
North Coast Regional Water Quality Control Board

February 13, 2013

Mr. Manny Silva
Meritage Homes
1671 East Monte Vista Avenue, Suite 214
Vacaville, CA 95688

Dear Mr. Silva:

Subject: Notice of Violation for the Dauenhauer Ranch Construction Project Storm Water Permit, Aston Avenue and Honeysuckle Drive, Santa Rosa, Sonoma County

File: Dauenhauer Ranch, Aston Avenue and Honeysuckle Drive, Santa Rosa, Sonoma County, WDID No. 149C359257

Your project has coverage under and is 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 Tuesday November 20, 2012, North Coast Regional Water Quality Control Board (Regional Water Board) staff inspected the Dauenhauer Ranch construction project. Staff noted expansive areas of exposed soils, with little effort to prevent soil erosion in the event of sustained precipitation. Site personnel were warned of the inevitability of soil discharges in storm water runoff from this site.

On the morning of November 28, 2012, Regional Water Board staff inspected the Dauenhauer Ranch site. Rainfall for the 24 hour period leading up to the inspection registered approximately 1.2 inches. Staff noted evidence of massive sediment discharges to both onsite and offsite storm drain inlets that lead directly to receiving waters. Sediment controls installed onsite were being overwhelmed by storm water runoff. This situation was exacerbated by storm water run-on from the hills above the construction site, which was inundating exposed soil areas onsite. Other than sediment control rock check dams, limited filter fabric and straw wattles placed at wide intervals, the site had no

erosion controls. This led to a mass wasting of sediments during the November 27-28 storm event. Staff samples of storm water runoff discharged offsite revealed turbidity levels in excess of 100,000 NTUs (500 NTU discharges are considered significant). A Regional Water Board re-inspection of the site on December 4, 2012, revealed that, despite additional sediment controls and a rerouting of storm water run-on around the construction site, without immediate Storm Water Pollution Prevention Plan (SWPPP) updates and implementation of revised erosion and sediment control practices, subsequent storms would likely again 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 photographs depict conditions observed by staff at several different dates and locations at the Dauenhauer Ranch construction site.



11/20/12 Exposed Soils and Stockpile – Dauenhauer Ranch Site
Photo by Paul Keiran, Regional Water Board Staff



11/28/12 Overflowing Storm Water Check Dam – Dauenhauer Ranch
Photo by Jeremiah Puget, Regional Water Board Staff



11/28/12 Storm Water Run-on from Adjacent Hills Discharging Across
Construction Site –Dauenhauer Ranch. Photo by Jeremiah Puget,
Regional Water Board Staff



11/28/12 Discharge of Sediment Laden Storm Water into Onsite Storm Drain Inlet – Dauenhauer Ranch. Photo by Jeremiah Puget, Regional Water Board Staff



11/28/2012 Discharge of Sediment Laden Storm Water into Offsite Storm Drain Inlet – Dauenhauer Ranch. Photo by Jeremiah Puget, 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 storm water runoff from the Dauenhauer Ranch Residential Subdivision construction project. Please include an implementation schedule for the site repairs to ensure that these measures are fully implemented. Due to the severity of the sediment discharges at Dauenhauer Ranch, a failure to take these steps in a timely manner will result in additional enforcement actions, which can include the assessment of civil liabilities of up to \$10,000 per day of discharge.

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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cc: Brian Ogsten, City of Santa Rosa Storm Water Program, 100 Santa Rosa Avenue,
Santa Rosa, CA 95405