



State Water Resources Control Board

November 1, 2023

CERTIFIED MAIL

Armando Dominguez

CERTIFIED MAIL NO: 7022 1670 0001 3767 3567

NOTICE OF VIOLATION

Investigation ID: 15192

DIVISION OF WATER RIGHTS INSPECTION OF TRINITY COUNTY ASSESSOR PARCEL NUMBER (APN) 018-020-008-000

Armando Dominguez,

On September 18, 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 owner of the Trinity 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 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 September 18, 2023 and detailed WC and Policy 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

NOTICE OF VIOLATION 1

**DIVISION OF WATER RIGHTS INSPECTION OF TRINITY COUNTY ASSESSOR
PARCEL NUMBER (APN) 018-020-008-000**..... 1

 Enclosures 3

DIVISION OF WATER RIGHTS 1

INSPECTION REPORT..... 1

 Inspection Summary 2

 Point of Diversion (POD) Information 3

 Point of Storage (POS) Information..... 4

 Place of Use (POU) Information 7

 Water Availability and Demand Summary 9

Violations and Corrective Actions **11-21**

 Violation: WC section 1052 – Unauthorized Diversion or Use of Water 11

 Violation: WC section 5101 - Failure to File an Initial Statement of Water Diversion and Use
 (Statement) 13

 Violation: Cannabis Cultivation Policy, Section 2, Term 66 – Failure to Comply with the
 Narrative and Numeric Instream Flow Requirements No. 4. The Surface Water Dry
 Season Forbearance Period. 14

Compliance Assistance References **24**

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) 341- 5304, or by email at christina.wickeraad@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: Christina Wickeraad.

Sincerely,

ORIGINAL SIGNED BY:

Christina Wickeraad
Environmental Scientist
Cannabis Enforcement Unit
Division of Water Rights

Enclosures: Division of Water Rights Inspection Report dated September 18, 2023

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
DWR-cannabisreg@waterboards.ca.gov

Department of Fish and Wildlife
Lt. Brian Boyd
Brian.Boyd@wildlife.ca.gov

Region 1 CEP
R1cepredding@wildlife.ca.gov

Scott Bauer
Scott.bauer@wildlife.ca.gov

Matthew Jones
Matthew.Jones@wildlife.ca.gov

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

Trinity County District Attorney
David Brady
DBrady@trinitycounty.org

Trinity County Code Enforcement

Kristalynn Anderson

KAnderson@trinitycounty.org

Trinity County Cannabis Program

Kim Hunter Cannabis Program Director

khunter@trinitycounty.org

Daniel Marvel

dmarvel@trinitycounty.org

Trinity County Sheriff's Office

Sergeant Nate Trujillo

ntrujillo@trinitycounty.org

Sergeant Joshua Ford

jford@trinitycounty.org

Deputy Justin Hayslett

jhayslett@trinitycounty.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