



## EXECUTIVE OFFICER'S REPORT

### North Coast Regional Water Quality Control Board

June 17, 2021

#### North Coast Drought Update

*Matt St. John*

Since the April 15, 2021 Executive Officer's Report article on *Drought Planning and Response*, drought conditions throughout much of California, including all of the North Coast Region have steadily worsened. On May 10, Governor Gavin Newsom expanded a drought proclamation to 41 of 58 counties in the state, including all counties within the North Coast Region. With historic drought conditions advancing rapidly - compounded by the impacts still being felt from the 2012–2016 drought - the state is moving urgently to address acute water supply shortfalls while comprehensively building water resilience as the conditions persist.

With drought conditions resulting in low flows in the **Russian River** and historically low water storage levels at Lake Mendocino, on May 26, 2021 the State Water Resources Control Board notified 930 junior water rights holders in the Upper Russian River basin that there is not enough water in the system and that diversions must be reduced immediately to safeguard the community's drinking water availability later this year and next year. The letters tell water users in the Russian River watershed to reduce diversions before more regulatory curtailments authorized under the Governor's April 21<sup>st</sup> emergency proclamation are issued to protect drinking water availability later this year and next year.

The drought has impacted both major water supply reservoirs in the Russian River

watershed, Lake Mendocino and Lake Sonoma. On May 13, 2021, Sonoma Water filed a Temporary Urgency Change Petition (TUCP) to reduce instream flow requirements in the lower Russian River to preserve water storage in Lake Sonoma and comply with the National Marine Fisheries Service Biological Opinion for Water Supply, Flood Control Operations, and Channel Maintenance conducted by the U.S. Army Corps of Engineers, the Sonoma County Water Agency, and the Mendocino County Russian River Flood Control and Water Conservation Improvement District in the Russian River watershed. The May 13 TUCP follows a similar TUCP filed by Sonoma Water on February 4 that led to the current reduced minimum instream flow for the Russian River at Healdsburg, which are intended to preserve storage in Lake Mendocino

On June 1<sup>st</sup>, the State Water Resources Control Board today sent notices of water unavailability to 102 water right holders in the **Scott River** basin in Siskiyou County, urging them to stop diverting amid worsening hydrologic conditions. Though only a subset of the 803 water rights in the watershed are affected, the notice applies to the Scott Valley Irrigation District, which is the largest right holder in the basin. Right holders under a water unavailability directive can still access their water previously stored in reservoirs, but if that option is unavailable, they will have to find alternative sources such as groundwater or purchased water. The State Water Board encourages diverters to collaborate on

voluntary agreements that help local communities adapt to water shortages, prevent impacts to other legal water right users and benefit fish and wildlife.

The current state of drought emergency in all North Coast counties poses a serious threat to water supplies for human health and safety and water flows for fish. The North Coast Region received less than half of normal precipitation this year and Northern California streams are flowing at or below their 2012–2016 levels (the last drought). These low flows will limit the amount of water available for domestic, commercial, agricultural, and recreational uses as well as the water necessary for vital salmon and steelhead habitat. California salmon are already threatened and drought conditions will worsen their precarious situation if minimum flow requirements are not maintained.

Surface and groundwater users can help lessen drought impacts, and even small efforts can result in huge benefits for water availability.

Here are just a few ways to help:

- Reduce diversions from surface and groundwater sources
- Conserve water, reuse graywater, limit non-food irrigation
- Coordinate diversion timing with neighbors to reduce cumulative effects
- Prepare for ongoing drought by exploring water storage options (rain collection, roof-water harvesting, tank storage)

For more water saving good habits see: [Save Our Water.com](#).

The State Water Board is updating critical information about statewide drought conditions and information here: [Drought | California State Water Resources Control](#)

[Board](#) which include a dedicated page for the North Coast Region: [North Coast Regional Drought Information | California State Water Resources Control Board](#)

Questions regarding the North Coast Regional Water Board's actions associated with North Coast drought conditions should be directed to the region's Flow and Riparian Specialist, Bryan McFadin at: [Bryan.McFadin@waterboards.ca.gov](mailto:Bryan.McFadin@waterboards.ca.gov).



## Enforcement Report for June 2021 Executive Officer's Report

*Diana Henriouille, Zane Stromberg and Jordan Filak*

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
April 13, 2021 Revised May 10, 2021	Silvio Re	Notice of Violation	-Basin Plan Section 4.2.1 -Water Code Section 13260 & 13264 -Clean Water Act Sections 301(a)	Ongoing

**Comments:** On April 13, 2021, the Enforcement Unit Senior issued a Notice of Violation (NOV) to Silvio Re for violations associated with his property within the Eel River Watershed, in Trinity County. During an interagency inspection on March 11, 2021, Regional Water Board staff observed cannabis cultivation activities causing sediment and waste discharges to waters of the state, as well as threatened discharges to waters of the state resulting in violations of the California Water Code, the Basin Plan, and Clean Water Act. These features are causing, or may cause, adverse effects to the quality and beneficial uses of receiving waters, including groundwater and surface waters. The NOV directs Silvio Re to register the property for coverage under the Statewide General Order (CANGO) or to file a report of waste discharge. This matter is ongoing. (Note: The May 10, 2021, revised NOV, corrected typographical errors and provided additional information regarding location(s) of observed violations.)

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
April 14, 2021	Sonoma County Water Agency	Notice of Violation	Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (SSS WDRs)	Ongoing

**Comments:** On April 14, 2021, the NPDES Unit Senior issued a Notice of Violation (NOV) to Sonoma County Water Agency for violations associated with the Russian River County Sanitation District wastewater collection system. The Russian River CSD collection system discharged approximately 2.3 million gallons of partially or untreated wastewater to Waters of the United States on multiple dates including January 9 and 11, 2017, February 7, 2017, and February 14 and 26, 2019. On December 6, 2019, Water Boards staff inspected and assessed facility compliance with the SSS WDRs and identified a number of violations associated with collection system operation, maintenance, reporting, and spill response. The April 14, 2021 NOV directs Sonoma County Water Agency to submit a written response describing their intentions, plan, and schedule to correct violations and address areas of concern identified within the NOV. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
April 19, 2021	Richard Melvoin and Charles Perry	Notice of Violation	-Statewide Cannabis Order WDRs -Basin Plan Section 4.2.1 -Water Code Section 13260 & 13264 -Clean Water Act Section 301	Ongoing

**Comments:** On April 19, 2021, the Enforcement Unit Senior issued an NOV to Richard Melvoin and Charles Perry for violations associated with their property, located within the Eel River watershed in Trinity County. The property has been enrolled for coverage under the Statewide Cannabis General Order (CANGO) since January 2018. During an interagency inspection on March 11, 2021, Regional Water Board staff identified several features and conditions on the property that violated provisions of the California Water Code, the Basin Plan, the Clean Water Act, and the CANGO. The NOV requires that the property owners modify their enrollment under the CANGO to reflect the correct risk level, and that they advise Regional Water Board staff of their plan and schedule to correct the violations within 30 days of the issuance of the NOV. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
April 20, 2021	Korey McMurphy	Notice of Violation	-Cannabis General Order -Basin Plan Section 4.2.1 -Water Code Section 13260 & 13264 -Clean Water Act Section 301	Ongoing

**Comments:** On April 20, 2021, the Enforcement Unit Senior issued an NOV to Korey McMurphy for violations associated with his property along the Van Duzen watershed in Bridgeville, Humboldt County. The property has been enrolled for coverage under the Statewide Cannabis General Order (CANGO) since December 2018. During an interagency inspection on March 15, 2021, Regional Water Board staff identified several features and conditions on the property that violated provisions of the California Water Code, the Basin Plan, the Clean Water Act, and the CANGO. The NOV requires that the property owner modify his enrollment under the CANGO to reflect the correct risk level, and that he advised Regional Water Board staff of his plan and schedule to correct the violations within 30 days of the issuance of the NOV. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
April 22, 2021	Reservation Ranch Robert & Steven Westbrook	CAO	Unauthorized discharges of waste to waters of the State and United States	Ongoing

**Comments:** On April 22, 2021, the Executive Officer (EO) issued a Cleanup and Abatement Order (CAO) to Robert and Steven Westbrook of Reservation Ranch for violations of the California Water Code stemming from the dumping of cow manure and organic material and discharge of fresh water into an estuarine slough on the Property. The property is located in the Smith River watershed in the town of Smith River, Del Norte County. In 2017 Regional Water Board staff initiated enforcement on this site in response to reported and observed unauthorized watercourse crossings and discharges of dirt, trash, and manure into receiving waters. In subsequent communication, the dischargers advised staff of discharges of freshwater pumped from the Smith River and discharged into Tillas Slough. The CAO requires Robert and Steven Westbrook to clean up and abate the effects of unauthorized fill to Islas Slough, abate the discharge of fresh water in the East Fork of Tillas Slough, abate the effects of unauthorized fill to the Main, West, and East Forks of Tillas Slough, and clean up and properly dispose of solid waste stored throughout the property. The first deliverable, a waste material excavation plan, is due October 18, 2021. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
April 29, 2021	Stoyan Barakov	Notice of Violation	-Water Code 13260 & 13264	Ongoing

**Comments:** On April 29, 2021, the Enforcement Unit Senior issued an NOV to Stoyan Barakov, for violations associated with his Skylar 2019 LLC property in the Eel River watershed near Carlotta, Humboldt County. During an interagency inspection of the property conducted on March 23, 2021, Regional Water Board staff identified violations of Water Code 13260 and 13264 resulting from cannabis cultivation operations of sufficient size and scope to require regulatory coverage under CANGO. The NOV directs Mr. Barakov to register the property for coverage under the CANGO or to file a report of waste discharge. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
April 29, 2021	Jesse Anderson	NOV	-Water Code sections 13260 & 13264	Ongoing

**Comments:** On April 29, 2021, the Enforcement Unit Senior issued an NOV to Jesse Anderson for violations associated with his property in the Eel River watershed near Ferndale, Humboldt County. During an interagency inspection of the property conducted on March 23, 2021, Regional Water Board staff identified violations of Water Code section 13260 and 13264 resulting from cannabis cultivation operations of sufficient size and scope to require regulatory coverage under CANGO. The NOV directs Mr. Anderson to register the property for coverage under the CANGO or to file a report of waste discharge. This matter is ongoing.



Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
May 10, 2021	Zhivko Gochev	NOV	-Cannabis General Order -Basin Plan Section 4.2.1 -Water Code Section 13260 & 13264 -Clean Water Act Section 301	Ongoing

**Comments:** On May 10, 2021, the Enforcement Unit Senior issued an NOV to Zhivko Gochev for violations associated with his property in the Little Van Duzen watershed near Bridgeville, Humboldt County. The property has been enrolled for coverage under the Statewide Cannabis General Order (CANGO) since June 2109. During an interagency inspection on March 25, 2021, Regional Water Board staff identified several features and conditions on the property that violated provisions of the California Water Code, the Basin Plan, the Clean Water Act, and the CANGO. The NOV requires that the property owner modify his enrollment under the CANGO to reflect the correct risk level, and that he advised Regional Water Board staff of his plan and schedule to correct the violations within 30 days of the issuance of the NOV. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
May 19, 2021	Dean Soiland BoDean Company, Inc.	NOV	-Industrial General Permit (IGP) -Clean Water Act Section 301	Ongoing

**Comments:** On May 19, 2021, the NPDES Unit Senior issued a Notice of Violation (NOV) to Dean Soiland of BoDean Company, Inc. for violations associated with a hot mix facility located in Santa Rosa, Sonoma County. On December 5, 2019, staff from the City of Santa Rosa and the Regional Water Board conducted a joint inspection of the facility to assess compliance with the Industrial General Permit (IGP). Staff observed various threats to the quality and beneficial uses of receiving waters and violations of the IGP, including poor housekeeping, inadequate or ineffective erosion/sediment control features, and turbid water discharges into the City’s storm drain. These violations resulted in a June 15, 2020 NOV. On August 12, 2020, Regional Water Board staff re-inspected the facility and observed that the BMPs were not significantly different from the previous inspection. The site still lacked sufficient source control measures. On March 18, 2021, Regional Water Board conducted an unannounced follow-up inspection and observed storm water runoff from the facility without adequate sediment control BMPs and continued poor housekeeping resulting in IGP and Clean Water Act violations. This NOV encourages Mr. Soiland to submit a written response describing his intentions, plan, and schedule to correct violations identified within the NOV. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
May 20, 2021	Dimitar Dimitrov PIRIN LLC	NOV	-Cannabis General Order -Basin Plan Section 4.2.1 -Water Code Section 13260 & 13264 -Clean Water Act Section 301	Ongoing

**Comments:** On May 20, 2021, the Enforcement Unit Senior issued an NOV to Dimitar Dimitrov for violations associated with his property in the Mad River watershed near Blocksburg, Humboldt County. The property has been enrolled for coverage under the CANGO since July 2019. During an interagency inspection on March 23, 2021, Regional Water Board staff identified several features and conditions on the property that violated provisions of the California Water Code, the Basin Plan, the Clean Water Act, and the CANGO. The NOV requires that the property owner modify his enrollment under the CANGO to reflect the correct risk level, and that he advise Regional Water Board staff of his plan and schedule to correct the violations within 30 days of the issuance of the NOV. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of May 25, 2021
May 21, 2021	Dobrev Capital, LLC	CAO	-Basin Plan Section 4.2.1 -Water Code Section 13260 & 13264 -Clean Water Act Section 301	Ongoing

**Comments:** On May 21, 2021, the EO issued a Cleanup and Abatement Order (CAO) to Dobrev Capital, LLC for violations associated with its property located along Larabee Creek within the Van Duzen River watershed in Blocksburg, Humboldt County. On March 9, 2020, staff of the State Water Board and California Department of Fish & Wildlife inspected the Property and observed violations of the Basin Plan, Water Code, and Clean Water Act in the form of unauthorized grading, road building, construction of a stream crossing, and excavation and altering of watercourses. Dobrev Capital, LLC failed to acquire a 401 permit, 404 permit, Lake and Streambed Alteration Agreement, and coverage under the CANGO for site development and activities. The CAO requires Dobrev Capital, LLC to clean up and abate the threat of unauthorized discharges to waters of the state, restore water quality to background conditions, and submit technical reports in the form of monthly progress reports, completely implementing a Restoration, Monitoring, and Mitigation Plan by October 31, 2021. This matter is ongoing.

## **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.

### **August 19 & 20, 2021**

- Roblar Road Quarry WDR (*Ben Zabinsky*) [A]
- Resolution to Approve the Elk River Restoration Project as an Exemption to the Enclosed Bays and Estuaries Policy Prohibiting Waste Discharges to Humboldt Bay (*J.McSmith*) [A]
- Update from Russian River Watershed Association (*Andy Rodgers, RRWA - Invited*) [I]
- Update on Rising WATERS Homelessness and Water Quality Project (*Claudia Luke, SSU – Invited*) [I]
- NOAA Fisheries' Central California Coast Coho Salmon Priority Action Plan and the Regional Water Board's Efforts to support restoration Action (*Jake Shannon; Erin Seghesio, NOAA Fisheries*) [I]
- Walkthrough and Demonstration of North Coast Basin Plan Web GIS Application for Mapping and Data Extraction (*Lance Le, Lisa Bernard, Stephanie Aguiar, Emma Sevier*) [I]
- Update on Drought Conditions and Regional Water Board Response (*Bryan McFadin*) [I]
- Workshop on Revisions to the Russian River Watershed Pathogen TMDL (*Lisa Bernard & A. Mangelsdorf*) [W]

### **October 7 & 8, 2021**

- Shelter Cove WWTP NPDES Permit Renewal (*Cathy Goodwin*) [A]
- Pump & Treat – General NPDES (Cleanup Staff TBD) [A]
- Willits WWTP NPDES Permit (*Matt Herman*) [A]
- Russian River Watershed Pathogen TMDL Action Plan (*A. Mangelsdorf, Lisa Bernard*) [A]

