
San Francisco Bay Regional Water Quality Control Board

Sent via electronic mail: No hard copy to follow

November 8, 2016
CIWQS Place ID 829621

Bremer Family Winery Vineyard
975 Deer Park Road
St. Helena, CA 94574
Attn.: John and Laura Bremer
Email: JBremer@Growest.com

Subject: Notice of Violation for Filling Waters of the State, Bremer Family Winery Vineyard, St. Helena, Napa County

Dear Mr. and Mrs. Bremer:

This letter provides formal notice that you have violated the California Water Code (Water Code) by placing fill into an unnamed tributary to Canon Creek at the Bremer Family Vineyard in St. Helena.

VIOLATION

Based on Water Board staff observations during a site visit on September 19, 2016, the unpermitted fill was placed in violation of the Water Code Section 13376, which requires any person who discharges fill material, or proposes to discharge fill material, that could affect waters of the State to submit a report of waste discharge (ROWD). It also prohibits the discharge of fill material, except as authorized by waste discharge requirements (WDRs). We have no record of having received a ROWD for this discharge, nor has the Water Board issued WDRs for it.

ACTION REQUIRED

Please be advised that we intend to issue a cleanup and abatement order that will require you to correct and mitigate for the effects of this violation. These actions are likely to require regulatory agency approvals beforehand and may require the expertise of qualified professionals, who are licensed, where applicable. In order to avoid additional enforcement and potential penalties, you must cease and desist all activities that cause, or threaten to cause, the discharge of waste to waters of the State or create a condition of pollution or nuisance.

STATUTORY LIABILITY

The Regional Water Board reserves the right to take any enforcement action authorized by law, including seeking monetary penalties pursuant to Water Code Section 13385(a). Any person

who violates Clean Water Act Section 301 and/or Water Code Section 13376 is subject to administrative civil liability pursuant to Water Code Section 13385(c). The amount of the penalty is up to \$10,000 for each day in which the violation occurs and up to \$10 per gallon of material discharged.

Please contact Agnes Farres at 510.622.2401 or agnes.farres@waterboards.ca.gov if you have any questions.

Sincerely,

Dyan Whyte
Assistant Executive Officer

Cc (via email):

Corps, SF Regulatory Branch:

Bryan Matsumoto, bryan.t.matsumoto@usace.army.mil

CDFW, Suzanne Gilmore, suzanne.gilmore@wildlife.ca.gov

Napa County Planning:

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