



State Water Resources Control Board

April 16, 2024

CERTIFIED MAIL

Danny Ballard
Fenario Farms LLC
PO Box 997
Garberville, CA 95542

CERTIFIED MAIL NO: 7020 3160 0000 7728 6104

NOTICE OF VIOLATION

Investigation ID: 15469

DIVISION OF WATER RIGHTS INSPECTION OF HUMBOLDT COUNTY ASSESSOR PARCEL NUMBER (APN) 223-034-003-000

Danny Ballard,

On March 19, 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.

You are being contacted because you were identified as the responsible party and/or property owner of the Humboldt 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.

Violations and Corrective Actions 5
Compliance Assistance References 7

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

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) 323-0359, or by email at Zachary.Gomer@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: Zach Gomer.

Sincerely,

ORIGINAL SIGNED BY

Zach Gomer
Cannabis Enforcement Unit
Division of Water Rights

Enclosures: Division of Water Rights Inspection Report from March 19, 2024

ec: **Property Owner**
Danny Ballard
starlightstudioglass@gmail.com

Consultant
Randy Lew
jacks@pacificwatershed.com

Division of Water Rights - Enforcement
Taro Murano
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Stormer Feiler
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Laura Cunningham
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Cannabis Registration Unit
DWR-cannabisreg@waterboards.ca.gov

Department of Fish and Wildlife
Dave Manthorne
David.Manthorne@wildlife.ca.gov

Georgia Hamer
Georgia.Hamer@wildlife.ca.gov

North Coast Regional Water Quality Control Board
Northcoast.Cannabis@waterboards.ca.gov

Kate Hawken
Katherine.Hawken@waterboards.ca.gov

Humboldt County Sheriff Office
Lieutenant Shawn Sopoaga
SSopoaga@co.humboldt.ca.us

Sgt. Conan Moore
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Humboldt County Cannabis Program
Planningbuilding@co.humboldt.ca.us

Department of Cannabis Control
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