



State Water Resources Control Board

February 2 2024

CERTIFIED MAIL

Alan Root

CERTIFIED MAIL NO: 7022 1670 0001 3767 0672

NOTICE OF VIOLATION

Investigation ID: 15452

DIVISION OF WATER RIGHTS INSPECTION OF LAKE COUNTY ASSESSOR PARCEL NUMBER (APN) 012-069-310-000

Alan Root,

On September 28, 2023, staff from the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), in coordination with state and local partner agencies conducted an inspection of the property referenced above (Property). The purpose of the inspection was to observe the diversion and use of water occurring on the Property and to evaluate potential impacts to the watershed.

You are being contacted because you were identified as the property owner of the Lake County APN identified above, where you are allegedly diverting and using water for cannabis cultivation.

During the inspection, Division staff observed California Water Code (WC) and State Water Board, Cannabis Cultivation Policy (Policy) violations. Enclosed is the Division's Inspection Report (Report) of your Property that includes Division staff observations, alleged violations and the corrective actions necessary for compliance with the WC and the State Water Board's Policy. The enclosed Report constitutes your notice of the alleged violations and this matter requires your immediate attention. The information below is a summary of the alleged violations included in the Report.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

Violations and Corrective Actions 6

Violation: WC section 5101 - Failure to File an Initial Statement of Water Diversion and Use (Statement) 6

Violation: WC section 1052 – Unauthorized Diversion or Use of Water 7

Violation: Cannabis Cultivation Policy, Section 2, Term 69 - Diversion of surface water not in accordance with an existing water right..... 9

Violation: Cannabis Cultivation Policy, Section 2, Term 79 - Onstream reservoir prohibition. 10

Violation: Cannabis Cultivation Policy, Section 2, Term 81 - Failure to install separate measuring devices to quantify diversions to and from each storage facility 12

Violation: Cannabis Cultivation Policy, Section 2, Term 83 - Failure to Install Onstream Reservoir Water Measuring Device or Maintain Diversion Records..... 13

Violation: Cannabis Cultivation Policy, Section 2, Term 92 - Water Storage Facility Without Device to Prevent Water Overflow..... 15

Violation: Cannabis Cultivation Policy, Section 2, Term 93 - Failure to Secure Tank Openings to Prevent Entry and Entrapment of Wildlife..... 16

Violation: Cannabis Cultivation Policy, Section 2, Term 98 – Failure to Maintain Daily Records of Water Use for Cannabis Irrigation. 17

Violation: Diversion or Use of Water for Cannabis Cultivation without a Department of Cannabis Control License. 18

Compliance Assistance References 19

The State Water Board retains the authority and discretion to take enforcement action based on the facts and allegations contained herein and you may be subject to further enforcement action before the State Water Board. Therefore, this matter requires your immediate attention. You should follow all staff recommended corrective actions described in the enclosed Report or submit a response indicating any course of action you intend to take or have taken, include an implementation schedule, and/or photo documentation that demonstrates your compliance. You can provide your response, documentation and photos through the Division of Water Rights Cannabis Response Notice Portal detailed in the Report in the **Compliance Assistance References section**.

If you have questions concerning the Report, please contact Ryan Babb by phone at 916- 341- 5410, or by email at ryan.babb@waterights.ca.gov. Written correspondence can be provided and addressed to the following address: State Water Resources Control Board, Division of Water Rights, P.O. Box 100, Sacramento, CA 95812-0100, Attention: Ryan Babb.

Sincerely,

ORIGINAL SIGNED BY:

Ryan Babb
Water Resource Control Engineer
Cannabis Enforcement Unit
Division of Water Rights

Enclosures: Division of Water Rights Inspection Report dated September 28, 2023

ec: **Division of Water Rights - Enforcement**

Taro Murano
Taro.Murano@waterboards.ca.gov

Stormer Feiler
Stormer.Feiler@waterboards.ca.gov

Laura Cunningham
Laura.Cunningham@Waterboards.ca.gov

Cannabis Registration Unit
DWR-cannabisreg@waterboards.ca.gov

Department of Fish and Wildlife
Corrine Gray
Corrine.Gray@wildlife.ca.gov

Matt Jones
Matthew.Jones@wildlife.ca.gov

Justin Rhoades
Justin.Rhoades@wildlife.ca.gov

Kyle Stoner
Kyle.Stoner@wildlife.ca.gov

Regional Water Quality Control Board
Jason Schroeder
Jason.schroeder@waterboards.ca.gov

County of Lake
Craig Wetherbee
Craig.Wetherbee@lakecountyca.gov

Susan J. Krones
Susan.Krones@lakecountyca.gov

Department of Cannabis Control
Jose Barajas
Jose.Barajas@cannabis.ca.gov

Jon Silva
Jon.Silva@cannabis.ca.gov

Lindsay Rains
Lindsay.Rains@cannabis.ca.gov

Erin Wonder
Erin.Wonder@cannabis.ca.gov