
North Coast Regional Water Quality Control Board

November 4, 2016

Mr. Thomas J. Ludden, Trustee
Ludden Trust 2002
70010 Highway 299 West
Lewiston, CA 96052

Dear Mr. Ludden:

Subject: Notice of Violation for Failure to Enroll Timber Harvest Plan 2-14-009 TRI under Order No. R1-2004-0030, *General Waste Discharge Requirements for Discharges Related to Timber Harvest Activities on Non-Federal Lands in the North Coast Region*

File: Timber Harvest Plan 2-14-009 TRI (TRI-L THP)

The purpose of this letter is to notify you that failure to obtain coverage under *General Waste Discharge Requirements for Discharges Related to Timber Harvest Activities On Non-Federal Lands in the North Coast Region* (GWDR) (No. R1-2004-0030) is a violation of California Water Code (CWC) Section 13260(a). This CWC section requires that any person discharging or proposing to discharge waste that could affect the quality of waters of the state shall file a report of waste discharge containing information required by the appropriate regional water board. In the North Coast Region, prior to beginning timber harvest activities, landowners must apply for coverage under the GWDR, the Categorical Waiver (Order No. R1-2014-0011), or an individual WDR or waiver. Unfortunately, you failed to obtain coverage for THP 2-14-009 TRI under the Categorical Waiver or Order No. R1-2004-0030 prior to commencement of timber harvest operations.

Compliance with the Specific and General Requirements of the GWDR, including an inventory of Controllable Sediment Discharge Sources (CSDS) in an Erosion Control Plan (ECP) and winter period inspections of the Project area, are intended to ensure compliance with water quality requirements as specified in the Water Quality Control Plan for the North Coast Basin (Basin Plan).

Please be aware that it is the landowner's responsibility to ensure permit coverage is obtained prior to commencement of timber harvest operations. Receipt of an enrollment letter from the Regional Water Board Executive Officer ensures your plan has been enrolled. Failure to obtain coverage under the GWDR or other Regional Water Board permit, regardless of the reason, may result in administrative civil penalties of up to \$5,000 per day to landowners for unauthorized discharges of waste.

After we determined that timber harvest operations had commenced without permit coverage, we contacted John Knight, your forestry consultant, on June 15, 2016. As of the date of this Notice of Violation, no application for coverage under GWDR Order No. R1-2004-0030 has been received. It appears that failure to obtain coverage under the GWDR was an oversight, yet this THP must be enrolled under the GWDR or another Order to resolve this violation.

Please contact Dean Prat of my staff at 707-576-2801 if you have any questions or need more information regarding this matter.

Sincerely,

Fred Blatt
Division Chief
Nonpoint Source & Surface Water Protection Division

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cc: Mr. John Knight: jpkdok@yahoo.com