



# Enforcement News

## **Sediment discharge during improper timber harvest near Healdsburg leads to \$276,000 penalty**

***Property owner failed to follow two separate orders to remedy problem***

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**Santa Rosa** – The North Coast Regional Water Quality Control Board has imposed a penalty of \$276,000 against a licensed timber operator, who is also a Humboldt County attorney, for improperly discharging sediment to Felta Creek in the Russian River watershed during a post-fire timber harvest on his 100-acre property near Healdsburg.

Board staff made numerous attempts over two years to work with the property owner, Ken Bareilles, to rectify the situation, but Bareilles responded to an initial cleanup and abatement order 38 days after the deadline and submitted the cleanup plan for a second cleanup and abatement order 235 days late. North Coast Water Board staff proposed penalties of \$251,000, but during its hearing on June 16, the board increased the penalties to \$276,000 in part due to the importance of Felta Creek to coho salmon populations in the Russian River watershed.

“Mr. Bareilles ignored water quality requirements during the timber harvest and disregarded requirements in two subsequent cleanup and abatement orders,” said Joshua Curtis, assistant executive officer at the North Coast Regional Water Board. “The board’s decision to increase the proposed penalties to the maximum allowable for these violations demonstrates its commitment to protecting our waters and maintaining a level playing field for the vast majority of timber operators and property owners in our region who work proactively to meet environmental regulations.”

Bareilles conducted the timber harvest under an emergency notice after the property had burned, but he failed to follow basic requirements to protect water quality during timber harvests, including minimizing and redirecting sediment runoff from roadways. This led to direct discharges of excess sediment to Felta Creek and unnamed tributaries to the Russian River, threatening the health and critical habitat for listed anadromous salmonids such as steelhead trout and coho salmon. When ordered to cleanup and abate the site to limit future discharges, Bareilles ignored the first requirement of two separate orders, allowing for sediment discharges to occur well after cleanup should have been completed.



Rivers and streams with excessive sediment are a chronic concern in the North Coast region, where two-thirds of the waterbodies are [listed under the Clean Water Act](#) as sediment impaired. Sediment can adversely impact the health and vitality of a waterbody and make breathing a challenge for fish. Sediment can also settle and accumulate along the river bottom, obscuring gravel where endangered coho salmon and steelhead spawn. If enough sediment settles on the bottom, it can bury eggs during spawning season and limit the chances of hatchlings surviving.

More information about how the regional board protects water quality can be found on the board's [website](#).

*The North Coast Water Board's mission is to develop and enforce water quality objectives and implement plans that will best protect the region's waters while recognizing our local differences in climate, topography, geology and hydrology.*