
North Coast Regional Water Quality Control Board

January 13, 2017

Mr. Ronald Denison
338 Tip Top Ridge Road
McKinleyville, CA 95519

Dear Mr. Denison:

Subject: Notice of Violation for Failure to Enroll Timber Harvest Plan 1-15-011 HUM under Order No. R1-2014-0011, Categorical Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities on Non-Federal Lands in the North Coast Region

File: Timber Harvest Plan 1-15-011 HUM, "Denison THP"

This letter is to notify you that you have violated 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 General Waste Discharge Requirements for Timber Harvest Activities on Non-Federal Lands in the North Coast Region (GWDR) (Order No. R1-2004-0030), the Categorical Waiver (Order No. R1-2014-0011), or an individual WDR or waiver. Unfortunately, you failed to obtain coverage for THP 1-15-011 HUM under the Categorical Waiver or the GWDR prior to commencement of timber harvest operations.

Compliance with the Specific and General Requirements of the Categorical Waiver, including an inventory of Controllable Sediment Discharge Sources (CSDS) in an Erosion Control Plan (ECP) and annual 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 Region (Basin Plan).

Please be aware that it is your responsibility to ensure you have obtained permit coverage prior to commencement of timber harvest operations. Receipt of an enrollment letter from the Regional Water Board ensures your plan has been enrolled in the appropriate permit.

Failure to obtain coverage under the Categorical Waiver 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 your forestry consultant and on December 14, 2016 we received a Certification Form (application) from Hohman & Associates Forestry Consultants certifying that THP 1-15-011 HUM complies with Order No. R1-2014-0011. The application for Categorical Waiver coverage has been processed and a separate letter documenting enrollment will be provided. It appears that failure to obtain coverage under the Categorical Waiver was an oversight and no further action is required 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. Stephen Hohman: shohman@hohmanandassociates.com