



EXECUTIVE OFFICER'S REPORT

North Coast Regional Water Quality Control Board

April 18, 2019

Opening the Northern Field Office – Eureka California *Mona Dougherty*

The North Coast Regional Water Board Northern Field Office (NFO) is estimated to open on April 22, 2019, located at 930 6th Street, Eureka, Humboldt County, California.



The North Coast Regional Water Board Northern Field Office (NFO) located at 930 6th Street, Eureka. Image taken by Shannon Utley.

Five North Coast Regional Water Board staff will be sharing office space with cannabis program staff from three other State agencies: California Department of Food & Agriculture's CalCannabis Cultivation Licensing, California Department of Public Health, and California Department of Consumer Affairs.

A cannabis regulation office was envisioned to be centrally located within the fastest-growing and highest density area of current cannabis cultivation in California – the emerald triangle. This office was included in California legislation to provide permitting support for the cultivation community, and to better enable State agencies to accomplish their task of regulating cannabis cultivation. Each agency will operate independently in the Eureka office, but will be able to improve coordination on all cultivation issues. The NFO refers only to the Regional Water Board

portion of the larger office of State agencies regulating cannabis in Eureka.

Staff assigned to the NFO include the entire Northern Cannabis Regulatory Unit: Ermias Berhe – Engineering Geologist, Katherine Hawken -Water Resource Control Engineer, Amanda Piscitelli – Environmental Scientist, Shannon Utley – Engineering Geologist, and Mona Dougherty – Senior Water Resource Control Engineer and site supervisor for the NFO. The NFO will also house storage areas for vehicles, equipment needed to conduct cannabis cultivation inspections, and office equipment for these staff to conduct regular office work. Additionally, the NFO will provide, to the best of our ability, office support for all North Coast Regional Water Board staff traveling for inspections or meetings in the area, in case they need access to a printer, copier, or short-term equipment storage.

Unlike the Santa Rosa Regional Water Board office, the NFO will not provide customer service guaranteed for all business hours, although staff will be regularly available for public appointments. There will be times that the office is not staffed due to inspections, external meetings/trainings, or staff absences. We are considering options to provide windows of guaranteed office coverage and available hours for the public to drop-in to ask questions.

Opening the NFO is an exciting step for the North Coast Regional Water Board. We have discussed, planned, and hoped for a satellite office in our Region for more than 25 years due to our large geographic area and challenging travel conditions (e.g. roads and weather). Even though there have been several past efforts to open a satellite office in Humboldt County, they were unsuccessful until the scope of cannabis regulation provided us this opportunity. Sharing this office poses limitations on our broader need for office space in Eureka for other Water Board programs and, to address this



Remedial injection at Former Redwood Empire Cleaners. Photo credit: West Environmental Service & Technology



Source area excavation at Former Redwood Empire Cleaners. Photo credit: West Environmental Service & Technology

adjacent rural residence. The Anderson Valley Unified School District exhausted the \$1.5 million provided by the USTCF while significant soil and groundwater impacts remained at the site. Groundwater represents the sole source of water supply at the site and vicinity and water supply wells had previously been impacted by the release(s). SCAP funding is being used to complete the soil and groundwater investigation and protect the existing groundwater resource.

- **Ghera Family Trust, Arcata** – Soil, soil vapor, and groundwater contamination from former dry cleaners. Approximately \$450,000 grant for soil, air quality, and groundwater investigation in downtown Arcata. PCE was detected in soil and groundwater at the site in 1994. Several investigations have been conducted with the most recent being a vapor intrusion to indoor air investigation in the on-site building. SCAP funding is being used for additional investigations, monitoring and remedy selection.
- **D&J Dry-Cleaners** - Soil, soil vapor, and groundwater contamination from former dry-cleaners. Approximately \$600,000 grant for soil, air quality, and groundwater investigation and remedial action plan for site in Santa Rosa. The investigation at the site was prompted by detections of chlorinated solvents in a nearby water supply well. Subsequent investigations have documented soil, groundwater, and soil vapor impacts at the site. SCAP funding will be used to complete the investigation and select a remedial alternative for cleanup.

In addition to the currently funded projects mentioned above, there are two former dry-cleaning operations in Santa Rosa that are in the SCAP application process and are expected to receive funding in the future.

North Coast Regional Water Board staff have worked from the inception of SCAP to help and encourage responsible parties to apply for funding through the program. Work at many of these sites had not occurred because of the lack of funding.

- **Northcoast Environmental Center** - Soil, soil vapor, and groundwater contamination from former dry-cleaners. Approximately \$600,000 grant for soil, air quality, and groundwater investigation in downtown Arcata. PCE was detected in soil and groundwater during a Brownfields assessment that was conducted in 2005. The Northcoast Environmental Center is a non-profit organization without the financial means to perform the investigation work requested by the Regional Water Board. The SCAP funding will be used to perform an investigation consisting of monitoring wells, soil gas wells, indoor air testing, and feasibility testing, plus the preparation of a remedial action plan.
- **Anderson Valley Unified School District, Boonville** – Soil and groundwater contamination from a former underground storage tank. Approximately \$180,000 in grant funding for soil boring and geophysical investigation on the school property and

groundwater elevation, and pathogens (e.g., *E. coli*). QVIR has transmitted this data to Board staff and staff is currently compiling it into a comprehensive water quality database for analysis.

Data is also being collected on United States Forest Service (USFS) land by the Northern California Resource Center, including water temperature and sediment composition. This data is reported as a requirement of the Conditional Waiver of Waste Discharge Requirements that regulates management activities on federal lands. This data is reported in written form, and staff is working to receive the raw data for entry into the comprehensive water quality database for analysis.

The Scott River Watershed Council collects various data to support their restoration work across the watershed, including water temperature, dissolved oxygen, and stream channel geomorphology. Much of this data is reported in written form as a condition of various permits the Watershed Council holds with the Regional Water Board. Staff is currently coordinating with the Watershed Council to receive the raw data for entry into the comprehensive water quality database for analysis.

Planned Monitoring

Pursuant to the requirements of the Scott Waiver, dischargers will continue to submit and implement site-specific management plans and monitoring and reporting plans based on threats to water quality observed by Regional Water Board staff. In addition, the Siskiyou RCD recently entered into a contract with the Regional Water Board, and a portion of this contract was directed to fund water temperature monitoring and a round of photo point monitoring at all bridges in the watershed to assess riparian conditions. Siskiyou RCD has completed water temperature monitoring for the 2018 Water Year, and this data has been used to begin the creation of the Regional Water Board's comprehensive water quality database for the Scott River.

The Siskiyou RCD has also supplied the Regional Water Board with bridge photos dating back to 2000. The Regional Water Board now has a photo record of riparian recovery at bridges in the valley with annual photos taken from 2000 – 2009, and a monitoring event conducted in 2017 (see Figures 1 – 8 on next page).

A biostimulatory conditions monitoring plan is currently being implemented by staff, including the Surface Water Ambient Monitoring Program. This plan will include nutrient grab sample collection throughout the Scott River, continuous dissolved oxygen, pH, and temperature monitoring at several locations along the reach of the Scott River currently listed for biostimulatory conditions, and continuous temperature monitoring throughout the watershed where access is possible and where long-term temperature monitoring stations can be established. This plan is expected to be implemented in May 2019 and continue through the 2018-2019 water year.

Status and Trends Assessment

The development of an understanding of water quality status and trends in the Scott River watershed comes with a few challenges. While a significant amount of data already exists, much of the existing data quality has yet to be assured through a formal quality assurance/quality control (QA/QC) process. This process is necessary, but the cost of conducting a QA/QC assessment is not currently funded. Further, there is no specific funding allocated to ongoing monitoring at a larger, more representative scale outside of discharger-based monitoring required in the Waiver and the previously described biostimulatory conditions monitoring plan. These constraints limit our ability to assess water quality status and trends in the Scott watershed. To address these challenges, staff continue to coordinate with watershed partners to secure funding to implement a strategy to monitor and assess the status and trends of water quality conditions in the Scott River watershed.



Figure 1 - Scott River at **Fay Lane Bridge**, looking downstream, July 17, 2000



Figure 2 - Scott River at **Fay Lane Bridge**, looking downstream, July 28, 2017



Figure 3 - Scott River at **Eller Lane Bridge**, looking downstream, July 17, 2000



Figure 4 - Scott River at **Eller Lane Bridge**, looking downstream, July 31, 2017



Figure 5 - Scott River at **Horn Lane Bridge**, looking downstream, July 17, 2000



Figure 6 - Scott River at **Horn Lane Bridge**, looking downstream, July 31, 2017



Figure 7 - French Creek at **Highway 3 Bridge** looking downstream, July 17, 2000

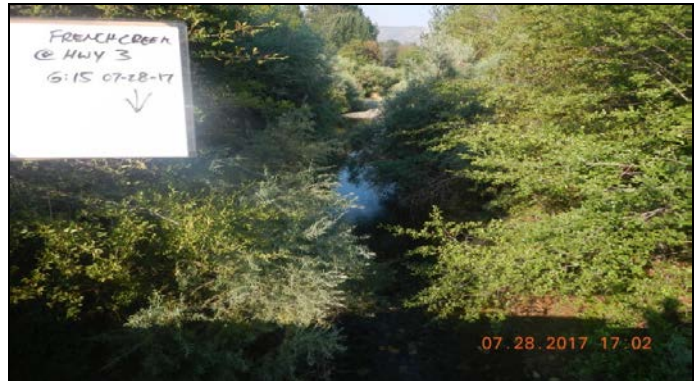


Figure 8 - French Creek at **Highway 3 Bridge** looking downstream, July 28, 2017

Enforcement Report for April 2019 Executive Officer's Report

Diana Henriouille & Caila Heintz

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
02/05/2019	Mahmood and Farah Alam	CAO	Discharge of petroleum constituents in groundwater and soil	Ongoing

Comments: On February 5, 2019, the Executive Officer (EO) issued Cleanup and Abatement Order R1-2019-0014 to Mahmood and Farah Alam for the unlawful discharge of petroleum constituents in groundwater and soil during an underground fuel storage tank excavation in the City of Ukiah. The site is within 300 feet of Gibson Creek, tributary to the Russian River, and approximately 500 feet from a municipal public water supply well. To date, the discharger has been in contact with Regional Water Board staff, and has met all deadlines for the requirements of the CAO. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
02/12/2019	Valley Pacific Petroleum Services, Inc.	CAO	Discharge of gasoline fuel to waters of the state	Ongoing

Comments: On February 12, 2019, the EO issued Cleanup and Abatement Order No. R1-2019-0016 to Valley Pacific Petroleum Services, Inc., for the unlawful discharge of an estimated 2,100 gallons of gasoline fuel following an accident on Highway 101 near Leggett, in the vicinity of mile marker 93. The Governor's Office of Emergency Services contacted the Regional Water Board on February 5, 2019, at 0730 hours, informing staff that a fully loaded tanker truck was overturned due to icy roadway conditions. Staff responded to the emergency notice and arrived on site at approximately 1213 hours and observed that fuel from the truck had flowed to the east side of the highway onto soil and into a drop inlet. The drop inlet drains to Jitney Gulch in Standish-Hickey State Park, and is within 200 feet of the South Fork Eel River. The CAO requires that the Discharger submit a Cleanup and Abatement Plan to identify the measures to clean up gasoline-impacted soils and groundwater and to abate the discharge of gasoline fuel to surface water. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
02/12/2019	Sanel Ljesnjanin and Uchenna Ukazim	NOV of CAO	Failure to comply with directives of Cleanup and Abatement Order R1-2018-0012	Ongoing

Comments: On February 12, 2019, Assistant Executive Officer (AEO) Joshua Curtis issued a Notice of Violation of Cleanup and Abatement Order R1-2018-0012 to Sanel Ljesnjanin and Uchenna Ukazim for continued failure to comply with the CAO. In December 2017 a diesel fuel spill occurred at the property located at 7501 Hearst Road, Willits, adjacent to Rocktree Creek, tributary to Tomki Creek in the Eel River watershed. On April 17, 2018, the Dischargers attempted to enroll the property for coverage under the statewide cannabis Order WQ-2017-0023-DWQ. The Regional Water Board advised the Dischargers that they will not process the enrollment due to unaddressed issues on the

property and continued noncompliance with the CAO. The Regional Water Board has not received any response from the Dischargers. The Mendocino County District Attorney has filed charges against the Dischargers in response to a referral from the California Department of Fish and Wildlife's Office of Spill Prevention and Response. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
02/12/2019	Ketan and Nina Mehta, NeilMed Pharmaceuticals, Inc.	NNC	Failure to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 2014-0057-DWQ	Ongoing

Comments: On February 12, 2019, the Point Source Control and Groundwater Protection Division Chief issued a Notice of Non-Compliance (NNC) to Ketan and Nina Mehta, CEO and President of NeilMed Pharmaceuticals, Inc., for failure to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Industrial Activities (IGP). On November 1, 2018, and November 27, 2018, staff from the Regional Water Board observed exterior industrial activities at the facility in Santa Rosa that have potential to impact waters of the State. Staff also observed trash that had been placed in areas where it could be transported into receiving waters, including the municipal storm drain system that discharges into an unnamed tributary to Windsor Creek, a tributary to Mark West Creek. The NNC directs the Dischargers to enroll for coverage under the IGP or file a Notice of Non-Applicability by no later than April 15, 2019. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
02/19/2019	Virgil Moorehead	NOV	Failure to obtain WDR coverage for timber harvest activities for Timber Harvest Plan 1-18-005 HUM, "Big Lagoon THP"	Resolved

Comments: On February 19, 2019, the Nonpoint Source and Surface Water Protection Division Chief issued a Notice of Violation to Virgil Moorehead to document the failure to obtain WDR coverage for timber harvest activities in the McDonald Creek watershed in Humboldt County. The Discharger submitted an enrollment request, received by Regional Water Board staff on January 3, 2019. Staff enrolled the THP under the Categorical Waiver on February 14, 2019. No further action is required.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
02/22/2019	Darryl Crawford, Black Mountain Developers, LLC	NOV of CAO	Failure to comply with directive in Cleanup and Abatement Order No. R1-2017-0052	Ongoing

Comments: On February 22, 2019, the Cannabis and Enforcement Division Chief issued a Notice of Violation for failure to comply with directives of Cleanup and Abatement Order No. R1-2017-0052 to Darryl Crawford, Black Mountain Developers, LLC. The CAO pertains to the discharge and threatened discharge of earthen materials into Cold Springs, a tributary of the Little Sulfur Creek and Big Sulfur Creek in the Russian River watershed, associated with site development for cannabis cultivation

activities. To date, the Discharger has failed to comply with CAO Directive 5, a requirement to submit a complete restoration monitoring plan (RMP) by October 27, 2017. Regional Water Board staff have met with and been in communication with the Discharger and consultants regarding the requirements and expectations for a complete RMP. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
03/04/2019	Rodolfo Machado	NOV	Failure to obtain regulatory coverage for waste discharges from cannabis cultivation	Ongoing

Comments: On March 4, 2019, AEO Curtis issued a Notice of Violation to Rodolfo Machado for failure to obtain regulatory coverage for waste discharges from cannabis cultivation and failure to provide a correction plan for water quality-related violations observed by staff during an August 22, 2017, inspection. The property is located in the McGinnis Creek watershed, tributary to the Lower Mattole River watershed, in the Mattole River hydrologic subarea. AEO Curtis had initially issued an NOV/13260 on May 3, 2018, and a second NOV on November 26, 2018. To date, the Discharger has failed to respond. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 14, 2019
03/06/2019	Kevin McKenny	NOV of CAO	Failure to comply with requirements of Cleanup and Abatement Order No. R1-2018-0031	Ongoing

Comments: On March 6, 2019, AEO Curtis issued a Notice of Violation of requirements 5 and 6 of the Cleanup and Abatement Order (CAO). The NOV letter also provides an approval for deliverables submitted in response to requirement 7 of the CAO. The CAO pertains to discharges and threatened discharges of waste to Third Slough, associated with installation of subdrains and pipes, wetland grading, and riparian habitat removal on a property located at 2725 Lucas Street, near Eureka. 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 June and August Board meetings in 2019. **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.

June 19-20, 2019 (City Hall, Eureka, CA)

- Geyserville Sanitation Zone WDR (*Ben Zabinsky*) [A]
- Northcrest Mobile Home Park WDRs Del Norte (*Ben Zabinsky*) [A]
- Elk River WDR for Humboldt Redwood Company (*Jim Burke*) [A]
- Fort Bragg WWTP NPDES (*Cathy Goodwin*) [A]
- 2020 Board meeting schedule (*Matt St. John*) [A]
- Arcata CSD WWTP NPDES (*Justin McSmith*) [A]
- Klamath Basin Update (*Clayton Creager*) [I]
- Status update on the Federal Lands Waiver (*Forest Fortescue*) [I]

August 14 – 15, 20-19 (Santa Rosa, CA)

- *County of Sonoma LAMP (*Charles Reed*) [A]
- Humboldt State University Telonicher Lab NPDES Permit (*Cathy Goodwin*) [A]
- Bodega Bay PUD WWTP WDRs and Master Reclamation Permit (*Cathleen Goodwin*) [A]
- Town of Scotia WWTP NPDES (*Justin McSmith*) [A]
- Russian River Pathogen TMDL Action Plan (*Alydda Mangelsdorf and Charles Reed*) [A]
- Saggio Hills/Montage Administrative Civil Liability Complaint (*Diana Henriouille, Heidi Bauer, Jeremiah Puget*) [A]
- Comprehensive Flow Workshop (*Bryan McFadin*) [W]
- Draft 303(d)/305(b) Integrated Report (*James Heinz*) [W]

[U] = Uncontested Item

[A] = Action Item

[W] = Workshop Item

[I] = Information Item

* *This item is pending county approval first, so timing is uncertain*