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## North Coast Regional Water Quality Control Board

July 25, 2016

Mr. Steven Baker  
[sbaker@ci.yreka.ca.us](mailto:sbaker@ci.yreka.ca.us)  
City of Yreka  
701 Fourth Street  
Yreka, CA 96097

Dear Mr. Baker:

Subject: **Notice of Violation** of State Water Resources Control Board Order No. 2014-0057-DWQ General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Small MS4 General Permit)

File: City of Yreka, Small MS4 General Permit, WDID No. 1 47M200022

The City of Yreka (Permittee) is hereby given notice that it has violated sections E.9.a, E.9.b., and E.11.b of the Small MS4 General Permit for failure to complete fiscal year 2014/2015 (Year 2) permit requirements.

### I. Background

The Permittee owns and operates a municipal separate storm sewer system subject to the requirements and schedule set forth in the Small MS4 General Permit. The Permittee is required to provide annual reports documenting compliance with yearly permit requirements. The Permittee timely submitted the annual report for fiscal year 2014/2015 on October 15, 2015. Regional Water Board staff (Staff) reviewed the annual report and provided comments to the Permittee on December 22, 2015, noting incomplete elements. The Permittee submitted a revised annual report on March 3, 2016. Staff reviewed the revised annual report and determined the reporting did not adequately address all deficiencies. In a letter dated May 3, 2016, Staff requested the Permittee submit a compliance schedule to address the remaining deficiencies by June 3, 2016. On June 13, 2016, Staff sent the Permittee an email requesting a response to the June 3, 2016, letter. To date, the Permittee has not responded to our May 3, 2016, and June 13, 2016, written requests.

## **II. Applicable Requirements**

In accordance with the Small MS4 General Permit, the Permittee is required to meet the following:

### **Section E.9.a. Outfall Mapping**

*Within the second year of the effective date of the permit, the Permittee shall create and maintain an up-to-date and accurate outfall map.*

### **Section E.9.b. Illicit Discharge Source/Facility Inventory**

*Within the second year of the effective date of the permit, the Permittee shall maintain an inventory of all industrial/commercial facilities/sources within the Permittee's jurisdiction that could discharge pollutants into the MS4.*

### **Section 11.b. Map of Permittee-Owned or Operated Facilities**

*Within the second year of the effective date of the permit, submit a map of the area within the permit boundary and identify where the inventoried Permittee-owned or operated facilities are located.*

## **III. Alleged Violations**

The Permittee violated Section E.9.a. by not creating a complete outfall map. The Small MS4 General Permit includes specific components that are required to be included on each outfall map. The Permittee's outfall map does not include the location of all outfall drainage areas, and land use(s) contributing to those outfalls (E.9.a.ii.a.), the location and name of all water bodies receiving direct discharges from outfall pipes (E.9.a.ii.b), priority areas (E.9.a.ii.c), and the permit boundary (E.9.a.ii.e).

The Permittee violated Section E.9.b. by not creating an industrial/commercial facilities/sources inventory (E.9.b.ii.a-b) and by not developing procedures to proactively identify illicit discharges originating from priority areas (E.9.b.ii.e).

The Permittee violated section E.11.b. by not completing the map of Permittee owned or operated facilities.

## **IV. Future Enforcement Action**

The Permittee must immediately comply with sections E.9.a, E.9.b., and E.11.b of the Small MS4 General Permit. Please note that correcting the conditions of non-compliance with the Small MS4 General Permit does not preclude enforcement action for the violations alleged

in this notice. The Regional Water Board reserves its rights to fully enforce the law by taking enforcement actions such as a cease and desist order, time schedule order, administrative civil liabilities, and referral to the State Attorney General. Administrative liabilities may be assessed beginning with the date that a violation first occurred. The liabilities can be up to \$1,000 per day per violation pursuant to Water Code section 13268.

Should you have any questions regarding this matter, please contact Collen Hunt of my staff at [colleen.hunt@waterboards.ca.gov](mailto:colleen.hunt@waterboards.ca.gov) or 707-576-2831.

Sincerely,

Claudia Villacorta  
Point Source and Groundwater Protection Division Chief

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Certified Return Receipt Requested

cc: Mr. Matthew Bray, City of Yreka, [mbray@ci.yreka.us](mailto:mbray@ci.yreka.us)  
Ms. Jeannette Hook, City of Yreka, [hook@ci.yreka.ca.us](mailto:hook@ci.yreka.ca.us)