



EXECUTIVE OFFICER'S REPORT

North Coast Regional Water Quality Control Board

December 4-5, 2024

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Gualala River Watershed Sediment Data Analysis – TMDL Update

Nick Fetherston

Background

The Gualala River watershed, located along the coast of Sonoma and Mendocino counties, was placed on the 303(d) list of impaired waters due to elevated sedimentation in 1993. This listing led to development of the Gualala River Sediment Total Maximum Daily Load (Gualala River TMDL) by the United States Environmental Protection Agency (U.S. EPA) in 2001. The sediment source analysis of the Gualala River TMDL identified human-caused sources as accounting for approximately 69% of the total watershed sediment load. Of the human-caused sediment load, road-related sources account for approximately 85% and timber harvest related sources account for approximately 15%.

To assess conditions in the watershed since development of the Gualala River TMDL in 2001, as part of a larger Gualala River TMDL project, Regional Board staff conducted a

statistical analysis of instream monitoring data collected by the Gualala River Watershed Council (GRWC). Data was collected through the GRWC Monitoring Program which was established along with a Quality Assurance Project Plan (QAPP). In addition to assessing GRWC's instream monitoring data, Regional Board staff conducted a geospatial analysis of ownership, roads, and streams in the watershed to better understand contemporary conditions related to sediment sources that were identified in the Gualala River TMDL. A full report of the Gualala River Watershed Sediment Data Assessment will be posted on the project webpage in early 2025 as a stand-alone document.

Gualala River Watershed Monitoring Data Assessment

GRWC has monitored various water quality and aquatic habitat parameters at four long-term monitoring stations (reference reaches) during the period from 1997 through 2023. These four stations have enough data available to conduct statistical tests (Mann-Kendall Trend Tests) that can provide

information as to whether there are statistically significant trends.

Figure 1 displays the four reference reaches and their upstream drainage area. Instream monitoring field work included longitudinal profiles and benchmarks, cross-sections, pebble counts, and large woody debris (LWD) counts. The following metrics were then calculated from the field data to represent core components of the physical stream channel:

- D_{50} : The median pebble size (mm) of a 100-pebble sample. D_{50} values can provide information as to the composition of substrate particle size. Higher D_{50} values generally indicate coarser sediments, which are beneficial for salmonid spawning habitats, as coarser gravel promotes better water flow and oxygenation around fish eggs. An increasing trend in D_{50} can suggest that finer sediments are being flushed out, leading to coarser, more favorable substrates.
- Aggradation vs. Degradation (A/D): The change in elevation of the stream channel relative to the first year of measurement (+/- feet). This value indicates whether a stream channel is scouring, and sediment is moving out, or if a stream channel is depositional and accumulating sediment.
- Streambed Variation Index (SVI): $[(SD \text{ of residual depth/bank full depth}) * 100]$. A reach with an SVI of zero would be a perfectly uniform longitudinal profile with zero variation of the streambed and streambank heights. Streams with higher SVI have more stream channel variations and are therefore more complex which is favorable for fish habitats.
- Large Woody Debris (LWD): Total pieces per 1,000 feet and cubic volume per 1,000 feet. This value may be representative of restoration efforts in the watershed, and is known to positively impact stream channel morphology and streambed substrate to benefit native fish species.

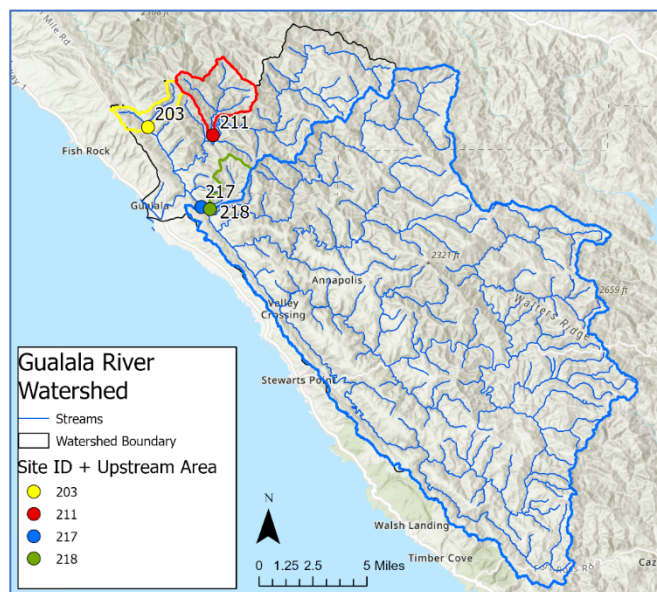


Figure 1: Long term monitoring stations and the upstream draining area of each station.

A summary of the trend analysis results is provided in Table 1. Stations 203 and 211 showed statistically significant decreases in D_{50} (median particle size) and increases in elevation. This may indicate that sediment is accumulating at these locations and that the composition of that sediment is becoming finer. Station 217 on the mainstem of the Gualala River shows no trend in D_{50} , however, there was a statistically significant decrease in elevation and increase in SVI. This may indicate that historical legacy loads of sediment that have accumulated in the mainstem are slowly moving out of the system. Station 218 did not show any increasing or decreasing trends for in-channel metrics, however, all stations showed statistically significant increases in LWD, displaying the positive restoration work occurring in the watershed.

Table 1: Trend analysis summary table for long term monitoring stations.

Metric	203 – Little North Fork	211 – Dry Creek
D ₅₀ (Median Pebble size)	Decreasing Trend	Decreasing Trend
Elevation	Increasing Trend	Increasing Trend
Streambed Variation Index (SVI)	No Trend	No Trend
Large Woody Debris (LWD)	Increasing Trend	Increasing Trend

Table 1 (continued): Trend analysis summary table for long term monitoring stations.

Metric	217 – Mainstream South Fork	218 – Big Pepperwood Creek
D ₅₀ (Median Pebble size)	No Trend	No Trend
Elevation	Decreasing Trend	No Trend
Streambed Variation Index (SVI)	Increasing Trend	No Trend
Large Woody Debris (LWD)	Increasing Trend	Increasing Trend

Although there are positive signs of sediment dispersion in the mainstem (decreasing trends in elevation), it is still apparent that there are locations in the watershed that are accumulating fine sediment in the streambeds (increasing trends in elevation and decreasing trends in D50). Staff’s assessment indicates that two of the four reference stations show significant declining trends in parameters pertinent to salmonid habitats,

which may be due to historic loads of sediment moving through the system or to contemporary sediment inputs coming off the landscape. Additionally, no locations showed positive trends in D50, which may indicate that spawning substrate in the streambeds have not yet begun to improve. On a positive note, all stations showed increasing trends in LWD, indicative of restoration work that continues to occur in the watershed. This is in contrast to 2001 conditions when the TMDL was established. The TMDL specifically noted that there was a lack of large wood in Gualala streams and that LWD would be a key component to long term recovery. Overall, staff’s assessment indicates that there are some signs of improvement in some areas but that there is also clear evidence of fine sediment accumulation in others. Limitations in data availability do not allow staff to assess conditions across the entire Gualala watershed. Therefore, these findings can only represent the conditions at the four stations with sufficient data to conduct statistical trends analyses.

Geospatial Analysis Summary

Road density was a core component used in calculating the source analysis for the Gualala River TMDL. Given that the Gualala River TMDL was established in 2001, Regional Board staff assessed changes in road density over the past two decades. Staff assessed a new and more accurate geospatial roads layer for the Gualala project area in 2023 and then compared that to road density calculations from 2001. This assessment showed that road density increased (mi/sq. mi) between 2001 and 2023 within all five subwatersheds of the Gualala River (Table 2). Staff’s analysis of contemporary road density continues to confirm the significant interconnectedness that roads have with the landscape in the Gualala River watershed as identified in the original Gualala River TMDL source analysis.

Table 2: Subwatershed road density between 2001 and 2023.

Sub-watershed	2001 Road Density (mi/sq. mi)	2023 Road Density (mi/sq. mi)	% Difference
North Folk Gualala	6.1	7.0	+ 14 %
Rockpile Creek	4.8	5.4	+ 13 %
Buckeye Creek	5.7	6.1	+ 6.8 %
Wheatfield Fork	4	4.2	+ 4.4 %
Gualala/ South Fork	4.8	5.3	+ 10.4 %

Increased road density does not necessarily indicate heightened sediment or erosion as many roads have been storm-proofed and construction techniques have improved over the past two decades. However, the exact conditions and extent of the road network that has been upgraded with these modern practices remains unclear. Further evaluation of the roads within the Guala River watershed will be conducted in part by the Regional Water Board utilizing contract funds, to prioritize areas for on the ground evaluation and restoration.

Next Steps

A full report of the Gualala River Watershed Data Assessment will be posted on the project webpage in early 2025 as a stand-alone document. Regional Board staff will continue to provide quarterly updates throughout the development of the Gualala River TMDL project. To receive quarterly project status updates, subscribe at [GovDelivery Sign-up](https://public.govdelivery.com/accounts/CAWRCB/subscriber/new?topic_id=r1_tmdl_gualala_river_watershed) (https://public.govdelivery.com/accounts/CAWRCB/subscriber/new?topic_id=r1_tmdl_gualala_river_watershed).

If you have any questions or would like to know how to get further involved, contact Nick Fetherston (Project Manager), at (707) 570-

3761, or by email at Nicholas.Fetherston@waterboards.ca.gov.



McKinney Fire Restoration Project – Background & Update
Jake Shannon

The McKinney Fire started just west of Yreka on July 29, 2022. In the first three days, it exploded to over 50,000 acres and by August 16 it had grown to over 60,392 acres. On August 2, thunderstorms dropped as much as three inches of rain in just over an hour in areas affected by the fire and triggered flooding and debris flows in several tributaries to the Klamath River, including Humbug Creek, Vesa Creek, Little Humbug Creek, Barkhouse Creek, and McKinney Creek. As debris and very fine landslide material flowed into the mainstem Klamath from the burn scar and tributaries, turbidity rose sharply, and dissolved oxygen dropped to zero. As a result, a massive fish kill was documented by the Karuk Tribe, killing thousands of fish along 60 miles of the River from Humbug Creek to the town of Happy Camp. Fish species impacted include juvenile salmonids such as coho salmon, Chinook salmon, and steelhead, along with Pacific lamprey, Klamath speckled dace, and Klamath smallscale sucker. In addition to the immediate and catastrophic impact to fish, the debris flows from upslope erosion have severely impacted fish passage, spawning grounds, and juvenile rearing habitat, and has significantly compromised the ecological condition, biological function, and aquatic resources of the Klamath River.

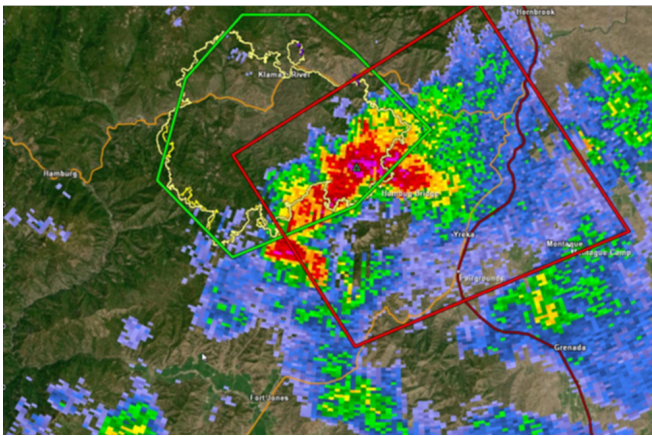


Photo Caption: Doppler radar image of thunderstorms above the McKinney Fire (National Weather Service – Medford, OR)

restoration, remediation, and fire recovery activities.



Photo Caption: Debris flows burying a stream channel in several feet of fine sediment (Yurok Tribe)



Photo Caption: The Klamath River fish kill of August 2022 (Karuk Tribe)

The Yurok People have stewarded the Klamath River since time immemorial, and when the fish kill occurred, they proposed a collaborative post-wildfire emergency response strategy and restoration plan to the California Department of Fish and Wildlife (CDFW) to address the ongoing impacts in Vesa, Humbug, Little Humbug Creek, Barkhouse Creek, and McKinney creeks. CDFW awarded the Yurok Tribe a \$9 million dollar grant to fund the work.



Photo Caption: Extreme turbidity in the Klamath River from the McKinney Fire (Karuk Tribe)

Once awarded the grant funding, the Yurok Tribe approached North Coast Water Board and CDFW staff to explore options for efficient regulatory coverage for the emergency response. North Coast Water Board staff considered relying on the Statewide Restoration General Order for 401 Water Quality Certification and CEQA coverage, but instead decided to pursue an Emergency Suspension Authorization and the development of an Environmental Protection Plan. On September 11, 2023, California Environmental Protection Agency Secretary Yana Garcia issued an emergency suspension authorization for the Yurok Tribe to expedite the restoration of the Klamath River after the McKinney Fire. The emergency suspension required that the wildfire recovery activities be performed in accordance with the Environmental Protection Plan, which was co-developed by Water Board, CDFW, California Environmental Protection Agency, and California Natural Resources Agency staff.

Concurrent with these events, the Newsom administration proclaimed a State of Emergency in Siskiyou County due to the ongoing effects of the McKinney, China 2, and Evans wildfires. On September 16, Governor Newsom signed Executive Order N-17-22, which suspended the statutes, rules, regulations, and requirements that fall within the jurisdiction of boards, departments, and offices within the California Environmental Protection Agency and the California Natural Resources Agency to the extent necessary to expedite to address the impacts associated with wildfire damage and to implement

On July 1, 2024, the Governor issued a proclamation terminating several states of emergency and their associated Executive Orders, including the State of Emergency in Siskiyou County that covered the McKinney Fire recovery project. Fortunately, because the wildfire recovery activities were already fully authorized under the emergency suspension, no further Water Board authorization is required so long as the activities fit within the scope of the Environmental Protection Plan.

It has been necessary for the recovery efforts to focus on fire remediation actions first, and the Yurok Tribe have already addressed severe fire damage issues on three properties. The next steps will entail reestablishing fish passage in the affected tributaries, enhancing instream habitat, and capturing the upslope sediments produced by the fire through constructed beaver dam analogs and other low-tech process-based restoration techniques.

North Coast Water Board staff have played a pivotal role in facilitating an efficient yet protective process for the Yurok Tribe’s fire recovery work in the McKinney Fire burn scar. Many lessons learned throughout this project will inevitably be applied to future fire recovery efforts within the north coast region, as catastrophic fires are sadly an unavoidable part of our lives now.



Photo Caption: Yurok Fisheries, Water Board, and Cal EPA staff visiting a McKinney Creek remediation site.



¹ The Regional Water Board adopted the Action Plan on December 2, 2021 (Resolution No. R1-2021-0055) and the Chapter 4

Draft Revisions to the Russian River Watershed Pathogen TMDL Action Plan

Lisa Bernard

In 2019 and 2021, the North Coast Water Board adopted by resolution Basin Plan amendments that would establish the Action Plan For The Russian River Watershed Pathogen Total Maximum Daily Load (Action Plan) and make changes to the Policy on the Control of Water Quality with Respect to On-Site Waste Treatment and Disposal Practices Specific to the Russian River Watershed, Including the Laguna De Santa Rosa (Chapter 4 amendment)¹. As adopted, the Action Plan imposes the following fecal waste discharge prohibition: Discharges of waste containing fecal waste material from humans or domestic animals to waters of the state within the Russian River Watershed are prohibited.

The Action Plan and compliance with the fecal waste discharge prohibition build upon management measures required by existing regional and statewide regulations and orders designed to reduce or eliminate fecal waste discharges from sources including wastewater treatment facilities, sanitary sewer systems, recycled water, dairies, land application of biosolids, municipal stormwater runoff, and onsite wastewater treatment systems (OWTS). Prior to bringing the Basin Plan amendments to the State Water Resources Control Board for approval, staff is undertaking a process to modify the OWTS program of implementation.

The following list outlines the modifications under development:

- Redefine the advanced protection management program (APMP) boundary to be consistent with the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite

amendment on August 14, 2019 (Resolution R1-2019-0038).

Wastewater Treatment Systems Policy (statewide OWTS Policy²)

- Retain key Basin Plan prohibitions to help implement the fecal waste discharge prohibition
- Remove the 5-year basic operational inspection requirement for all OWTS in the APMP, and replace with inspection guidance for all OWTS within the Russian River watershed
- Remove mandatory corrective action and supplemental treatment requirements for failing OWTS and OWTS operating beyond their treatment and disposal capacity and instead rely on minimum standards and requirements set forth in the statewide OWTS Policy or requirements described in an approved Local Agency Management Program (LAMP).

These potential revisions to the OWTS implementation program rely more directly upon the statewide OWTS Policy and retain the longstanding Basin Plan prohibitions against the use of cesspools and holding tanks for onsite domestic waste management from Chapter 4 of the Basin Plan. The revisions would promote routine inspections of existing septic systems throughout the Russian River watershed as a means of ensuring compliance with the existing and proposed Basin Plan prohibitions. In addition, the APMP that was previously based on HUC12 subwatersheds would be replaced by the APMP boundary established in the statewide OWTS Policy or by an APMP boundary approved by the North Coast Water Board as part of a LAMP. The Mendocino County LAMP was already approved by the Board and does not include special provisions for OWTS near impaired water bodies, so the statewide OWTS Policy's default APMP would apply to any areas with pathogen listings. The Sonoma County LAMP is

projected to come before the North Coast Water Board for consideration in Spring 2025.

Staff anticipate that local agencies will be the primary implementors of the Action Plan's requirements for new OWTS and OWTS in need of corrective action. However, North Coast Water Board staff will play a significant role in identifying existing OWTS that are not meeting minimum requirements of the statewide OWTS Policy and the Action Plan and in requiring corrective actions where they are needed. As currently envisioned, staff would pursue OWTS inquiry and assessment across the entire watershed on a priority basis, working with property owners and local agencies to ensure water quality protection through proper citing, treatment, and control of OWTS waste discharges. Where needed, corrective actions would follow requirements identified in the statewide OWTS Policy or an approved LAMP and compliance timelines would be imposed on a case by case basis.

The proposed revisions will be made available for public review and comment in early 2025, followed by a public workshop and a subsequent hearing, wherein the North Coast Water Board will consider the revised Action Plan.

Please subscribe to the [Russian River – TMDL email list](#) (https://public.govdelivery.com/accounts/CAWRCB/subscriber/new?topic_id=r1_tmdl_gualala_river_watershed) to receive timely project status updates.

Questions regarding the Russian River Pathogen TMDL project can be directed to Lisa Bernard, Planning Unit Supervisor at (707) 576-2677 or Lisa.Bernard@waterboards.ca.gov.



² [OWTS Policy](#)
(https://www.waterboards.ca.gov/water_issue

s/programs/owts/docs/adopted_owts_policy.pdf)

Enforcement Report for December 2024 Executive Officer's Report

Zane Stromberg

Summary of Enforcement Actions issued between **September 6, 2024 – November 5, 2024**

Throughout the year, with support from the State Water Board's Office of Enforcement (OE), Regional Water Board staff (Staff) develop and manage enforcement cases starting informally through direct correspondence including issuing Notices of Violation and pursuing a progressive enforcement approach that results in formal enforcement actions such as Cleanup and Abatement Orders (CAOs), Cease and Desist Orders (CDOs), and Administrative Civil Liability (ACL) Complaints. Once Staff determine that an enforcement action will result in the issuance of an ACL Complaint, the Enforcement Team prepares supporting evidence and provides the discharger(s) an opportunity to discuss the facts relating to the violations, including the option of settlement.

Table 3 summarizes Notice of Violations (NOVs), CAOs, CDOs, Investigative Orders (13267 Orders), Staff Enforcement Letters, and Notices of Non-Compliance (NNCs). During this reporting period, Staff issued 21 NOVs, five CAOs, four ACLs, and one CDO. Table 4 summarizes ACL Complaints, ACL Orders, settlement negotiations pending the adoption of a final Stipulated ACL Order, and the status of Compliance Projects (CPs) and Supplemental Environmental Projects (SEPs). During this reporting period, staff continue settlement negotiations with dischargers on five cases.

Table notes and other acronyms:

Basin Plan	Water Quality Control Plan for the North Coast Region
BMPs	Best Management Practices
CCP	Cannabis Cultivation Policy ³
CGO	Cannabis General Order ⁴
CGP	Construction General Permit ⁵
CSD	Community Services District
HA	Hydrologic Area
IGP	Industrial General Permit ⁶
MMPs	Mandatory Minimum Penalties
NPDES	National Pollutant Discharge Elimination System
RWB	Regional Water Board
WDRs	Waste Discharge Requirement

³ [State Water Resources Control Board Resolution No. R1-2019-0007](#) Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation

⁴ [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

⁵ [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

⁶ [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 3. NOVs, CAOs, CDOs, Investigative Orders (13267/13383 Orders), Compliance Notices, and NNCs

Date Issued	Action	Owner/ OperatorName	County	Watershed	Program	Cause for Action
September 6, 2024	NOV	Pacific Gas and Electric	Sonoma	Salmon Creek HA	401 Water Quality Certification	Staff inspection August 27, 2024.
September 12, 2024	NOV	Deborah Marie Weight	Mendocino	Upper Main Eel River HA	Cannabis	Multi-Agency Inspection on August 14, 2024.
September 12, 2024	NOV	Jose Alvarez	Mendocino	Upper Main Eel River HA	Cannabis	Multi-Agency Inspection on August 14, 2024.
September 13, 2024	NOV	Neil Gaston	Mendocino	Upper Russian River HA	Cannabis	Multi-Agency Inspection on August 16, 2024.
September 13, 2024	NOV	Josh Buell	Trinity	South Fork Trinity River HA	Cannabis	Aerial imagery review. Staff observed cannabis cultivation and land disturbance within setbacks areas.
September 13. 2024	NOV	Catherine Vanessa Ngo	Mendocino	Upper Russian River HA	Cannabis	Multi-Agency Inspection on August 15, 2024.
September 13. 2024	NOV	Jason Humpris	Mendocino	Upper Russian River HA	Cannabis	Multi-Agency Inspection on August 15, 2024.

Table 3. NOVs, CAOs, CDOs, Investigative Orders (13267/13383 Orders), Compliance Notices, and NNCs

Date Issued	Action	Owner/ OperatorName	County	Watershed	Program	Cause for Action
September 13, 2024	NOV	Wallace Jumble Allen	Mendocino	Upper Russian River HA	Cannabis	Multi-Agency Inspection on August 15, 2024.
September 13, 2024	NOV	Sandra Neumann	Mendocino	Upper Main Eel River HA	Cannabis	Multi-Agency Inspection on August 15, 2024.
September 16, 2024	NOV	Stephen Mill & John Lazaro	Mendocino	Upper Russian River HA	401 Water Quality Certification	Multi-Agency Inspection on June 20, 2024.
September 16, 2024	CAO No. R1-2024- 0050	OG Kush Diet, LLC & Ivan Vlahov	Trinity	Lower Trinity River HA	Cannabis	Staff inspections on April 13 & May 22, 2023 & June 19, 2024; NOVs issued May 11 & October 20, 2023.
September 17, 2024	CAO No. R1-2024- 0047	Aaron Liberman, Paradise Valley, LLC, Northcoast Investment Group LLC, Northland Management Group LLC,	Humboldt	Mattole River and the South Fork Eel River	Cannabis	2016/2017 unpermitted development. Staff conducted inspections on August 31, 2017, May 24, 2018, July 24, 2018, March 7, 2019, October 17, 2019, and May 19, 2022. NOV issued on June 17, 2022. This matter is ongoing.

Table 3. NOVs, CAOs, CDOs, Investigative Orders (13267/13383 Orders), Compliance Notices, and NNCs

Date Issued	Action	Owner/ OperatorName	County	Watershed	Program	Cause for Action
September 26, 2024	NOV	Raul & Yesenia Carrillo	Mendocino	Middle Fork Eel River HA	Cannabis	Failure to submit a complete and acceptable Cleanup, Restoration, and Monitoring Plan (CRMP) by September 15, 2024, pursuant to CAO R1-2024-0034.
September 27, 2024	CAO No. R1-2024-0044	Larabee Ranch Holdings LLC	Humboldt	Lower Eel River HA	Forestry	Staff inspections on October 3, 2023, and August 19, 2024. NOV issued on February 23, 2024. Discharges and threatened discharges associated with a failing culvert at a road crossing of Chris Creek.
October 2, 2024	NOV	Update Construction, Inc., Christina & Daniel Bilich, & Armando Dominguez	Trinity	Bear Creek / Mad River Hydrologic Unit	Cannabis	Multi-Agency Inspection on September 4, 2024.
October 3, 2024	NOV	Chad Mussey	Humboldt	Middle Main Eel River HA	Cannabis	Multi-Agency Inspection on September 5, 2024.
October 8, 2024	CAO No. R1-2024-0026	Vern McGaughey	Humboldt	Little River HA	Enforcement	Multi-Agency Complaint Response & California Department of Fish & Wildlife Environmental Impact Assessment, April 18, 2023.

Table 3. NOVs, CAOs, CDOs, Investigative Orders (13267/13383 Orders), Compliance Notices, and NNCs

Date Issued	Action	Owner/ OperatorName	County	Watershed	Program	Cause for Action
October 9, 2024	NOV	Covelo CSD / Dan Downing	Mendocino	Middle Fork Eel River HA	NPDES Wastewater	Late Reporting of Quarterly Monitoring Data for Quarters 1 & 2, 2024; Groundwater Pathogen Special Study Work Plan; & Disaster Preparedness Assessment Report and Action Plan.
October 9, 2024	CDO No. R1-2024-0035	Vintage Wine Estates, Inc./ Rodrigo de Oliveira	Mendocino	Upper Russian River HA	WDR Waste Discharges to Land	Threatened unauthorized discharges of process wastewater from Ray's Station Winery (Facility) to groundwater and threatened surface water discharges to the waters of the state, including the Russian River.
October 10, 2024	NOV	Loleta CSD / Dennie Her	Humboldt	Lower Eel River HA	NPDES Wastewater	Late Reporting of Quarterly Monitoring Data for Quarter 1, 2024.
October 17, 2024	NOV	ICRS, LLC, Nezih & Semih Sabankaya	Trinity	Middle Trinity River HA	Cannabis	Failure to submit a complete CRMP by September 9, 2024, and for failure to begin implementation of an approved CRMP by September 15, 2024, pursuant to CAO R1-2024-0037.

Table 3. NOVs, CAOs, CDOs, Investigative Orders (13267/13383 Orders), Compliance Notices, and NNCs

Date Issued	Action	Owner/ OperatorName	County	Watershed	Program	Cause for Action
October 17, 2024	CAO No. R1-2024- 0054	Michael Harding	Mendocino	Eel River HA	Cannabis	Staff inspection on September 26, 2022. NOV issued on October 25, 2022. Discharges and threatened discharges associated cannabis cultivation, site development, and violations of the CGO.
October 18, 2024	NOV	Mindy Her	Trinity	South Fork Trinity River HA	Cannabis	Multi-Agency Inspection on August 5, 2024.
October 28, 2024	NOV	Smith River Ranch, LLC, Steven B. Westbrook & Robert L. Westbrook Jr.	Del Norte	Smith River HA	401 Water Quality Certification	Failure to (1) obtain and submit copies of the appropriate permit(s) for storage and/or disposal of all solid waste material on the Property, or (2) remove and dispose of all solid waste at an appropriate off-site solid waste disposal facility by September 30, 2024, pursuant to CAO No R1-2024-0015. After receiving an extension request from the Dischargers, the Executive Officer granted a year-long extension to complete the required actions of the CAO.

Table 3. NOVs, CAOs, CDOs, Investigative Orders (13267/13383 Orders), Compliance Notices, and NNCs

Date Issued	Action	Owner/ OperatorName	County	Watershed	Program	Cause for Action
October 31, 2024	NOV	City of Arcata & Mark Andre	Humboldt	Jacoby Creek Hydrologic Unit	Forestry	Staff Inspection on September 6, 2024.
October 31, 2024	NOV	Jet Yang	Trinity	South Fork Trinity River HA	Cannabis	Multi-Agency Inspection on September 27, 2024.
October 31, 2024	NOV	Puff Pass, LLC	Trinity	South Fork Trinity River HA	Cannabis	Multi-Agency Inspection on September 27, 2024.

Figure 2: NOVs Issued Between September 6, 2024 and November 5, 2024

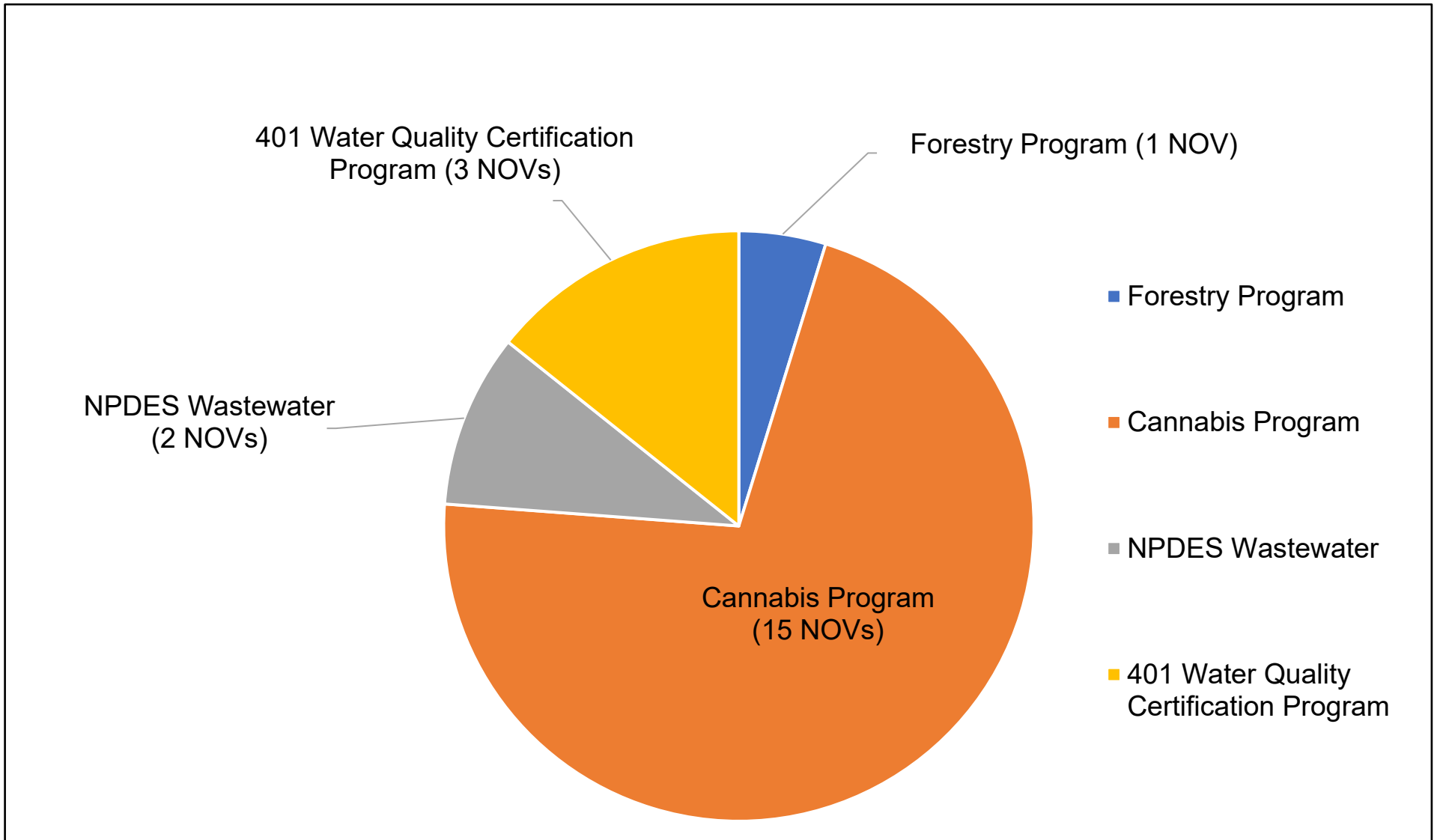


Figure 3: Cannabis NOVs Issued Between September 6, 2024 and November 5, 2024 by County

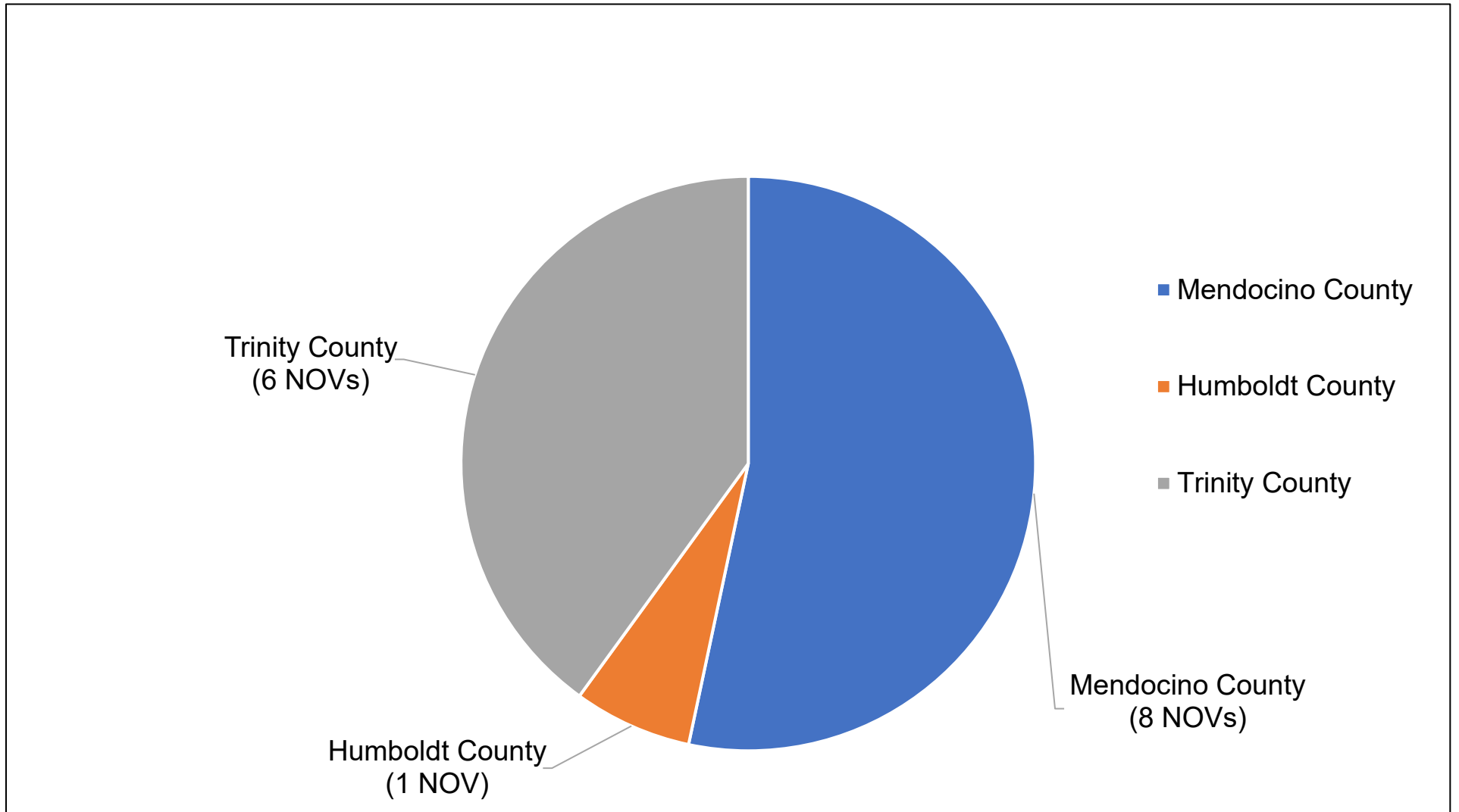


Table 4. ACLs and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of November 5, 2024⁷
City of Fortuna – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$48,000	ACL Complaint No. R1-2023-0033A issued on October 30, 2024. Violation Period: April 1, 2021 to September 30, 2024	The Discharger has formally waived the right to a hearing and settlement discussions are ongoing.
City of Loleta – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$618,000	Administrative Civil Liability Complaint No. R1-2023-0056A issued on October 31, 2024. Violation Period: March 15, 2018, to March 31, 2024	Regional Water Board staff are in discussions with the Discharger regarding compliance pathways and a proposal for settlement rather than a hearing on the ACLC. This matter is ongoing.
Samoa	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$33,000	ACL Complaint No. R1-2024-0049 issued on September 9, 2024. Violation Period: March 22, 2023 to December 31, 2023	The Discharger has formally waived the right to a hearing and settlement discussions are ongoing.

⁷ Public hearing notices on pending enforcement actions can be found at:

https://www.waterboards.ca.gov/northcoast/public_notices/public_hearings/enforcement_hearings/.

More information on ACL Complaints and ACL Orders can be found online at the Regional Water Boards Adopted Orders Page:

https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/ or at the California Integrated Water Quality System (CIWQS) Public Reports Portal: https://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.html.

Table 4. ACLs and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of November 5, 2024 ⁷
<p>City Ventures Homebuilding, LLC- Fox Hollow Development Site</p>	<p>NPDES Wastewater</p>	<p>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</p>	<p>\$833,316</p>	<p>Stipulated Order No. R1-2024-0042 adopted on September 10, 2024.</p>	<p>The Order stipulates that the Discharger will pay \$417,316 to the “State Water Pollution Cleanup and Abatement Account (WPCAA). The Discharger will also pay the remaining \$416,000 to the Laguna Foundation for implementation of the Petersen Creek Vernal Pool Restoration SEP. The Discharge has an approved payment plan and has made the first payment. The final payment to the WPCAA is due September 9, 2025 and the final SEP payment is due November 11, 2025</p>

Table 4. ACLs and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of November 5, 2024 ⁷
BoDean Company, Inc.- Mark West Quarry Site	NPDES Storm Water	Violation of IGP 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	\$8,589,406	Amended ACL Complaint No. R1-2021-0047-A was issued on September 14, 2023, and includes an increased liability for additional violations that occurred after the first ACL complaint was first issued on September 10, 2021. Violation Period: December 2018 – January 2023	On September 6, 2024, the Advisory Team issued the Notice and Hearing Procedures for a public hearing on February 5, 6, and 7. The Board plans to conduct a site visit during the hearing. The site visit is planned for the first day of the hearing, February 5, 2024. There will be no opportunity for public comment during the site visit.
City of Arcata – Wastewater Treatment Facility	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$393,000	ACL Complaint No. R1-2023-0008 was issued on January 9, 2023.	First Amended ACL Complaint No. R1-2023-0008-A was issued on July 8, 2024. The Discharger formally waived the right to a hearing for the First Amended ACLC No. R1-2023-0008-A. This matter is ongoing.
City of Eureka – Elk River Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$51,000	ACL Complaint No. R1-2024-0022 issued on March 27, 2024.	The Discharger has formally waived the right to a hearing and settlement negotiations are ongoing. A tentative agreement has been reached.

Table 4. ACLs and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of November 5, 2024 ⁷
City of Rio Dell – Wastewater Treatment Plant	NPDES Wastewater	NPDES Permit Effluent Limit Violations subject to MMPs	\$33,000	Stipulated Order No. R1-2023-0025 adopted on May 15, 2023.	Chloramination wastewater treatment CP is underway. Final Report is due on May 31, 2025.
Daniel Maldonado Suarez	Cannabis	Violations of Water Code sections 13267 and 13304 for failure to submit a Cleanup, Restoration and Monitoring Plan (CRMP) by May 1, 2022, and implement the CRMP by October 15, 2022	\$138,750	ACL Complaint R1-2023-0009 issued on January 9, 2023.	ACL Order No. R1-2023-0043 was adopted by the RWB on June 15, 2023. Due to the Discharger’s delinquency on CAO compliance and payments on the ACLO to the Cleanup and Abatement Account, the RWB issued a Payment Demand Letter on August 8, 2024. This matter is ongoing
Enclave, Santa Rosa LP and Morgan Properties, Inc. 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	Stipulated Order No. R1-2023-0052 adopted on November 15, 2023	Due to the Discharger’s delinquency on payments on the SEP and to the Cleanup and Abatement Account, the RWB issued Payment Demand Letters on April 12, 2024, May 20, 2024, and July 10, 2024. To date, the RWB staff have not received a response. This matter is being referred to collections and the local courts for a monetary judgement.

Table 4. ACLs and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of November 5, 2024 ⁷
Hugh Reimers and Krasilsa Pacific Farms LLC	Non-Point Source Program Complaint Response	<ul style="list-style-type: none"> - Basin Plan Section 4.2.1 - Water Code Section 13376 - CAO Required Actions 5 & 9 for failure to submit an acceptable RMMP to the RWB and failure to then implement an approved RMMP, respectively. 	\$3,750,852	<p>Stipulated Order No. R1-2023-0045 was adopted on August 22, 2023 and imposes a \$450,000 liability.</p>	<p>The liability has been paid by the Discharger. The Stipulated Order also required the Discharger to complete the proposed Restoration Mitigation and Management Plan (RMMP) by October 15, 2023. The Discharger was granted an extension by the Executive Officer until October 15, 2024, to fully implement and complete the RMMP. This matter is ongoing.</p>

Table 4. ACLs and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of November 5, 2024 ⁷
Ken Bareilles	Southern Non-Point Source and Forestry Program	<p>- Discharges of waste into waters of the state in violation of Categorical Waiver⁸ and Basin Plan</p> <p>- CAO R1-2022-0009 Required Action No. 1 for failure to submit plan by deadline</p> <p>- CAO R1-2022-0028 Required Action No. 1 for failure to submit plan</p>	\$276,000	<p>ACL Complaint No. R1-2023-0026 issued on March 20, 2023, covering the period between December 1, 2020 and March 20, 2023. Based on violations of CAOs, Basin Plan Prohibitions, and Categorical Waiver⁶ conditions while conducting timber harvest activities on the property</p>	<p>ACL Order No. R1-2023-0040 was adopted by the RWB Board on June 16, 2023, and the administrative civil liability was increased to \$276,000. The Discharger was required to complete cleanup work on the property by September 29, 2023. After re-inspecting the site on February 27, 2024, staff found that no major cleanup or restoration has been completed at the site. This matter is ongoing.</p>

⁸ **Categorical Waiver Order No. R1-2014-0011** Categorical Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities on Non-Federal Lands in the North Coast Region

Table 4. ACLs and Settlement Discussions (Invited, Underway, or Completed)

Discharger	Program	Violation Type	Proposed Liability Amount	Comments	Status as of November 5, 2024 ⁷
Russian River CSD and Sonoma Water Agency	NPDES Wastewater	Violations of the Sanitary Sewer Order including unauthorized discharge of 885,664 gallons of raw sewage from the Russian River CSD collection system to the Russian River	\$1,033,546	Order No. R1-2023-0049 includes Enhanced Compliance Action for a study to evaluate regional projects that aim to improve water quality, water supply reliability, and climate change resiliency in the Russian River watershed. The Enhanced Compliance Action would cost \$887,000, and \$147,001 would be paid to the CA Cleanup and Abatement Account.	Stipulated Order No. R1-2023-0049 was adopted on December 20, 2023. The Discharger paid the liability portion of the Order. The Discharger awarded the Feasibility Study Consultant Agreements for the Enhanced Compliance Action to West Yost during a Sonoma County Board of Directors meeting on March 26, 2024. The study has a completion date of June 30, 2027. This matter is ongoing.
Samoa Pacific Group, LLC and Peninsula CSD	NPDES Wastewater	NPDES Permit Effluent Limit and Late Reporting Violations subject to MMPs	\$123,000	ACLC No. R1-2023-0032 issued on May 8, 2023 for violation period between December 30, 2020 and December 30, 2022.	Stipulated Order No. R1-2024-0013 was adopted on April 19, 2024. The Discharger has negotiated a SEP to install backup power generation for an affordable housing unit in the Town of Samoa, which is scheduled for completion in October 2024. On October 23, 2024 the Executive Officer approved an extension for project completion and the final report to March 3, 2025.

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.

February 5-7, 2025

- Executive Officer's Water Quality Stewardship Award (*Valerie Quinto*) [I]
- Chair & Vice Chair Elections (*Valerie Quinto*) [A]
- 2026 Integrated Report (*Mary Bartholomew*) [I]
- Nordic Aquafarms Work Plan Approval (*Justin McSmith*) [A]
- Bo Dean, Inc. ACLC Mark West Quarry Facility (*Heaven Moore*) [A]

April 1-2, 2025

- City of Ferndale NPDES Permit (*Justin McSmith*) [A]
- Cloverdale NPDES Permit (*Sabrina Cegielski*) [A]
- Graton WWTP NPDES Permit (*Sabrina Cegielski*) [A]
- Sonoma County LAMP Resolution (*Kelsey Cody*) [A]
- Coastal Pathogen Source Reduction Strategy (*Prachi Kulkarni*) [A]
- Scott/Shasta Order Workshop (*Eli Scott*) [W]
- Russian River Pathogen TMDL Workshop (*Staff TBD*) [W]
- Final Racial Equity Action Plan (*Michelle Fuller*) [I]

