

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF MAY 10 - 11, 2018**  
Prepared on April 9, 2018

**ITEM NUMBER: 10**

**SUBJECT: Enforcement Report**

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**DISCUSSION**

This staff report summarizes the enforcement actions taken from January 1, 2018 through March 31, 2018. Tables 1 through 4 include summaries of issued Administrative Civil Liability Orders, issued Expedited Payment Program Letters to resolve mandatory minimum penalties, issued Notices of Non-Compliance for Industrial or Construction Stormwater annual reporting or enrollment violations, and Notices of Violation covering various programs.

This staff report also includes a summary of violations reported from October 1, 2017 through December 31, 2017. These violations are currently under review by program and enforcement staff to assess priorities for potential future enforcement.

A general description of the different types of enforcement actions that Water Board staff may take are provided in Attachment 1. Definitions of abbreviations used throughout this staff report are available in Attachment 2. Detailed descriptions of each enforcement action are provided in the [2017 Water Quality Enforcement Policy](#).

<b>Table 1: Issued Final Administrative Civil Liability Complaints or Orders (ACL)</b>			
<b><u>Discharger/Facility</u></b>	<b><u>Violations</u></b>	<b><u>Penalty</u></b>	<b><u>Supplemental Environmental Project<sup>1</sup></u></b>
South SLO County Sanitation District WWTP	- Total Suspended Solids - Fecal Coliform - Total Chlorine Residual	\$9,000	\$4,500 toward CCAMP-GAP
<i>Summary: ACL Order No. R3-2017-0056 imposing mandatory minimum penalty for three violations of NPDES permit reporting requirements. Resolved by settlement via Expedited Payment Program Offer.</i>			
City of El Paso de Robles WWTP	- Total Nitrogen - Total Coliform	\$15,000	Declined by Discharger

<b>Table 1: Issued Final Administrative Civil Liability Complaints or Orders (ACL)</b>			
<u>Discharger/Facility</u>	<u>Violations</u>	<u>Penalty</u>	<u>Supplemental Environmental Project<sup>1</sup></u>
<i>Summary: ACL Order No. R3-2017-0051 imposing mandatory minimum penalty for five violations of NPDES permit reporting requirements. Resolved by settlement via Expedited Payment Program Offer.</i>			

<sup>1</sup> Unless otherwise noted, the Supplemental Environmental Project (SEP) is the Central Coast Ambient Monitoring Program - Groundwater Assessment and Protection (CCAMP-GAP) Project, identified by the Water Board in Resolution No. R3-2012-0024 as being among the Water Board's highest priorities.

<b>Table 2: Issued Expedited Payment Program Letters (EPLs; Settlement Proposals for Mandatory Minimum Penalties per the Water Code or for Other Non-Controversial Issues)</b>			
<u>Discharger/Facility</u>	<u>Violations</u>	<u>Proposed Penalty</u>	<u>Status<sup>2</sup></u>
Morro Bay/Cayucos WWTP	- Total Residual Chlorine	\$3,000	Offer agreed upon and public comment period ended.
<i>Summary: Proposed EPL No. R3-2017-0057 offering to settle mandatory minimum penalty for one violation of NPDES permit reporting requirements.</i>			

<sup>2</sup> EPL Offers have three primary stages: 1) issued to a discharger and under consideration, 2) agreed upon and out for public comment, or 3), issued by the Executive Officer as ACL Order. EPLs executed as ACL Orders are listed in Table 1 above.

<b>Table 3: Issued Notices of Non-Compliance for Industrial or Construction Stormwater General Permit Annual Reporting or Enrollment (NNCs) – By County</b>			
<u>Discharger/Facility</u>	<u>Responsible Party</u>	<u>Annual Report or Enrollment, 1<sup>st</sup> or 2<sup>nd</sup> NNC</u>	<u>County</u>
Steiny Mixed Use Commercial Center	Doug Steiny	Annual Report, 1st	Monterey
Vehicle Wash Facility	Michael Moeller	Annual Report, 1st	Monterey
Greenfield Union School District Office Annex	Fernando Nieto	Annual Report, 1st	Monterey
Reservation Road Improvements	Brian McMinn	Annual Report, 1st	Monterey
Miller Anderson Office Bldg	John Anderson	Annual Report, 1st	Monterey
Tatums Garden	Shawn Bakker	Annual Report, 1st	Monterey
Fort Hunter Liggett ORTC	Michael Moeller	Annual Report, 1st	Monterey

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Springhill Suites by Marriott	Harbhajan Dadwal	Annual Report, 1st	Monterey
Bernardus Lodge	Conrad Garner	Annual Report, 1st	Monterey
HCFIP Correctional Training Facility	Steven Defant	Annual Report, 1st	Monterey
Klondike Canyon	Bryan Jaeger	Annual Report, 1st	Monterey
Castroville Bicycle/Pedestrian Trail and Rail Crossing	Benny Young	Annual Report, 1st	Monterey
Administration & Library Buildings Increment 1	Fernando Nieto	Annual Report, 1st	Monterey
Hollister Solar	Steve Broyer	Annual Report, 1st	San Benito
Hollister Municipal Airport Runway Rehabilitation	Mike Chambless	Annual Report, 1st	San Benito
The Cottages	Tom Whalen	Annual Report, 1st	San Benito
Paso Robles Sports Club	Eric Schmitz	Annual Report, 1st	San Luis Obispo
Ayres Hotel	Jana Beekman	Annual Report, 1st	San Luis Obispo
Holiday Inn Grover Beach	Victor Nonato	Annual Report, 1st	San Luis Obispo
Coastal Christian School	Mike Humerian	Annual Report, 1st	San Luis Obispo
Maino Development	Thomas Maino	Annual Report, 1st	San Luis Obispo
Cherry Creek Various Lots	Brent Pruett	Annual Report, 1st	San Luis Obispo
Monte Cristo Place	John Decker	Annual Report, 1st	San Luis Obispo
Tract 2768	Kristin Burtness	Annual Report, 1st	San Luis Obispo
Tr 2805 Kleck Rd	Ron Berry	Annual Report, 1st	San Luis Obispo
Tonini Farm and Cattle Company	John Goodrich	Annual Report, 1st	San Luis Obispo
Mullahey Chrysler Dodge Jeep Ram	Michael Mullahey	Annual Report, 1st	San Luis Obispo
Long Bonetti Ranch Development	Taylor Judkins	Annual Report, 1st	San Luis Obispo

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Daou Residence	Daniel Daou	Annual Report, 1st	San Luis Obispo
Atascadero 35	Patrick Henneberry	Annual Report, 1st	San Luis Obispo
Atascadero Junior High	Stuart Stoddard	Annual Report, 1st	San Luis Obispo
Uptown Center	Rick Jeffrey	Annual Report, 1st	San Luis Obispo
River Road Widening Project	David Flynn	Annual Report, 1st	San Luis Obispo
Smart 72	Jason DeVries	Annual Report, 1st	San Luis Obispo
Inn at the Pier	Chris Hahs	Annual Report, 1st	San Luis Obispo
250 Ridgeview	David Daniels	Annual Report, 1st	San Luis Obispo
The Junction	Jenny Emrick	Annual Report, 1st	San Luis Obispo
Monarch Mega Storage	Tony Toste	Annual Report, 1st	San Luis Obispo
Parcel Map 15-0058	Bryce Overend	Annual Report, 1st	San Luis Obispo
Fixilini Lot 7 & 8	Missi Underwood	Annual Report, 1st	San Luis Obispo
Tract 3054	Warren Sanders	Annual Report, 1st	San Luis Obispo
Montecito Rnch Est	Patrick Nesbitt	Annual Report, 1st	Santa Barbara
Far Afield Estate	Peter Sperling	Annual Report, 1st	Santa Barbara
Karpe Residence Rd	Michele Karpe	Annual Report, 1st	Santa Barbara
Righetti Residence Project	Paul Righetti	Annual Report, 1st	Santa Barbara
Greka North Cat Canyon	Susan Whalen	Annual Report, 1st	Santa Barbara
Hilliard Winery	Tom Davidson	Annual Report, 1st	Santa Barbara
Coastal Growers Supply 2	Darren Huebner	Annual Report, 1st	Santa Barbara
Lineage Logistics Santa Maria	Timothy Dayton	Annual Report, 1st	Santa Barbara
Buellton Village Center LLC	Taylor Judkins	Annual Report, 1st	Santa Barbara

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Los Carneros Overhead Bridge Replacement	Rosemarie Gaglione	Annual Report, 1st	Santa Barbara
Buellton Village Neighborhood Park	Tony Miller	Annual Report, 1st	Santa Barbara
Sycamore Creek	William Ryan	Annual Report, 1st	Santa Barbara
Point Sal Dunes Phase IV	Wayne Vaughn	Annual Report, 1st	Santa Barbara
Hyde Road	Roger Collis	Annual Report, 1st	Santa Barbara
Mirasol Mixed Use Project	Cameron Bassett	Annual Report, 1st	Santa Barbara
Crossi	Janet Gingras	Annual Report, 1st	Santa Barbara
Fed Ex Santa Maria	Kevin See	Annual Report, 1st	Santa Barbara
Arlington Village	Trent Lyon	Annual Report, 1st	Santa Barbara
St. Andrews Subdivision	Jason Nelson	Annual Report, 1st	Santa Barbara
Jim May Park	Steven Kahn	Annual Report, 1st	Santa Barbara
Grace Village Senior Housing	Dale Aazam	Annual Report, 1st	Santa Barbara
Tajiguas Resource Recovery Project	Mark Schleich	Annual Report, 1st	Santa Barbara
Brinkerhoff	Susan Weber	Annual Report, 1st	Santa Barbara
Lions Creek Trail Projects	David Stubchaer	Annual Report, 1st	Santa Clara
New Distribution Facility For UNFI	Caitlin Soto	Annual Report, 1st	Santa Clara
Harvest Park II	James Suner	Annual Report, 1st	Santa Clara
Butterfield Retirement	Eric Paine	Annual Report, 1st	Santa Clara
Star Concrete Morgan Hill	Gerald Blatt	Annual Report, 1st	Santa Clara
San Martin Airport	Robert Hensley	Annual Report, 1st	Santa Clara
Woodside at Scotts Valley	Dan Boatwright	Annual Report, 1st	Santa Cruz
Medina Residence	Angelica Medina	Annual Report, 1st	Santa Cruz

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Kim Son Meditation Center	Tuong Tran	Annual Report, 1st	Santa Cruz
Lexington Inn and Suites	Juan Perez	Annual Report, 1st	Santa Cruz
Tractor Supply Company	Karl Rice	Annual Report, 1st	Santa Cruz
Twin Lakes Beach Front	Margaret Iliff	Annual Report, 1st	Santa Cruz
Polo Heights Subdivision	George Smith	Annual Report, 1st	Santa Cruz
Recycle Yard and Bike Path	Felix Ang	Annual Report, 1st	Santa Cruz
Santa Cruz Gardens	Phil Bates	Annual Report, 1st	Santa Cruz
Timber Ridge	George Smith	Annual Report, 1st	Santa Cruz

<b>Table 4: Issued Notices of Violation (NOVs) – By County</b>				
<b><u>Discharger/Facility</u></b>	<b><u>Responsible Party</u></b>	<b><u>Program</u></b>	<b><u>Violation Type</u></b>	<b><u>County</u></b>
45 Irrigated Ag Order Enrollees	Multiple	Irrigated Ag	Failure to submit accurate and complete Total Nitrogen Reduction reports	Regional
Route 46 Corridor Improvement Project	Cal Trans District 5 SLO	401 Cert	BMPs	San Luis Obispo
Medina Ranch	Angelica and Pedro Medina	Irrigated Ag	Failure to enroll	Santa Cruz
Santana Ranch Phase 3 Construction Site	Stonecreek Properties	Const. SW	BMPs	San Benito
Guziks Good Humus Composting Facility	Todd Guzik	WDR	Failure to submit Report of Waste Discharge	Monterey

**VIOLATIONS PENDING FURTHER ENFORCEMENT STAFF REVIEW**  
**(October 1, 2017 – December 31, 2017)**

Water Board staff uses the California Integrated Water Quality System (CIWQS) and the Storm Water Multiple Application and Report Tracking System (SMARTS) to track Water Board data, including violations and enforcement actions. For the period of October 1, 2017, through December 31, 2017, Water Board staff observed the various categories of violations summarized below. While the recent enforcement actions listed above may address some of the violations included in the table below, a majority of these violations do not correlate with the

above enforcement actions. Program and Enforcement staff are currently reviewing these violations to assess priorities for potential future enforcement.

<b>Recent Violations Pending Further Enforcement Staff Review</b>			
<b><u>Violation Type</u></b>	<b><u>Number of Violations</u></b>	<b><u>Associated Programs</u></b>	<b><u>Primary Sources of Violations</u></b>
Effluent Limitations	104	NPDES WDR	pH, Biochemical Oxygen Demand, Total Dissolved Solids, Sodium, Chloride, Settleable Solids, Nitrogen (various forms), Total Suspended Solids, Coliforms.
Receiving Water Limitations	14	NPDES WDR	Sodium, Total Dissolved Solids, Sulfate, Temperature.
Sanitary Sewer Overflows	1	WDR	Pump station failure.
Deficient BMPs	14	401 Cert. Const. SW Ind. SW MS4 SW	Failure to work within approved time window, failure to maintain onsite availability and install erosion and sediment controls, failure to adhere to predicted rain event conditions, dust control, poor housekeeping, lack of secondary containment, materials storage, incomplete or insufficient SWPPPs, and failure to confirm PCRs achieved.
Reporting	5	NPDES 401 Cert. WDR Const. SW	Annual reporting, failures to notify Water Board of discharger actions.
Deficient Monitoring	3	NPDES WDR	Failures to monitor due to operator error or lab error.
Failure to Obtain Permit	25	Ind. SW	Failure to recertify No-Exposure Certifications.
Failure to Pay Annual Fees	4	Const. SW	

Violation reports are available to the public as described in further detail in the fact sheet located at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/docs/pub\\_vio\\_rpt\\_fs\\_pub.pdf](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/docs/pub_vio_rpt_fs_pub.pdf)

### **RECOMMENDATION**

This report is for Board information; the Board may provide direction to staff.

### **ATTACHMENTS**

1. Description of Enforcement Actions
2. Definitions of Abbreviations

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