservative budget outlook, the lack of permanently dedicated funding to support the implementation of the Task Force’s objectives poses a challenge.

North Coast Water Board leadership remains involved in the Governor’s Forest Management Task Force and is supporting the implementation of key action items within our agency’s jurisdiction, including permitting efficiencies and regulatory coordination with other agencies. We stand behind the objectives of the Task Force and look forward to seeing it through its maturation and implementation of the million-acre management objectives.

Freshwater Harmful Algae Blooms Monitoring & Response Program 2022 Year-End Summary

Michael Thomas

Overview

Freshwater harmful algal blooms (FHABs) are dense proliferations of planktonic (floating) and/or benthic (attached) cyanobacteria capable of producing cyanotoxins that can impact human and animal health. In 2022, the North Coast Regional Water Quality Control Board (RB1) FHAB Program responded to a total of 99 reports of potential FHABs, resulting in 30 public health alert postings and four illness reports in both rivers and lakes (see Table 1 and [Reports Map](#)). To learn more about planktonic and benthic FHAB postings, see California’s [voluntary guidance](#) for recreational inland waters. RB1 postings in 2022 are discussed in the following sections.

Table 1. Number of planktonic and benthic postings in the North Coast Region, 2022.

Report Type	Planktonic Postings			Benthic Postings
	Caution	Warning	Danger	Toxic Algae Alert
Routine Monitoring	10	1	2	N/A
Pre-Holiday Assmt.	2	1	0	0
Incident Response	0	0	0	4
Studies & Research	N/A	N/A	N/A	10
Total:	12	2	2	14

See [planktonic](#) and [benthic](#) links to view signage.

In addition to responding to FHAB reports, RB1 worked with partners on routine monitoring, performed pre-holiday assessments, conducted studies and research, reported and presented study findings, provided FHAB program trainings, and continued to aid others in the development and implementation of their monitoring programs. Staff worked with various partners including Blue Lake and Big Lagoon Rancherias; Karuk, Yurok, Hoopa,

and Wiyot Tribes; Humboldt, Lake, Mendocino, Sonoma, and Trinity Counties; and the Klamath Basin Monitoring Program, US Environmental Protection Agency (USEPA), US Fish & Wildlife Service (USFWS), Pacificorp, and Pacific Gas & Electric.

Routine Monitoring

Routine monitoring was conducted for three waterbodies or locations:

- *Big Lagoon* – monitored biweekly for a common class of cyanotoxins called microcystins by Big Lagoon Rancheria and USEPA.
- [Klamath Basin](#) – monitored biweekly for microcystins by Hoopa, Karuk, and Yurok Tribes, as well as Pacificorp and USEPA.
- *Tule Lake & Lower Klamath National Wildlife Refuges* – monitored biweekly to monthly for four cyanotoxin classes (anatoxins, cylindrospermopsins, microcystins, and saxitoxins) as well as cyanobacteria by USFWS.

Pre-Holiday Assessments

RB1 and partners collected water grab samples from popular recreational lakes prior to major holiday weekends to inform visitors of waterbody conditions (Table 2). See [State FHAB Program Wiki Page](#) (*under development*) for more information on pre-holiday assessments and participation.



Planktonic cyanobacterial bloom in Lake Pillsbury, 2022.

Table 2. FHAB waterbody postings during pre-holiday assessments, 2022.

Waterbody	Memorial Day	Fourth of July	Labor Day	Post-Holiday
Big Lagoon	No Posting	No Posting	Danger	No Posting
Copco Reservoir	No Posting	Caution	Danger	No Sampling
Iron Gate Reservoir	No Posting	No Posting	Caution	No Sampling
Lake Mendocino	No Posting	No Posting	No Posting	No Posting
Lake Pillsbury	Warning	Warning	Caution	Caution
Lake Ralphine	No Posting	No Posting	No Sampling	No Sampling
Lake Sonoma	No Posting	No Posting	No Posting	No Posting
Lewiston Reservoir	No Posting	No Posting	No Posting	No Posting
Ruth Lake	No Posting	No Posting	Caution	Caution
Salmon Ck Estuary	No Posting	No Posting	Caution	Caution
Stone Lagoon	No Posting	No Posting	No Posting	No Posting
Trinity Lake	No Posting	No Posting	No Posting	No Posting

Incident Response & Illnesses

RB1 received four reports of human and dog illnesses in 2022 (Table 3). Reports of illnesses are referred to the State Illness Workgroup who determines if the incident is believed to be related to FHABs. Human illnesses were confirmed in the Russian River due to the detection of cyanotoxins near the report location. See [Illness Tracking](#) for more information on symptoms, reporting, and workgroups for FHAB-related illnesses.

Table 3. FHAB reports of human and dog illness, 2022.

Illness Type	Waterbody	Symptoms	Status
Human illness	Russian River, Johnson's Beach	Fever, stomachache, sore throat, vomiting	Confirmed FHAB related illness
Human illness	Russian River, Steelhead Beach	Not disclosed	Confirmed FHAB related illness
Dog illness	Ruth Lake	Not disclosed	Not HAB-Related
Dog death	South Fork Eel River	Death 30 minutes after swimming in river	Inconclusive

Studies & Research

To better understand the spatial extent of benthic cyanobacteria and cyanotoxins in the North Coast Region, RB1 collaborated with the State Board FHAB Program, University of Nevada Reno, California State University San Marcos, and Quartz Valley Indian Reservation to analyze benthic cyanobacteria samples in the Salmon, Scott, and South Fork Eel Rivers. RB1 also conducted a pilot project using Solid Phase Adsorption Toxin Tracking (SPATT) samplers to monitor benthic FHABs in the Russian and South Fork Eel Rivers. Results from weekly deployments demonstrated that cyanotoxin concentrations in SPATTs increase prior to increases in benthic mat percent cover and toxicity (Figure 1). These preliminary results show that SPATTs can function as an early detection tool for benthic FHABs. Reports for these studies and research are in development.

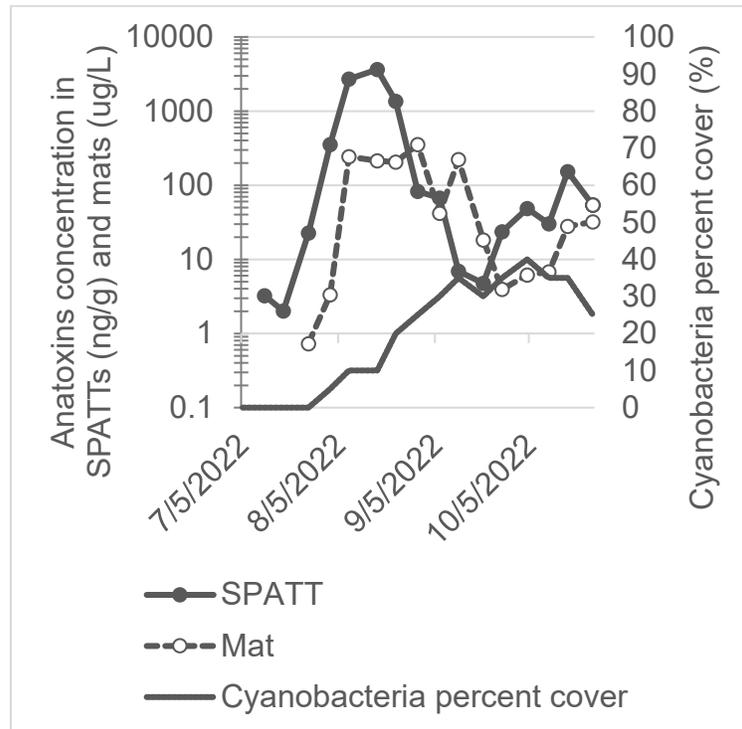


Figure 1. Trend lines showing anatoxins concentrations in SPATTs and benthic mats as well as cyanobacteria percent cover in the South Fork Eel River, 2022.

Reports & Presentations

RB1 provided the following reports, presentations, and trainings in 2022:

- [Benthic Cyanobacteria and Cyanotoxin Monitoring in Northern California Rivers, 2016-2019](#). RB1 Report, January 2022.
- [Overview of Benthic Cyanobacteria and Cyanotoxin Monitoring in Northern California Rivers, 2016-2019](#). RB1 Board Presentation, April 2022.
- [Partner Monitoring in the North Coast Region](#). Virtual Training, May 2022.
- Findings of Benthic Cyanobacteria and Cyanotoxin Monitoring in Northern California Rivers, 2016-2019. RB1 Speaker Series Presentation, June 2022.
- [North Coast Regional Water Quality Control Board Report on Benthic Cyanobacteria](#). RB1 Presentation for California Cyanobacterial and Harmful Algal Bloom Network (CCHAB), July 2022.
- North Coast Regional Water Quality Control Board Report on Benthic Cyanobacteria. RB1 Presentation for Association of California Water Agencies (ACWA), July 2022.
- [Cyanotoxin Monitoring with SPATT Passive Samplers in Northern California Rivers, 2019](#). RB1 Report, December 2022.

For additional information regarding RB1’s FHAB Program, please contact **Michael Thomas** at Michael.Thomas@waterboards.ca.gov.

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Post-Fire Recovery Grant Update: Installing Best Management Practices in the Mark West Creek, Maacama Creek, and Laguna de Santa Rosa Watersheds
Michele Fortner

Funding Provided by Clean Water Act (CWA) § 319(h) – Nonpoint Source Implementation

In October 2017 the Tubbs Fire burned over 36,000 acres and the Nuns Fire burned over 56,000 acres, causing severe impacts to the Mark West Creek, Maacama Creek, and Laguna de Santa Rosa watersheds. The fires burned riparian areas, forests, houses, road culverts, and fences resulting in increased erosion and sedimentation into salmonid-bearing streams.

For the last four years, the Sonoma Resource Conservation District (Sonoma RCD) has been implementing a \$500,000 grant project funded by the State Water Board’s 319h grant program to control nonpoint source (NPS) pollution through the installation of Best Management Practices (BMP) to reduce the water quality impacts of these fires. The projects implemented through this grant will result in preventing 880.1 tons of sediment from entering these waterbodies each year. BMPs to control sediment inputs to these waterways also help control phosphorus and nitrogen loading into streams that may occur through ash release and from burned dead plant tissue. Riparian vegetation BMPs support improved dissolved oxygen levels and reduced stream temperatures. This grant project builds upon work completed in a previous (2017) 319h grant where the Sonoma RCD was awarded \$215,000 for the planning, design, and implementation of NPS pollution control projects in the watersheds mentioned above.

Projects were selected using prioritization criteria developed with input from a technical

advisory committee (TAC) formed at the onset of the grant. The TAC consisted of regional technical experts including biologists, engineers, and geologists. A selection ranking form was created as a tool for the TAC to fill out during a presentation for each project. Each project was discussed and chosen by a variety of factors including but not limited to site proximity to coho salmon and other salmonid bearing streams, severity and size of burned sites, and the potential to control and minimize nonpoint source pollution. Project selection also considered landowner willingness to proceed within the grant timeframe and availability of qualified subcontractors to perform the work. In total, five projects were selected, and although only 25 BMPs were required by the grant agreement, 50 post fire BMPs were implemented. The map below shows the project locations, with four projects within the Tubbs and Nuns Fire perimeter and one project in the perimeter of the 2020 Glass Fire (which occurred after the execution of this grant but was added to the scope of work).

A summary of the projects is provided below:

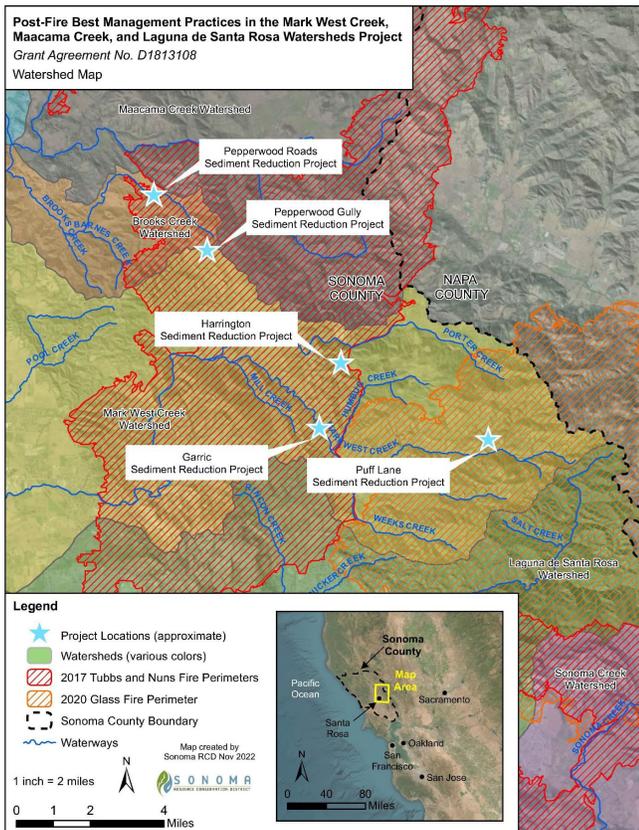
Pepperwood Roads Sediment Reduction Project: This project was part of a larger project that was funded by Environmental Quality Incentives Program (EQIP). State Water Board funds were used to install three new culverts and 9 rolling dips for a total of 12 BMPs.

Pepperwood Gully Sediment Reduction Project: PCI was hired to assist RCD engineers to design work for bioengineering, erosion control structures, and plantings. This site was a demonstration site where an education opportunity was created for the public to teach them different techniques on fixing erosion and gullies. Due to COVID-19, volunteers from the public were not able to visit the site and instead a video was created showing construction and the purpose of the structures (see below for link to video). The structures include two different rock checkdam/grade stabilization structures, row planting with coyote bush, grass plug plantings, and a bioengineering site utilizing willow for a total of 5 BMPs.

Garric Sediment Reduction Project: This project enhanced an existing, larger project funded by the California Dept. of Fish and Wildlife (CDFW). Funding was used to road shape 2,105 feet of road which consisted of out-sloping, fill ditch, 8 rolling dips, and replace two culverts. Native plants were installed along the mainstem of Mark West Creek. There were a total of 12 BMPs installed.

Harrington Road Sediment Reduction Project: The Tubbs fire melted a culvert which created a potential threat of the road prism collapsing into a stream. The project installed a new culvert and a small native planting site for a total of 2 BMPs.

Puff Lane Sediment Reduction Project: This project was approved when a landowner dropped out of a previous selected project. Although outside of the Tubbs Fire, the property was located in the Glass Fire



Map of project locations

footprint. The project consisted of replacing a rusted-through culvert, armoring two culverts, and installing 6 ditch relief culverts, 3 critical dips, 6 rolling dips and a headcut repair. There was a total of 19 BMPs installed for this project.

For more information about NPS grant funding opportunities please contact the Sonoma RCD (info@sonomarc.org) or **Carriann Lopez** at the North Coast Regional Water Board (Carriann.Lopez@waterboards.ca.gov).

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Culvert on Puff Lane, before construction. Photo provided by Sonoma RCD.



Culvert on Puff Lane, after construction with new culvert. Photo provided by Sonoma RCD.



Additional accomplishments include an education and outreach video created to show construction of the various methods for gully repair and sediment reduction. The video can be found on the RCD's website and on YouTube at:

https://www.youtube.com/watch?v=4w_ucfg_vuZs. In addition to creating the video, the Sonoma RCD conducted outreach to landowners about the availability of grant funding from the State Water Board for properties impacted by the Tubbs and Nuns Fires.

Enforcement Report for February 2023 Executive Officer's Report

Jeremiah Puget, Jordan Filak, and Zane Stromberg

Summary of Enforcement Actions issued between **November 19, 2022, and January 17, 2023**

Throughout the year, with support from the State Water Board's Office of Enforcement, Regional Water Board staff (Staff) develop and manage enforcement cases that result in formal enforcement actions such as Cleanup and Abatement Orders (CAOs), Cease and Desist Orders (CDOs), and Administrative Civil Liability (ACL) Complaints. Once Staff determine that an enforcement action will result in the issuance of an ACL Complaint, the Enforcement Team prepares supporting evidence and provides the discharger(s) an opportunity to discuss the facts relating to the violations, including the option of settlement.

Table 1 summarizes Notice of Violations (NOVs), Cleanup and Abatement Orders (CAOs), Investigative Orders (13267 Orders), and Notices of Non-Compliance (NNCs). During this reporting period, Staff issued six NOVs, two NNCs, and one 13267 Order. Table 2 summarizes ACL Complaints, ACL Orders, and settlement negotiations pending the adoption of a final Stipulated ACL Order. During this reporting period, Staff issued one ACL Complaint, posted one Stipulated ACL Order and one Expedited Payment Letter for public comment, adopted one Stipulated ACL Order, and continue settlement negotiations with dischargers on six cases.

Table notes and other acronyms:

Basin Plan	Water Quality Control Plan for the North Coast Region
BMPs	Best Management Practices
CGO	Cannabis General Order ¹
CGP	Construction General Permit ²
CRMP	Cleanup, Restoration, and Monitoring Plan
CSD	Community Services District
CP	Compliance Project
IGP	Industrial General Permit ³
ISP	Interim Stabilization Plan
MMPs	Mandatory Minimum Penalties
NMP	Nitrogen Management Plan
NPDES	National Pollutant Discharge Elimination System
REAP	Rain Event Action Plan
RAP	Remedial Action Plan
RWB	Regional Water Board
SEP	Supplemental Environmental Project
WDRs	Waste Discharge Requirements

¹ [State Water Resources Control Board Order No. WQ 2019-0001-DWQ](#) General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities

² [State Water Resources Control Board Order No. 2009-0009-DWQ \[as amended by Order No. 2010-0014-DWQ\]](#) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities

³ [State Water Resources Control Board Order No. 2014-0057-DWQ](#) [as amended in 2015 and 2018] General Permit for Storm Water Discharges Associated with Industrial Activities

Table 1. Notices of Violation, Cleanup and Abatement Orders, Investigative Orders (13267 Orders), and Notices of Non-Compliance

Action/ Date Issued	Owner/ Operator Name	County/ Nearest Town/ Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of January 17, 2023
<p>NOV Nov. 18, 2022</p>	<p>Guadalupe Palma Gonzalez</p>	<p>Mendocino County Laytonville South Fork Eel River Hydrologic Area</p>	<p>Cannabis Unit Multi-Agency/ Warrant Inspection on October 26, 2022</p>	<p>- Failure to comply with Basin Plan section 4.2.1 - Failure to comply with Water Code sections 13260 & 13264 - Failure to comply with Clean Water Act section 301 - Failure to enroll the property under the CGO</p>	<p>- Discharger is required to retain a licensed professional to assess aquatic resources, as well as develop and implement a plan to abate water quality impacts from development - Enroll the property under the CGO -Submit a 401 Water Quality Certification prior to instream work</p>	<p>- Discharger has not yet responded to the NOV. This matter is ongoing.</p>
<p>NOV Nov. 30, 2022</p>	<p>Larry Tardie Rena Reinking Jake and Macy Burnham Northcrest Mobile Home Park WWTF</p>	<p>Del Norte County Crescent City Smith River Plain Hydrologic Area</p>	<p>Groundwater Permitting Unit</p>	<p>- Failure to submit Self- Monitoring Reports as required by WDR Order No. R1-2019-0017</p>	<p>- Discharger is required to submit Annual Monitoring Reports for years 2020, 2021 and 2022 within 30 days of NOV Issuance - Submit all Quarterly Monitoring Reports for quarters between July 1, 2019 through September 30, 2022 within 30 days of NOV Issuance</p>	<p>- Discharger has submitted a set of Self-Monitoring Reports in response to the NOV. RWB Staff are currently reviewing the reports. This matter is ongoing.</p>

Table 1. Notices of Violation, Cleanup and Abatement Orders, Investigative Orders (13267 Orders), and Notices of Non-Compliance

Action/ Date Issued	Owner/ Operator Name	County/ Nearest Town/ Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of January 17, 2023
1 st NNC Dec. 1, 2022	Jason McCollum Mann Mine	Trinity County Hayfork South Fork Trinity River Hydrologic Area	NPDES Unit Inspection on August 23, 2022	- Failure to Obtain Coverage under the IGP	- Discharger is required to submit IGP enrollment documents by January 30, 2022	- Discharger has not yet submitted IGP enrollment documents. This matter is ongoing.
NOV Dec. 8, 2022	Daniel Maldonado Suarez	Mendocino County Piercy Middle Fork Eel River Hydrologic Area	Cannabis Unit	- Failure to comply with Required Actions 1 & 4 from CAO Order No. R1- 2022-0016	- Discharger is required to submit a complete and acceptable CRMP to RWB Staff as soon as possible for approval - Once the CRMP is approved by RWB Staff, the Discharger is required to complete/ implement the work contained within the approved CRMP	- The Discharger remains noncompliant with CAO Required Actions. This matter is ongoing.

Table 1. Notices of Violation, Cleanup and Abatement Orders, Investigative Orders (13267 Orders), and Notices of Non-Compliance

Action/ Date Issued	Owner/ Operator Name	County/ Nearest Town/ Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of January 17, 2023
NOV Dec. 19, 2022	Kiryl Mikhalkevich Operation H, LLC Golden LLC	Trinity County Hayfork South Fork Trinity River Hydrologic Area	Cannabis Unit Multi-Agency/ Warrant Inspection on August 3, 2022	- Failure to comply with CAO Order No. R1- 2022-0047 Required Actions 2-5	- Discharger is required to implement water quality protection actions - Submit a complete RAP and NMP to RWB Staff as soon as possible for approval - Complete/ implement the work contained within the approved plans once they have been approved	- Discharger has hired a consultant to implement corrective actions and develop required plans, but not all documents have been submitted. This matter is ongoing.
13267 Invest. Order Dec. 23, 2022	Grove Village Project City Ventures Homebuilding Inc.	Sonoma County Santa Rosa Middle Russian River Hydrologic Area	NPDES Unit Initial Inspection on October 23, 2021	- Failure to comply with CGP Requirements - Failure to comply with 401 Water Quality Certification requirements - Failure to comply with Basin Plan section 4.2.1	- Discharger is required to notify RWB staff prior to any future stormwater discharge - Submit all REAPs, inspection reports, and monitoring/ reporting results dating back to date of enrollment under the CGP - Submit stormwater discharge volume estimates from Winter 2021	- To date the discharger is complying with the Order. This matter is ongoing.

Table 1. Notices of Violation, Cleanup and Abatement Orders, Investigative Orders (13267 Orders), and Notices of Non-Compliance

Action/ Date Issued	Owner/ Operator Name	County/ Nearest Town/ Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of January 17, 2023
					- Perform precipitation-based monitoring for all rain events > 0.1 inches, and perform monitoring of discharged stormwater during discharge events	
2 nd NNC January 5, 2023	Jason McCollum Mann Mine	Trinity Hayfork South Fork Trinity River Hydrologic Area	NPDES Unit Inspection on August 23, 2022	- Failure to Obtain Coverage under the IGP	- Discharger is required to submit IGP enrollment documents by January 30, 2022	- Discharger has not yet submitted IGP enrollment documents. This matter is ongoing.
<u>NOV</u> January 5, 2023	Godo Mora Jack Gardner West Coast Metals	Sonoma Windsor Middle Russian River Hydrologic Area	NPDES Unit Inspection on November 1, 2022	- Failure to comply with multiple IGP Requirements	- Discharger is required to return to compliance with IGP Requirements and implement recommendations within the NOV	- Discharger has not yet responded to the NOV. This matter is ongoing.

Table 1. Notices of Violation, Cleanup and Abatement Orders, Investigative Orders (13267 Orders), and Notices of Non-Compliance

Action/ Date Issued	Owner/ Operator Name	County/ Nearest Town/ Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of January 17, 2023
NOV January 6, 2022	Aleksandar Aleksandrov Otto Farms LLC and Open Road Agency LLC	Humboldt County Bridgeville Van Duzen River Hydrologic Area	Cannabis Unit Inspection on December 6, 2022 Follow up to Multi-Agency Inspection	- Failure to comply with CAO Order No. R1- 2021-0053 Required Actions 1, 2, and 3	- Discharger is required to implement water quality protection actions - Complete/ implement the work contained within the approved plans	- Regional Water Board granted a year-long extension to complete the restoration plan. Staff observed several deficiencies and incomplete work. This matter is ongoing.
13267 Invest. Order	Alan Tirsbeck Fred Deo Property	Humboldt County Eureka Humboldt Bay	NPDES Unit Multi-Agency Inspection on March 30, 2022	- Failure to conduct stormwater monitoring or sampling	-Discharger is required to collect stormwater samples during three storm events and submit sampling reports to the Regional Water Board.	- Discharger has not yet submitted sampling reports. This matter is ongoing.

Table 2. Administrative Civil Liabilities and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of January 17, 2023
City of Arcata – Wastewater Treatment Facility	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$48,000	Invitation issued on 12/14/2022 Violation Period: March 1, 2019 to November 30, 2022	Expedited Payment Letter Order No. R1-2022-0051 posted for public comment until January 18, 2023
City of Arcata – Wastewater Treatment Facility	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$243,000	Invitation issued on 01/09/2023 Violation Period: February 12, 2020 to September 30, 2022	Administrative Civil Liability Complaint R1-2023-0008 issued on January 9, 2023. Settlement Negotiations Underway.
City of Eureka – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$165,000	Invitation issued on 11/16/2021 Violation Period: July 3, 2017, to September 30, 2022	Stipulated Order No. R1-2022-0044 posted for public comment until January 27, 2023
City of Loleta – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$189,000	Invitation issued on 11/16/2021 Violation Period: March 15, 2018, to December 31, 2021	Settlement Negotiations Underway
City of Ukiah – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$75,000	Invitation issued on 11/16/2021 Violation Period: January 4, 2017, to December 31, 2021	Stipulated Order No. R1-2022-0042 adopted on December 21, 2022.
Hugh Reimers and Krasilisa Pacific Farms LLC	Non-Point Source Program Complaint Response	- Basin Plan Section 4.2.1 - Water Code Section 13376 for Dredge/ Fill in Wetlands designated as waters of the United States - CAO Required Action 5 and Action 9 for failure to submit	\$3,750,852	ACL Complaint issued on May 9, 2022, covers the period between July 31, 2018, and May 9, 2022, and includes allegations that Hugh Reimers and Krasilisa Pacific Farms LLC	Regional Water Board Assistant Executive Officer issued ACL Complaint No. R1-2022-0024 . The Discharger has formally waived the right to a hearing and

Table 2. Administrative Civil Liabilities and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of January 17, 2023
		RMMP acceptable to the Regional Water Board or it's Delegated Officer and failure to implement an approved RMMP, respectively.		violated the Basin Plan and Clean Water Act Section 301 by filling or allowing fill to be placed in watercourses and wetlands on the property	settlement discussions are ongoing. A tentative settlement agreement has been reached.
Kou Xiong and Susan Yang Xiong	Cannabis Program	- CAO R1-2021-0031 Required Action 1, failure to submit an acceptable CRMP by September 17, 2021 - CAO Required Action 4, failure to implement CRMP by October 31, 2021	\$506,813	ACL Complaint issued on September 9, 2022, covers the period between June 26, 2019, and September 9, 2022, and includes allegations that Kou Xiong and Susan Yang Xiong violated CAO R1-2021-0040 Required Actions 1 and 4	Regional Water Board issued ACL Complaint No. R1-2022-0039 on September 9, 2022. The hearing is scheduled for February 2, 2023. (Hearing Notice)
Russian River CSD and Sonoma Water Agency	NPDES Wastewater	Violations of the Sanitary Sewer Order including unauthorized discharge of 2.33 million gallons of raw sewage from the Russian River CSD collection system to the Russian River	Statutory Maximum \$23.31 million	Invitation issued on June 15, 2021 Violation Period: 2017 and 2019	Settlement Negotiations Underway
Enclave, LLC-Marlow Commons Development Site	NPDES Storm Water	Violation of CGP requirements including failure to implement effective and adequate minimum BMPs resulting in the release of sediment from the site to a municipal storm drain discharging to Piner Creek, a tributary to the Russian River	\$46,200	Invitation issued on August 2, 2021 Violation Period: December 2019	A tentative settlement agreement has been reached

Table 2. Administrative Civil Liabilities and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of January 17, 2023
BoDean Company, Inc.- Mark West Quarry Site	NPDES Storm Water	Violation of IGP requirements including failure to implement effective and adequate minimum and advanced BMPs resulting in the discharge of 10.5 million gallons of sediment laden stormwater to Porter Creek, a tributary to the Russian River	\$4.5 million	ACLC No. R1-2021-0047 issued on September 10, 2021 Violation Period: December 2018 – August 2020	Settlement Negotiations Underway
Rodney Strong Vineyards	WDRs to Land and NPDES Storm Water	97,000 gallons of wine discharged into Reiman Creek, a tributary to the Russian River, a water of the United States, in violation of discharge prohibitions in the IGP and WDRs Order No. 88-54	\$46,000	Invitation issued on September 14, 2021 Violation Period: January 2020	A tentative settlement agreement has been reached.
City Ventures Homebuilding, LLC- Fox Hollow Development Site	NPDES Storm Water	Violation of CGP requirements including failure to implement effective and adequate minimum BMPs resulting in the unauthorized discharge of sediment laden stormwater to Peterson Creek, a tributary to Russian River	Statutory maximum penalty \$2.83 million	Invitation issued on October 27, 2021 Violation Period: 2016 and 2017	Settlement Negotiations Underway

Projected List of Future Regional Water Board Agenda Items

The following is a list of Regional Water Board agenda items that staff are planning for the next two Board meetings. **This list of agenda items is intended for general planning purposes and is subject to change.** Questions regarding the listed agenda items should be addressed to the identified staff person.

April 6 & 7, 2023

- Fall Creek Hatchery NPDES Permit (*Justin McSmith*) [A]
- Scott River and Shasta River Total Maximum Daily Load Waivers of Waste Discharge Requirements Short Term Renewal (*Elias Scott*) [A]
- Potential Pending Administrative Civil Liability Complaint (*Staff TBD*) [A]

June 8 & 9, 2023

- Bodega Bay PUD WWTP WDRs (*Ben Zabinsky*) [A]
 - Nordic Aquafarms NPDES Permit (*Justin McSmith*) [A]
 - Eureka WWTP (*Justin McSmith*) [A]
 - Covelo CSD WWTP NPDES Permit (*Sabrina Cegielski*) [A]
 - Hopland PUD WWTP WDRs (*Lynette Shipsey*) [A]
 - Manila CSD WWTP WDRs (*Roy O'Connor*) [A]
 - Potential Pending Administrative Civic Liability Complaint (*Staff TBD*) [A]
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