
North Coast Regional Water Quality Control Board

December 27, 2012

Mr. Dave Soiland
Lands of MK Old Redwood LLC
3450A Regional Parkway
Santa Rosa, CA 95403

Dear Mr. Soiland:

Subject: NOTICE OF VIOLATION FOR THE MK LLC CONSTRUCTION PROJECT
STORMWATER PERMIT, 5340 OLD REDWOOD HIGHWAY, SONOMA COUNTY,
WDID No. 149C364949

File: Lands of MK LLC Old Redwood - 5340 Old Redwood Highway, Santa Rosa,
Sonoma County

Your project is enrolled for coverage under and subject to the requirements of the Statewide General Permit for Discharges of Storm Water from Construction Activities (Construction General Permit). The Construction General Permit contains enforceable requirements intended to control the discharge of pollutants from construction projects. On Thursday, November 29, 2012 Regional Water Quality Control Board (Regional Water Board) staff inspected the Lands of MK LLC Old Redwood construction project. After a night of heavy rains, a light drizzle was falling at the time of the inspection. Staff noted an approximate 3 acre site of exposed soils, with evidence of sediment discharges to an adjacent drainage ditch at several locations. Other than a rocked entrance and rumble strip, and perimeter straw wattles and grass between the drainage ditch and the construction site, there was no other erosion or sediment control Best Management Practices (BMPs) installed onsite. Without immediate Storm Water Pollution Prevention Plan (SWPPP) updates and implementation of revised erosion and sediment control practices, subsequent storms will likely result in additional discharges of sediments from the site into waters of the State.

Sediment discharges can cause or contribute to violation of applicable water quality standards. The Construction General Permit requires facility operators to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges through the development and implementation of BMPs. These BMPs help to control pollutants using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT).

The following picture depicts conditions observed by staff at several different locations at the Lands of MK LLC Old Redwood site.



11/29/12 Exposed Soils and Stockpile – 5340 Old Redwood Highway
Photo by Paul Keiran, Regional Water Board Staff



11/29/12 Exposed Stockpile and Overflowing Stormwater Detention Pond
5340 Old Redwood Highway. Photo by Paul Keiran Regional Water Board Staff



11/29/12 Line of Wattles and Grass Strip Adjacent to Drainage Ditch
5340 Old Redwood Highway. Photo by Paul Keiran Regional Water Board Staff



11/29/12 Discharge of Sediment Laden Water into Storm Drainage Ditch
5340 Old Redwood Highway. Photo by Paul Keiran Regional Water Board Staff

Compliance with your Construction General Permit includes ensuring that you have an adequate SWPPP onsite, and that you implement the provisions of the SWPPP through BAT and BCT. This includes directing all runoff generated onsite to receiving waters without eroding construction areas onsite.

Within 10 days of the date of this letter, you must submit an updated copy of your SWPPP to the State Water Resources Control Board; the updated SWPPP must fully describe measures implemented and/or proposed to be implemented to eliminate or significantly minimize the discharge of sediment laden stormwater runoff from the Lands of MK LLC Old Redwood construction project. Please include an implementation schedule for the site repairs to ensure that these measures are fully implemented. Failure to take these steps in a timely manner may result in further enforcement actions.

If you have any questions, please contact Paul Keiran of my staff at (707) 576-2753 or at paul.keiran@waterboards.ca.gov.

Sincerely,

Original Signed By

David F. Leland, PE
Watershed Protection Division Chief

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