



EXECUTIVE OFFICER'S REPORT

North Coast Regional Water Quality Control Board

October 7, 2022

Upcoming Transition of Executive Officer of the North Coast Regional Water Quality Control Board

Matt St John

In August I notified the board members of the North Coast Regional Water Board of my decision to transition out of my position as Executive Officer once the Board hires someone to replace me. The vacancy announcement for Executive Officer (EO) for the North Coast Regional Water Board has been posted on the CalCareers website; the final filing deadline for applications for the position is October 6, 2022. I expect it will take a few months for the Regional Water Board to go through the selection process and for a new EO to start in the position. Until then, I will happily continue to serve as EO of this remarkable agency. I want to take this opportunity to share with you my reflections on my tenure as EO and my decision to step aside in order to take on a new role for our agency.

I have worked for the North Coast Regional Water Board since 2001 and served as EO since May 2012. I feel incredibly grateful for the good fortune in having a job that I care about very much. It has been a true honor to serve as Executive Officer these last 10 years. I am incredibly proud of the work that our agency has done during this time period. I'm also proud, frankly, of the work our agency has done since its inception, long before my tenure as EO. The Water Boards' mission is truly important. And, the vision statement for our regional board that we

developed in 2014 – *Healthy watersheds. Effective regulation. Strong partnerships* – is grand. The North Coast Regional Water Board is doing a solid job to fulfill our mission and achieve our vision.

Our Regional Water Board has seen a lot of changes and countless accomplishments over the past 10 years. More than half of our current staff joined our agency during this time period, approximately one-third within the last five years. The talent, skills, and experience of the North Coast Regional Water Board team is truly impressive. During the past 10 years, we have established a handful of brand-new programs – the Cannabis Program, the CyanoHAB Program, and the 5 County Roads Program, to name just a few. We have weathered the largest wildland-urban interface fires of their time (the 2017 Tubbs and Nuns Fires), as well as floods, two prolonged droughts, and a global health pandemic. We successfully designed and implemented an important reorganization in 2015. We created unique specialist positions to advance and successfully address priority strategic initiatives regarding surface water flow, groundwater protection, restoration, enforcement, and stewardship. We've led the state on numerous regulatory and policy issues. Our organization has been introspective, forming Engagement Committees in order to adapt and change, in our collective efforts to improve as an organization, engage as a community, and create and be the culture that we aspire to be. We've done the work, big and small, in the public spotlight and behind the scenes,

day in and day out to protect the precious water resources of the North Coast Region. I am incredibly grateful to have been a part of this important work.

Within the next few months, once the Board selects a new Executive Officer, I will hand over the reigns to new leadership for our agency, and I look forward to serving as an advisor to the new EO (once hired) and to supporting that person in leading our agency forward. At that time, I will step into a new role to advance the development and implementation of a Climate Change Adaptation and Resilience Strategy for the North Coast Region. It has been an honor to have a hand in much of the Regional Water Board’s work over this past decade, and now I look forward to serving as executive advisor and lead on this very important endeavor. For me, professionally and personally, there is nothing that is more important than to help advance the development and implementation of the Climate Change Adaptation and Resilience Strategy for the region. Our agency is already doing a lot to advance climate adaptation and resilience within the region. And yet the threats of a changing climate are profound and the impacts to beneficial use support are sobering. I am committed to advancing innovative regulatory and non-regulatory solutions to lessen the blow of these impacts. There is so much innovative and exciting work already being done by you, our partners, and we plan to cultivate new and solidify existing partnerships in order to implement effective climate solutions. It will be professionally satisfying to have more time to sink my teeth into this profoundly meaningful technical and policy work. There is so much incredibly important water quality and water resource protection work yet to do for the North Coast Region, and I feel lucky to be able to continue to work for the North Coast Regional Water Board in a new capacity.

To the board members and staff of the North Coast Regional Water Board, to the regulated and interested public, and to all of our partners -- thank you, very much, for allowing

me to serve in this incredible position and thank you for all you do to protect the precious water resources of the North Coast Region. While I look forward to my new position once the Board selects a new EO, I will not take my hand off the tiller and I’ll keep the mainsail taught until that time.

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Update on the Development of the Statewide Utility General Order *Ryan Bey*

Senate Bill 901 (Dodd, 2018) was passed in response to the increasing frequency and intensity of California’s wildfires. Funds allocated from SB 901 are geared towards activities primarily associated with forestry/fuels management activities and utility corridor maintenance and management. These are large scale land management activities that are within the Water Board’s’ jurisdiction to engage with and regulate. Both have resulted in significant water quality impacts in the state. The Bill also contains a requirement that utility companies develop Wildfire Mitigation Plans (WMPs) to prevent, combat, and respond to wildfires within their service territories.

The State Water Board, in collaboration with the Regional Water Boards, is developing a Statewide Electric Utility General Order (General Order) to permit discharges of waste into waters of the state associated with operations and maintenance activities related to wildfire management by electric utility companies. The draft General Order proposes to also cover electric utility infrastructure operations and maintenance activities that are not directly related to wildfire mitigation but have the same potential effects on water quality as wildfire mitigation activities. It will also support essential wildfire prevention and mitigation activities and provide a streamlined process for permit coverage of related utility activities, statewide. Some activities currently being

discussed to be included in the General Order include:

- Vegetation management underneath or adjacent to utility lines and existing electrical structures
- Site access development/maintenance: road construction, maintenance, improvement
- Fire retardant or suppressant application
- Pole/Tower repair or replacement
- Substation maintenance
- Transmission tower maintenance
- Undergrounding powerlines
- Boardwalk repairs or replacement

Additionally, the General Order is intended to complement the Stormwater Construction General Permit and the Emergency Regional Permits and prevent inconsistency and unnecessary overlap. It will also cover operation and maintenance activities even when they are not directly related to wildfire mitigation, because those activities have the same potential effects on water quality and are also needed to ensure grid reliability. Project stakeholders include electrical utility companies, partner Agencies, environmental NGOs, forestry advocates, and the general public.

North Coast Regional Water Board staff have been engaged in the General Order development process since its inception, meeting quarterly with State Water Board and other Regional Water Board staff representatives. During these meetings we provide input to State Water Board staff about North Coast Region-specific considerations and concerns, areas of interest, and provide comment and feedback on draft language for the General Order. As an example, given the extent of sediment and temperature water quality impairments within the North Coast Region, staff's experience addressing erosion and sedimentation from roads, including implementation of the

region's Sediment TMDL Implementation Policy, North Coast Regional Water Board staff have provided expert input regarding draft General Order language associated with utility access roads. In addition, based on regional experience implementing the Policy in Support of Restoration in the North Coast Region, we have provided input for consideration regarding compensatory mitigation for permanent impacts to fish-bearing riparian areas. To inform General Order development in May 2022, we hosted State Water Board staff on a 2-day tour of burn scar areas in Sonoma County and Mendocino County, including areas in Calpella and along sections of Mark West Creek and Mill Creek that burned in recent years and subsequently were treated by PG&E and their contractors.

The three major electric utility companies in the North Coast Region are PG&E, PacifiCorp, and Western Area Power Administration; PG&E is the largest electricity and natural gas provider in the North Coast Region. PG&E provides natural gas and electricity to approximately 16 million people over a 70,000 square service area including the North Coast Region. There are over 106,000 circuit miles of electric distribution lines and over 18,000 miles of transmission lines within PG&E's service area. Following the 2017 fires that ravaged Northern California, CAL FIRE determined that a dozen fires were caused by power lines, power poles, and other equipment owned by PG&E. High voltage transmission lines are larger than distribution lines, are often located in remote inaccessible areas and are easily spotted from the air due to their wide buffer "corridors" (Image 1). Distribution tower lines tee off transmission lines, providing power to individual homes and businesses, and their corridor width is narrower. Vegetation adjacent to, beneath, and above transmission and distribution lines is managed to prevent/reduce the likelihood of ignition. Several factors influence these utility corridor vegetation management widths, including line type, line location (inside or outside State Responsibility Area), season, vegetation location and proximity to line and/or pole, and

vegetation condition. To reduce treatment frequency and ensure year-round compliance, widths are often increased. These lines, corridors, and access roads cross and/or run adjacent to watercourses which present potential for discharges of waste and impacts to waters of the state. The image and photos in this article present examples of utility corridors and their associated vegetation management zones and associated potential risks to water quality. The photos (Photos 1 and 2) were taken by staff of the Central Valley Regional Water Board from sites impacted by the Dixie Fire.

programs including the Electric Utility General Order.



Photo 1: roads accessing utility lines. Photo courtesy of CVRWQCB



Image 1: high voltage transmission line and cleared corridor. Source: Google Images



Photo 2: Utility line corridor clearing. Photo courtesy of CVRWQCB

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Status of Implementation of Wastewater Consolidation Program in North Coast Region

Michael Reese

A new and exciting component of SB-901 is annual funding for aerial surveillance. Regional Water Board staff are currently developing this contract which, once final, will allow Regional Water Board staff to conduct aerial surveillance and assessment at select sites in the region and will provide critical information to inform development and implementation of our water quality protection

Improperly sited, designed, operated, and/or maintained onsite sewage treatment systems (OWTS) can be a substantial source of bacteria and nitrate. These pollutants can contaminate surface and ground waters that serve as drinking water sources. To address this issue, Senate Bill 1215 (SB1215) was signed into law in 2018. SB1215 establishes both a funding and regulatory framework for a statewide wastewater consolidation program. The program is intended to connect existing sewer service providers with properties that have failing or inadequate OWTS.

To support the goals of SB1215, several Regional Water Boards have received funding to hire dedicated wastewater consolidation staff persons. This includes one staff person at the North Coast Regional Water Board.

Staff in the North Coast Region continue to coordinate with OWTS-based communities to gauge interest and feasibility for wastewater consolidation. Staff have identified several potential North Coast communities where a consolidation project could be implemented. Factors staff considers when assessing the feasibility for consolidation include, but are not limited to: status of existing OWTS, performance and violation history of existing community wastewater treatment facilities, treatment and disposal capacity of potential sewer service providers, willingness of a community to transition from individual OWTS to a rate-assisted collection/treatment system, special regulations like total maximum daily loads (TMDLs) affecting OWTS parcels, OWTS densities, and surface and groundwater quality conditions.

There are a number of challenges to effective implementation of the program. These include: expansion of service districts to serve parcels previously served by individual OWTS, lack of comprehensive groundwater data, and hesitance to proceed on the part of the sewer service provider or OWTS owners that may be brought onto the sewer service provider's system. Another challenge of the program is time constraints; \$350 million has been set aside for consolidation projects but it must be encumbered by June of 2024. This limits the use of these funds to projects that are in shovel-ready status.

Efforts by staff to better identify and more efficiently pursue consolidation projects include the following:

- Development of a GIS map showing the known sewer areas, density of OWTS in groundwater basins, mobile home parks, and more.

- Development of a wastewater consolidation program webpage.
- Proposed addition of an external non-profit organization, that would be contracted by the Division of Financial Assistance, as a technical assistance provider to help low-capacity communities complete funding applications and develop projects.
- Relationship building and community outreach to help the public understand the benefits of sewer extension and hookup.

In line with these ongoing efforts, staff also have set some general goals to help guide the program towards identifying more projects and setting project partners on a favorable and well-informed path once the projects do develop:

- Increase public awareness of consolidation benefits and incentives (e.g. exclusive grant funding that raises funding caps for projects that incorporate consolidation as part of a local solution.).
- Continue inter-agency coordination and partnerships to put service districts or infrastructure management entities – particularly in disadvantaged communities (DACs) – in a good position to submit funding applications or pursue needed projects.
- Improve internal tools, such as GIS maps and groundwater data assessment methods, and enhance consolidation project identification process.
- Provide regular updates to Division of Financial Assistance (DFA) on priority projects and upcoming applications from communities in the North Coast Region.
- Take advantage of opportunities to comment on DFA funding strategies to

support programs that best suit the needs of the North Coast Region.

- Expand groundwater monitoring and improve accessibility to groundwater data in the North Coast Region, with a focus on nitrate and its potential correlation with OWTS within a respective area.



Overall, the outlook for the consolidation program in the North Coast is favorable towards small, unsewered communities that are within a reasonable distance to an existing wastewater treatment service district¹. Funding through the Clean Water State Revolving Fund continues to offer prospective regionalization projects additional funding in hopes of encouraging these projects throughout the state – even for communities that are not economically disadvantaged. Staff continues to educate both potential sewer service providers and interested communities currently served by individual OWTS about the incentives available to both groups. Finally, staff are devising a strategy to share regional and statewide success stories of consolidation as a reference for communities to better understand the economic, public health, and water quality benefits of wastewater consolidation.

For more information please contact the North Coast Water Board's consolidation program staff member, Mike Reese, at michael.reese@waterboards.ca.gov

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¹ SB1215 authorizes mandatory consolidation if the existing sewer system is within three miles of the OWTS cluster.

Enforcement Report for October 2022 Executive Officer's Report

Jeremiah Puget, Jordan Filak, and Zane Stromberg

Summary of Enforcement Actions issued between: **July 16, 2022 and September 13, 2022**

Throughout the year, Enforcement Unit staff, with support from the State Water Board's Office of Enforcement and other regulatory program staff in the region, 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 it has been determined that an enforcement action will result in the issuance of an ACL Complaint, the Enforcement Team will prepare supporting evidence and provide the discharger(s) an opportunity to meet and discuss the facts relating to the violations, including the option of settlement, before a Complaint is issued. The tables on the following pages provide summaries of relevant details for enforcement actions during the timeframe covered by this report. Table 1 summarizes NNCs, NOVs, CAOs, Investigative Orders (13267 Orders), and CDOs. Table 2 summarizes ACL Complaints, ACL Orders and settlement negotiations pending the adoption/ finalization of a Stipulated ACL Order.

Table notes and other acronyms:

Basin Plan	Water Quality Control Plan for the North Coast Region
BMPs	Best Management Practices
CDFW	California Department of Fish and Wildlife
CGO	Cannabis General Order ²
CGP	Construction General Permit ³
CSD	Community Services District
CP	Compliance Project
DASP	Disturbed Area Stabilization Project
ECA	Enhanced Compliance Action
IGP	Industrial General Permit ⁴
NEC	No Exposure Certification
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
MMPs	Mandatory Minimum Penalties
MRP	Monitoring and Reporting Program
SEP	Supplemental Environmental Project
SMP	Site Management Plan
SWPPP	Storm Water Pollution Prevention Plan
WDRs	Waste Discharge Requirements

² [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

³ [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

⁴ [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. Notice of Non-Compliance, Notice of Violation, Cleanup and Abatement Orders, Investigative Orders (13267 Orders), Cease and Desist Orders

Action/ Date Issued	Owner/ Operator Name	County Nearest Town Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of September 13, 2022
NNC July 21, 2022	Bill Taylor OTS Welding Inc.	Mendocino Ukiah Russian River Hydrologic Unit	NPDES Unit Consent Inspection on May 11, 2022	- Failure to obtain coverage under the IGP	- Discharger was required to submit a certified NOI or NEC to obtain coverage for the facility by August 23, 2022	- Discharger has decided to close the facility, clean up in progress. This matter is ongoing.
NNC July 21, 2022	Bill Daniel Daniel Steel	Mendocino Ukiah Russian River Hydrologic Area	NPDES Unit Drive-By Inspection on May 11, 2022	- Failure to obtain coverage under the IGP	- Discharger was required to submit a certified NOI or NEC to obtain coverage for the facility by August 22, 2022	- Discharger failed to meet 60-day deadline for IGP coverage but has been working with consultant to obtain NOI coverage. This matter is ongoing.
NNC July 21, 2022	Norman Johnson Reliable Supply Mill Company	Mendocino Ukiah Russian River	NPDES Unit Consent Inspection on May 11, 2022	- Failure to Obtain IGP Coverage	- Discharger was required to submit a certified NOI or NEC to obtain coverage for the facility by August 22, 2022	- Discharger did not accept Certified Mail for first and second NNC Letter. Discharger still has

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		Hydrologic Unit				no coverage under the IGP. This matter is ongoing.
NOV July 25, 2022	Alan Da Silva Elk Canna Farm LLC	Humboldt Eureka Eureka Plain Hydrologic Unit	Cannabis Inspection February 2, 2021	- Failure to comply with cannabis cultivation policies under the CGO - Failure to comply Water Code sections 13260 & 13264	- Discharger is required to immediately cease all cannabis cultivation activities on the property or - Obtain individual WDRs specific to the property, reclassify the property as a High-Risk site under the CGO, pay the annual High-Risk invoice, and submit a DASP to RWB Staff	- The Discharger plans to voluntarily terminate coverage by November 15, 2022. This matter is ongoing.
NOV July 26, 2022	Daniel Maldonado Suarez	Mendocino Piercy Middle Fork Eel River Hydrologic Area	Cannabis Multi-Agency/ Warrant Inspection on May 13, 2021	- Failure to comply with CAO Order Number R1-2022-0016 Required Action No. 1	- Discharger was required to submit a proposed CRMP developed by qualified professionals by May 1, 2022 (Required Action No. 1) and - Implement the CRMP by October 15, 2022 once approved by RWB Staff (Required Action No. 4)	- Discharger(s) petitioned the CAO with the State of CA which went OPLAW. The Discharger(s) are now in violation of the CAO, Staff considering ACLC if noncompliance continues. This matter is ongoing.

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NOV July 26, 2022	Brian Harper	Trinity Zenia North Fork Eel River Hydrologic Area	Cannabis Multi- Agency/ Warrant Inspection on June 29, 2022	- Failure to comply with Basin Plan section 4.2.1 - Failure to enroll the property under the CGO - Failure to comply with Water Code section 13260	- Discharger is required to enroll the property under the CGO prior to continuation of cannabis cultivation - Properly dispose of all cannabis cultivation-related wastes on the property, and hire a qualified professional to assess the conditions of the pond/ stream crossings - Apply for a 401 Water Quality Certification for instream works	- Discharger's consultants have contacted RWB Staff, and they plan to file for 401 Certification to address water quality issues. This matter is ongoing.
NOV July 28, 2022	City of Ukiah City of Ukiah Wastewater Treatment Plant	Mendocino Ukiah South Fork Eel Hydrologic Area	NPDES Unit Notification of Recycled Water Spill on January 11, 2022	- Failure to comply with WDRs NPDES Order No. R1-2018-0035 - Failure to comply with Clean Water Act section 301 - Failure to comply with WDRs Recycled Water Use Order No. WQ-2016- 0068-DDW	- Dischargers are required to submit a written response to RWB Staff describing all Corrective Actions taken or planned to prevent reoccurrence of Recycled Water Spills in the future, and a proposed schedule for implementation of those Corrective Actions	- Discharger submitted a written response detailing new Standards of Practice and required staff training at the facility to prevent future recycled water spills. This matter is resolved. -

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				<ul style="list-style-type: none"> - Failure to comply with Recycled Water Monitoring and Reporting Program Order No. R1-2018-0058 		
<p>NOV July 29, 2022</p>	<p>Michael Kowtko</p>	<p>Trinity Zenia Van Duzen River Hydrologic Area</p>	<p>Cannabis Unit Multi-Agency/ Warrant Inspection on July 11, 2022</p>	<ul style="list-style-type: none"> - Failure to comply with various provisions of the CGO - Failure to comply with Basin Plan section 4.2.1 	<p>- Discharger is required to contain and dispose of all wastes associated with cannabis cultivation activities and hire a professional to assess the pond and stream crossings on the property</p>	<p>- Discharger has contacted RWB Staff and hired a consultant to address water quality issues on the property. This matter is ongoing.</p>

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NOV August 9, 2022	Hunter Barber Callcre 3001, LLC	Trinity Ruth Mad River Hydrologic Area	Cannabis Unit Multi-Agency/ Warrant Inspection on February 9, 2018	- Failure to comply with CAO Order Number R1- 2020-0017 Required Actions No. 2 and 5	- Discharger was required to submit an acceptable CRMP by June 1, 2020 and implement the CRMP by October 15, 2020 (Required Actions No. 2 and 5). Neither of the Required Actions were completed.	- Discharger failed to comply with Order Conditions and transferred the property. NOV for new property owners under review. This matter is ongoing.
NOV August 9, 2022	Yue Her	Trinity Ruth North Fork Eel Hydrologic Area	Cannabis Unit Multi- Agency/ Warrant Inspection on July 11, 2022	- Failure to comply with Basin Plan section 4.2.1 - Failure to obtain coverage under the CGO - Failure to comply with Water Code section 13260	- Discharger is required to obtain coverage under the CGO prior to further cultivation of cannabis and - Hire a qualified professional to assess the conditions of the stream crossings, and apply for a 401 Water Quality Certification for instream work	- Discharger has notified RWB Staff that they intend to clean up the property and cease cannabis cultivation. This matter is ongoing.
NOV August 10, 2022	Song Her May Chang	Trinity Mad River Van Duzen River	Cannabis Unit Multi- Agency/ Warrant	- Failure to comply with Basin Plan section 4.2.1 - Failure to comply with Water Code section 13260	- Discharger is required to obtain coverage under the CGO prior to further cultivation of cannabis and	Discharger has not yet responded to the NOV (deadline to respond is September 10,

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		Hydrologic Area	inspection on July 11, 2022	- Failure to obtain coverage under the CGO	- Hire a qualified professional to assess the conditions of the stream crossings, and apply for a 401 Water Quality Certification for instream work	2022). This matter is ongoing.
CAO August 11, 2022	Stacio Kopiej Tzetzso Mishev Richard Etherton David M. Verno	Mendocino Piercy South Fork Eel River Hydrologic Area	Cannabis Unit Multi- Agency/ Warrant Inspections on July 21, 2020 and May 27, 2021	- Failure to comply with Basin Plan section 4.2.1 - Failure to comply with Clean Water Act sections 301, 401, and 404 - Failure to obtain coverage under the CGO	- Discharger is required to submit a proposed ISP by September 12, 2022, and implement the ISP no later than 45 days after its approval - Submit a CRMP by October 1, 2022, and submit a Completion Report for the CRMP no later than 60 days after completion - Complete Cleanup and Restoration described in the CRMP by October 15, 2024 - Submit Annual Monitoring Reports	- Discharger was sent an ACLC and Draft CDO from the Division of Water Rights for Cannabis Cultivation and no response was received. This matter is ongoing.

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CAO August 15, 2022	Gary and Matthew Humecke Tranquility Lane Farms, Inc.	Mendocino Hopland South Fork Eel River Hydrologic Area	Cannabis Unit Multi- Agency Inspection on June 1, 2021	<ul style="list-style-type: none"> - Failure to comply with Basin Plan section 4.2.1 - Failure to comply with Water Code section 13264 - Failure to comply with Clean Water Act sections 301, 401, and 404 - Failure to comply with various provisions of the CGO 	<ul style="list-style-type: none"> - Discharger is required to submit an acceptable CRMP by September 15, 2022, and implement the CRMP no later than 30 days after its approval - Submit Monthly and Annual Progress Reports - Complete Cleanup and Restoration by July 31, 2023 	<ul style="list-style-type: none"> - The CAO issued by RWB Staff was returned as undeliverable. The CRMP is still required by September 15, 2022. This matter is ongoing.
NNC August 15, 2022	David Qualman Conrad Forest Products	Mendocino Ukiah Upper Russian River Hydrologic Area	NPDES Unit Notice of Requiremen t to Obtain IGP Coverage on May 17, 2022	<ul style="list-style-type: none"> - Failure to obtain coverage under the IGP 	<ul style="list-style-type: none"> - Discharger is required to submit an NOI Application and all required documents for coverage under the IGP by October 14, 2022 	<ul style="list-style-type: none"> - NOI submission extension was granted for the Discharger until October 14, 2022. If NOI application is not submitted by September 15, second NNC will be issued. This matter is ongoing.

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<p>NNC</p> <p>August 17, 2022</p>	<p>Lois Standing</p> <p>Windsor Unified School District</p>	<p>Sonoma</p> <p>Windsor</p> <p>Russian River Hydrologic Unit</p>	<p>NPDES Unit</p> <p>Notice of Requirement to Submit Annual Reports</p>	<p>- Failure to submit Annual Reports of Fiscal Year(s) 2018/2019, 2019/2020, 2020/2021, and 2021/2022</p>	<p>- Discharger is required to submit Annual Reports for Fiscal Year(s) 2018/ 2019, 2019/2020, 2020/2021, and 2021/2022 by October 17, 2022</p>	<p>- Annual reports have not yet been submitted. Second NNC Letter will be sent out on September 17, 2022. This matter is ongoing.</p>
<p>NOV</p> <p>August 18, 2022</p>	<p>Stuart Marcus</p> <p>Marcus Ranch</p> <p>Pristine Enterprises, Inc.</p>	<p>Mendocino</p> <p>Ukiah</p> <p>Mendocino Coast Hydrologic Unit</p>	<p>Cannabis Unit</p> <p>Multi-Agency/ Consent Inspection on July 21, 2022</p>	<p>- Denial of DASP for failure to comply with requirements within the CGO</p>	<p>- Discharger is required to submit a revised DASP and revegetate the disturbed riparian areas on the property</p> <p>- Apply for a 401 Water Quality Certification prior to conducting instream works</p>	<p>- RWB Staff have received no response from Discharger. This matter is ongoing.</p>
<p>NOV</p> <p>August 22, 2022</p>	<p>Spencer Siegel</p> <p>Anthony Cicardo</p>	<p>Mendocino</p> <p>Laytonville</p> <p>South Fork Eel River</p>	<p>Cannabis Unit</p> <p>Multi-Agency/ Warrant Inspection</p>	<p>- Failure to comply with Basin Plan section 4.2.1</p> <p>- Failure to comply with Water Code sections 13260 and 13264</p>	<p>- Discharger is required to remove and dispose of all wastes and materials associated with cannabis cultivation on the property</p> <p>- Hire a qualified professional to conduct a</p>	<p>- Discharger has contacted RWB Staff and expressed interest in cleaning up the property. This matter is ongoing.</p>

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	ACME Investments Inc.	Hydrologic Area	on July 13, 2022	<ul style="list-style-type: none"> - Failure to comply with Clean Water Act section 301 - Failure to obtain coverage under the CGO 	<p>wetland delineation, and propose cleanup plan to restore the wetland and associated watercourse to pre-disturbed conditions</p> <ul style="list-style-type: none"> - Hire a qualified professional to inventory the property and provide treatment plants to protect streams and wetlands from unauthorized discharge of sediment (primarily access roads and stream crossings) - Apply for and receive a 401 Water Quality Certification prior to conducting instream work - Work with Division of Water Rights and CDFW to ensure compliance with surface water diversion, storage, and use requirements 	

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

Action/ Date Issued	Owner/ Operator Name	County Nearest Town Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of September 13, 2022
<p>NOV</p> <p>August 25, 2022</p>	<p>Jeremy Ruskin</p>	<p>Mendocino Covelo North Fork Eel River Hydrologic Area</p>	<p>Cannabis Unit Multi- Agency/ Warrant Inspection on August 5, 2022</p>	<p>- Failure to comply with California Water Code sections 13260 - Failure to comply with various provisions of the CGO</p>	<p>- Discharger is required to enroll for coverage under the CGO prior to future cultivation of cannabis, and contain/ dispose of wastes associated with cannabis cultivation on the property</p>	<p>- RWB Staff have not yet received any response from Discharger. This matter is ongoing.</p>
<p>NOV</p> <p>August 25, 2022</p>	<p>Kettonpom Properties, LLC</p>	<p>Trinity Zenia Middle Fork Eel River Hydrologic Area</p>	<p>Cannabis Unit Multi-Agency/ Warrant Inspection on August 5, 2022</p>	<p>- Failure to comply with California Water Code sections 13260 - Failure to comply with various provisions of the CGO</p>	<p>- Discharger is required to enroll for coverage under the CGO prior to future cultivation of cannabis, and contain/ dispose of wastes associated with cannabis cultivation on the property</p>	<p>- RWB Staff have not yet received any response from Discharger. This matter is ongoing.</p>

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Action/ Date Issued	Owner/ Operator Name	County Nearest Town Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of September 13, 2022
<p>NOV</p> <p>August 25, 2022</p>	<p>Dionna Leffler</p>	<p>Mendocino Covelo North Fork Eel River Hydrologic Area</p>	<p>Cannabis Unit Multi-Agency/ Warrant Inspection on August 5, 2022</p>	<p>- Failure to comply with California Water Code sections 13260</p> <p>- Failure to comply with various provisions of the CGO</p>	<p>- Discharger is required to enroll for coverage under the CGO prior to future cultivation of cannabis, and contain/ dispose of wastes associated with cannabis cultivation on the property</p> <p>- Hire a professional to improve road surfacing and drainage to minimize erosion potential</p> <p>- Work with Division of Water Rights to ensure compliance with surface water diversion and storage</p>	<p>- Discharger has contacted RWB Staff and expressed interest in cleaning up the property. This matter is ongoing.</p>
<p>NOV</p> <p>August 25, 2022</p>	<p>Kiryl Mikhalkevich Operation H, LLC</p>	<p>Trinity Hay Fork South Fork Trinity River Hydrologic Area</p>	<p>Cannabis Warrant Inspection August 3, 2022</p>	<p>- Failure to comply with Basin Plan section 4.2.1</p> <p>- Failure to comply with Water Code sections 13260 and 13264</p>	<p>- Discharger is required to discontinue all cannabis cultivation within riparian setback and water/ waste discharge to reservoir on the property</p> <p>- Also, hire a qualified professional to assess the scope of diesel spill, and coordinate with applicable</p>	<p>- RWB Staff have not yet received any response from Discharger. Draft CAO will be issued later in September. This matter is ongoing.</p>

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Action/ Date Issued	Owner/ Operator Name	County Nearest Town Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of September 13, 2022
					agencies/ proceed with cleanup accordingly.	
13267 Order August 31, 2022	Scott Farley Kernen Construction Company	Humboldt McKinleyville Mad River	NPDES Unit Multi-Agency inspection on June 24, 2021	<ul style="list-style-type: none"> - Revised Storm Water Pollution Prevention Plan - Failure to Comply with Federal Clean Water Act sections 401 and 404 	<ul style="list-style-type: none"> - Discharger required to provide additional information regarding the newly installed stormwater retention area - Submit a Wetland Delineation - Submit assessment of historic non-wetland Waters of the State - Develop an acceptable Stormwater Monitoring Plan 	<ul style="list-style-type: none"> - Deadline to submit Information required pursuant to Section 13267 is September 9, 2022. This matter is ongoing.
NOV Sept. 6, 2022	Mitchell Scott	Mendocino Navarro Navarro River Hydrologic Area	Cannabis Warrant Inspection August 8, 2022	<ul style="list-style-type: none"> - Failure to comply with Basin Plan section 4.2.1 - Failure to comply with Water Code sections 13260 and 13264 - Failure to comply with various provisions of the CGO 	<ul style="list-style-type: none"> - Discharger is required to collect and dispose of all petroleum products and cannabis cultivation wastes on the Property which have discharged and/or threaten to discharge - Retain a licensed professional to assess contamination of soil, surface 	<ul style="list-style-type: none"> - RWB Staff have not yet received any response from Discharger. This matter is ongoing.

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Action/ Date Issued	Owner/ Operator Name	County Nearest Town Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of September 13, 2022
					<p>water, and groundwater caused by petroleum spill</p> <p>-Retain a licensed professional to inventory and assess all aquatic resources that are waters of the state, and develop a workplan to implement measures to ensure that all developed features, roads and watercourse crossings throughout the Property are corrected, restored, and/or maintained in conditions that prevent or minimize erosion</p>	
<p>NOV Sept. 8, 2022</p>	<p>Antonio Garcia</p>	<p>Mendocino Navarro Navarro River Hydrologic Area</p>	<p>Cannabis Warrant Inspection August 8, 2022</p>	<p>- Failure to comply with Water Code sections 13260 and 13264 - Failure to comply with various provisions of the CGO</p>	<p>- Discharger is required to collect and properly dispose of all refuse on the property to prevent discharge to receiving waters.</p> <p>- Comply with requirements from CDFW and DWR to obtain appropriate permits/licenses for water source(s), diversion(s), storage, and use, and ensure that water storage</p>	<p>- RWB Staff have not yet received any response from Discharger. This matter is ongoing.</p>

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Action/ Date Issued	Owner/ Operator Name	County Nearest Town Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of September 13, 2022
					<p>features minimize potential impacts to water quality.</p> <ul style="list-style-type: none"> - Enroll for coverage under the CGO prior to future culmination of cannabis - Prior to conducting work in a water of the state, submit the below application and pay the required application fee for a 401 Water Quality Certification/Waste Discharge Requirement 	
<p>NNC Sept. 13, 2022</p>	<p>David Qualman Conrad Forest Products</p>	<p>Mendocino Ukiah Upper Russian River Hydrologic Area</p>	<p>NPDES Unit Notice of Requirement to Obtain IGP Coverage on May 17, 2022</p>	<p>- Failure to obtain coverage under the IGP</p>	<p>- Discharger is required to submit an NOI Application and all required documents for coverage under the IGP by October 14, 2022</p>	<p>- NOI submission extension was granted for the Discharger until October 14, 2022. This is the second NNC that has been issued as a reminder to obtain regulatory coverage. This matter is ongoing.</p>

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Action/ Date Issued	Owner/ Operator Name	County Nearest Town Watershed	Program & Inspection Type/Date	Violation Types	Required/ Recommended Actions	Status as of September 13, 2022
CAO Sept. 13, 2022	Ken Bareilles	Sonoma Healdsburg Middle Russian River Hydrologic Area	Southern Non-Point Source and Forestry Unit Multi-Agency Inspection on July 8, 2021	- Failure to comply with Basin Plan 4.2.1 and Forest Practice Rules set forth in Order No. R1- 2009-0038 Categorical Waiver of WDRs for Discharges Related to Timber Harvest Activities on Non-Federal Lands in the North Coast Region	- Discharger is required to submit an LTRMP within 30 days of the issuance of the CAO - Complete the work defined within the LTRMP within 60 days of approval of the plan - Submit a Completion Report within 15 days of completing the work defined within the LTRMP	- Discharger has not yet responded to this Order. 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 September 13, 2022
Crescent City - Wastewater Treatment Facility	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$48,000	Invitation issued on 11/16/2021 Violation Period: September 22, 2015, to April 15, 2022	Stipulated Order No. R1-2022-0021 adopted on August 8, 2022. This matter is resolved.
City of Eureka – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$153,000	Invitation issued on 11/16/2021 Violation Period: July 3, 2017, to May 1, 2022	Settlement Negotiations Underway
City of Ferndale – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$18,000	Invitation issued on 11/16/2021 Violation Period: April 13, 2016, to May 1, 2022	Stipulated Order No. R1-2022-0022 adopted on September 14, 2022. This matter is resolved.
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 Rio Dell – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$21,000	Invitation issued on 11/17/2021 Violation Period: May 1, 2016, 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 April 31, 2022	Settlement Negotiations Underway
City of Arcata – Wastewater Treatment Facility	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$207,000	Invitation issued on 09/20/2021 Violation Period:	Settlement Negotiations Underway

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

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of September 13, 2022
				March 1, 2019, to April 19, 2022	
North Fork Lumber Company and California Redwood Company – Korbelt Sawmill	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$57,000	Invitation issued on 10/04/2021 Violation Period: June 1, 2019, to March 31, 2022	Stipulated Order No. R1-2022-0034 was adopted on September 7, 2022. This matter is resolved.
Town of Scotia CSD - Wastewater Treatment Facility	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$93,000	Modified Expedited Payment Letter w/ CP Option issued August 18, 2021 Violation Period: December 5, 2017, to March 30, 2021	Stipulated Order No. R1-2022-0029 adopted on August 18, 2022. This matter is resolved.
Humboldt Sawmill Company – (Eel River Power)	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$39,000	Modified Expedited Payment Letter w/ SEP Option issued August 18, 2021 Violation Period: July 12, 2017, to March 30, 2021	Stipulated Order No. R1-2022-0030 adopted on August 18, 2022. This matter is resolved.
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 for failure to submit RMMP acceptable to the Regional	\$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 violated the Basin Plan and Clean Water Act Section 301 by	Regional Water Board Assistant Executive Officer issued ACL Complaint No. R1-2022-0024 . The Discharger has formally waived the right to a hearing and settlement discussions are ongoing.

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

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of September 13, 2022
		Water Board or it's Delegated Officer -CAO Required Action 9 for failure to implement an approved RMMP		filling or allowing fill to be placed in watercourses and wetlands on the property	
Szagora LLC, Toshko Toshkoff, and Rudy Chacon	Cannabis Program	- CAO R1-2021-0031 Required Action 1 for failure to submit an acceptable CRMP by July 1, 2021 - CAO Required Action 4 for failure to implement an approved CRMP by October 15, 2021	\$301,950	ACL Complaint issued on August 10, 2022, covers the period between July 20, 2020, and August 10, 2022, and includes allegations that Szagora LLC and Toshko Toshkoff violated CAO R1-2021-0031 Required Actions 1 and 4	Regional Water Board issued ACL Order No. R1-2022-0033 on August 10, 2022.
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. 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 September 13, 2022
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	Settlement Negotiations Underway
BoDean Company, Inc.-Mark West Quarry Site	NPDES Storm Water	Violation of Industrial General Permit 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	ACLIC No. R1-2021-0047 issued on September 10, 2021 Violation Period: December 2018 – August 2020	Settlement Negotiations Underway

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

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of September 13, 2022
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 Industrial General Permit and WDRs Order No. 88-54	\$46,000	Invitation issued on September 14, 2021 Violation Period: January 2020	Tentative Settlement Agreement Reached. SEP in development and awaiting approval
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 three 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.

December 8 & 9, 2022

- Administrative Civil Liability Complaint for Kou Ziong and Susan Yang Xiong (*Pansy Yuen & Patrick Lewis*) [A]
- Categorical Low Threat Waiver Renewal (*Rachel Prat*) [A]
- Update on Environmental Flows Framework (*Bryan McFadin*) [I]
- Scott and Shasta TMDL Waivers Short Term Renewal (*Elias Scott*) [I]

February 2 & 3, 2023

- Redway WWTP NPDES (*Matt Herman*) [A]
- Willow Creek CSD WWTP WDR's (*Roy O'Connor*) [A]
- North Coast Regional Water Board Resolution Supporting Racial & Tribal Equity (*Devon Jorgenson*) [A]
- Potential Pending Administrative Civil Liability Complaint (*Staff TBD*) [A]

April 6 & 7, 2023

- Nordic Aquafarms NPDES Permit (*Justin McSmith*) [A]
- Bodega Bay PUD WWTP WDRs (*Ben Zabinsky*) [A]
- Fall Creek Hatchery NPDES Permit (*Justin McSmith*) [A]
- Potential Pending Administrative Civil Liability Complaint (*Staff TBD*) [A]

