



State Water Resources Control Board

JUN 12 2024

CERTIFIED MAIL

Neil Gaston

CERTIFIED MAIL NO: 7021 0950 0000 6905 1256

NOTICE OF VIOLATION

Investigation ID: 10744

DIVISION OF WATER RIGHTS INVESTIGATION(S) OF MENDOCINO COUNTY ASSESSOR PARCEL NUMBER (APN) 171-120-10-00

Neil Gaston,

On September 21, 2023, and again on May 14, 2024, 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. Division staff observed ground water as the sole source of water in use on the property.

You are identified as the property owner for Mendocino County Assessor's Parcel Number (APN) 171-120-10-00. This Notice of Violation (NOV) provides you notice that at the time of inspection of your Property Division staff found violation(s) of the California Water Code (WC) and the State Water Board's Cannabis Cultivation Policy (Policy) requirements. This letter is your notice that you are in violation of Policy requirements. You must take immediate action to come into compliance.

On September 21, 2023, and again on May 14, 2024, Division staff found the following violations of a Principle, Guideline, or Requirement established in the State Water Board's Cannabis Policy, Attachment A., pursuant to WC section 13149:

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

1. **Cannabis Cultivation Policy, Section 2, Term 93** - Failure to Secure Tank Openings to Prevent Entry and Entrapment of Wildlife.
2. **Cannabis Cultivation Policy Section 2, Term 98** – Failure to Maintain Daily Records of Water Use for Cannabis Irrigation.

You must also send photographic proof and/or other documentation that supports your corrective actions taken for all violations. You can submit your documents through the State Water Board's Cannabis Compliance Response Portal referenced at the end of this report.

This letter is your notice of the above-mentioned WC and Policy requirements. Your response to the allegations listed in this notice is required and should be submitted in a timely manner. This is your second Notice of Violation and for the past eight months the initial violations have remained outstanding. Pursuant to WC section 1847, subdivision (a) (1), any person or entity committing a violation of the above referenced WC section 13149 requirement(s) may be liable in an amount not to exceed the sum of five hundred dollars (\$500) for each violation, plus two hundred fifty dollars (\$250) for each additional day on which the violation continues if the person fails to correct the violation within 30 days after the board has called the violation to the attention of that person.

The State Water Board has discretion when considering an enforcement action and shall consider your corrective actions taken in response to this notice in determining whether and what civil liability is appropriate for violations. Therefore, this matter requires your immediate attention. Please respond within 30 days to address the violations identified herein.

To facilitate your response, we are providing you with an Investigation Identification Number (Investigation ID No. listed below), which you can use to respond electronically. You can also contact Division staff by phone or by email provided at the bottom of this notice letter. To use your Investigation ID No., follow the steps provided below.

Investigation ID No. 10744

- Step one:** Go to the State Water Board's Cannabis Cultivation Programs Portal at: <https://public2.waterboards.ca.gov/CGO/>
- Step two:** Register or login to your account
- Step three:** Under survey Click "New" for the "Division of Water Rights Cannabis Compliance Response Portal"
- Step four:** When you fill out your response to this NOV use the Assessor Parcel Number listed in this NOV in Part I.
- Step five:** Additionally, in your response use the Investigation ID listed above.

If you have any questions regarding this matter, please contact Justin Baser at (916) 323-3642 or via e-mail at Justin.baser@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Justin Baser, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

ORIGINAL SIGNED BY

Justin Baser
Environmental Scientist
Cannabis Enforcement Unit 1
Division of Water Rights

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
cannabisreg@waterboards.ca.gov

Department of Fish and Wildlife
Kursten Sheridan
Kursten.Sheridan@wildlife.ca.gov

Kyle Stoner
Kyle.Stoner@wildlife.ca.gov

Justin Rhoades
Justin.Rhoades@wildlife.c.gov

North Coast Regional Water Quality Control Board
Kason Grady
Kason.Grady@waterboards.ca.gov

Mendocino County Cannabis Program
cannabisprogram@mendocinocounty.org

Mendocino County Code Enforcement

Trent Taylor

taylor@mendocinocounty.org

Mendocino Agricultural Commissioner

Harinder Grewal

grewalh@mendocinocounty.org

Mendocino County Cannabis Program

Sean Connell

connells@mendocinocounty.org

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