

**CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD**

**IRRIGATED LANDS REGULATORY PROGRAM  
INSPECTION REPORT**

**REPORT DATE:** 20 June 2011  
**PREPARED BY:** Wesley Ouimette

**LOCATION & COUNTY:** Discovery Bay, Contra Costa County

**INSPECTION DATE:** 15 June 2011

**INSPECTED BY:** Wesley Ouimette & Dana Kulesza

**BACKGROUND:**

Staff has received continuous complaints of sediment-laden water being discharged into Discovery Bay. Staff has previously identified parcels that have contributed to this complaint and this inspection was part of the surveillance of the area.

**OBSERVATIONS AND COMMENTS:**

On 15 June 2011 staff conducted a follow-up inspection of the Discovery Bay area to identify any parcel that may be discharging sediment-laden water from their property to waters of the state.

At approximately 1:30 P.M. staff noticed a settling pond on Marsh Creek Road (latitude - 121.64227, longitude 37.89658) discharging sediment laden-waters into a culvert (photos 3-6). Staff followed the discharge to a roadside canal east of the culvert. This roadside canal runs along Marsh Creek Road until discharging into Kellogg Creek and subsequently Discovery Bay.

Samples of the discharge were collected and analyzed for turbidity. The results in nephelometric units (ntu) are as follows:

- Sample 1- Nearest supply canal to the agricultural field- 60 ntu (photo 1)
- Sample 2- Culvert to Marsh Creek Road canal- 571 ntu (photos 4-6)
- Sample 3- Discharge to Kellogg Creek- 74 ntu (photos 9-10)
- Sample 4- Upstream Kellogg Creek- 24 ntu (photo 11)

Staff also observed an additional field that appeared to have recently discharged into the same canal (County Assessor's parcel number 011190047). A very low volume of water was observed to be creating a plume of sediment in the canal from the culvert connected to the fields settling pond. Staff is currently working on an enforcement case with this parcel but wanted to document that there was more than one field discharging into the canal running along side Marsh Creek Road the day the inspection took place.

Approved:  \_\_\_\_\_

**SUMMARY:**

The aforementioned agricultural operation was actively discharging sediment-laden water to waters of the state. The property (Contra Costa County Assessor's parcel number 011110026) is enrolled in the San Joaquin County and Delta Water Quality Coalition (coalition).

**NEXT STEPS:**

On 31 August 2010 the owners of this parcel, Antonio and Mary Bettencourt were issued a Notice of Violation for discharging sediment-laden waters from their parcel. A technical report was submitted in response to the NOV outlining their plans for controlling the discharge of sediment from their property, which included installing a settling basin.

Improvements have been made to the property to try and control discharges of sediment, but these efforts are not sufficient. Staff recommends a site visit with the discharger to gain information about the operation and to discuss why sediment control is an issue. Staff recommends issuing of a Cleanup and Abatement Order as the next steps.

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Site Inspection Photo Log for 15 June 2011  
Discovery Bay



Photo 1: Photo shows a supply canal east of a discharging tomato field. A water sample was collected here.



Photo 2: Photo shows a recently irrigated tomato field next to a discharging settling pond.



Photo 3: Photo shows sediment-laden water discharging into a settling pond.



Photo 4: A sample of sediment-laden water was collected as it discharged from the settling pond in photo 3 to a culvert.



Photo 5: Photo shows a grate over the culvert the discharge was passing through.



Photo 6: Close-up of the sediment-laden water passing through the culvert.

**Site Inspection Photo Log for 15 June 2011  
Discovery Bay**



**Photo 7:** Photo taken of a field discharging into the Marsh Creek Road canal downstream of the tomato field's discharge.



**Photo 8:** Settling pond from the discharge in photo 7.



**Photo 9:** Photo shows location where the Marsh Creek Road canal enters a culvert to discharge into Kellogg Creek.



**Photo 10:** Photo shows discharge into Kellogg Creek. A sample was collected here.



**Photo 11:** Photo shows Kellogg Creek upstream of the discharge. A sample was collected here.



**Photo 12:** Photo shows the discharge from Kellogg Creek into Discovery Bay.