



State Water Resources Control Board

DECEMBER 20 2023

CERTIFIED MAIL

Kim LaBruno

CERTIFIED MAIL NO: 7022 1670 0001 3767 4427

NOTICE OF VIOLATION

Investigation ID: 15178

**DIVISION OF WATER RIGHTS INSPECTION OF MENDOCINO COUNTY
ASSESSOR PARCEL NUMBER (APN) 053-360-08-00, 053-360-10-00, AND 053-360-15-00**

Kim LaBruno and Hugo Arteaga,

On August 31, 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 owners of the Mendocino County APNs 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 second notice of the alleged violations and this matter requires your immediate attention. The first notice of violation was left with a copy of the search warrant on August 31, 2023, with detailed WC violations and corresponding corrective actions. The information below is a summary of the alleged violations included in the Report.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Violations and Corrective Actions.....14
Compliance Assistance References 30

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 me by phone at (916) 323- 5174, or by email at pete.hollingshead@waterboards.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: Peter Hollingshead.

Sincerely,

ORIGINAL SIGNED BY:

Peter Hollingshead
 Environmental Scientist
 Cannabis Enforcement Unit
 Division of Water Rights

Enclosures: Division of Water Rights Inspection Report dated August 31, 2023

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

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North Coast Regional Water Quality Control Board

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Department of Cannabis Control

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