
North Coast Regional Water Quality Control Board

January 24, 2017

John P and Claudia J Lima
Landis 4 Partnership
3746 Sunday Court
Redding, CA 96001

Dear Mr. Lima:

Subject: Notice of Violation of Order No. R1-2004-0030

File: Timber Harvest Plan 1-16-066 HUM, "Beebe Ranch 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 1-16-066 HUM under the Categorical Waiver or the GWDR prior to commencement of timber harvest operations.

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, 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.

On October 25, 2016, CAL FIRE notified Regional Water Board staff that they inspected THP 1-16-066 HUM and discovered numerous water quality violations. After receiving this notification and determining that timber harvest operations had commenced without permit coverage, we contacted you and on October 31, 2016, we received a Certification

Form from Hohman & Associates Forestry Consultants, certifying that THP 1-16-066 HUM complies with Categorical Waiver Order No. R1-2014-0011. Due to the unauthorized activities and violations reported by CAL FIRE, Regional Water Board staff notified Hohman & Associates Forestry Consultants that THP 1-16-066 HUM is not eligible for coverage under the Categorical Waiver.

On December 5, 2016, we received an application from Hohman & Associates Forestry Consultants requesting enrollment under GWDR Order No. R1-2004-0030. The December 5 application was deemed incorrect and incomplete, and on December 9, 2016 we received a complete application. THP 1-16-066 HUM was enrolled under the GWDR on December 12, 2016 and is now subject to the requirements of Order No. R1-2004-0030. No further action is required to resolve this violation.

This letter is to also notify you that your timber harvest activities are in violation of Order No. R1-2004-0030 and Waste Discharge Prohibitions contained in the Action Plan for Logging, Construction, and Associated Activities contained in the Water Quality Control Plan for the North Coast Region (Basin Plan). Under California Water Code section 13350, you are subject to potential enforcement actions and penalties resulting from the violations. Violations under section 13350 are subject to administrative civil liability penalties of up to \$5000 per day.

On November 2, 2016, CAL FIRE issued a Notice of Violation (NOV) to Licensed Timber Operator (LTO) John Lima for violations of the Public Resources Code (PRC) including:

- failure to properly install rock surfacing as required in the THP for all seven road points;
- failure to install rolling dips as required in the THP for Road Point (RP) RP-1 and RP-2;
- failure to install a vented ford with an 18-inch diameter pipe as required in the THP for RP-3;
- failure to remove tractor crossing TC-4 as specified in the THP;
- the LTO constructed a skid trail through a Class III watercourse not included in the approved THP and failed to remove or stabilize the crossing subsequent to use;
- slash debris discharged directly into a Class II watercourse at RP-4;
- fill was not pulled back and armored sufficiently at the outlet of RP-1 as required in the THP; and
- LTO John Lima did not sign the THP as the LTO and he was not amended into the THP as the LTO prior to conducting timber operations.

On November 16, 2016, Regional Water Board staff Benjamin Minx and Timothy Walcott inspected the Beebe Ranch THP property with John Lima and found that some required repairs had been implemented. Additional repairs need to be implemented once the road system is dry enough to allow heavy equipment into the area. The Registered Professional Forester and/or LTO need to ensure that all road work and tractor crossing mitigations described in CAL FIRE's NOV are adequately implemented, including but not limited to,

proper installation of a vented rock ford crossing at RP-3, installing rolling dips and critical dips, and adding additional rock surfacing.

All corrective actions and mitigations described in CAL FIRE's NOV must be fully implemented by no later than July 31, 2017. Within one week following completion of corrective actions, you must contact Regional Water Board staff to schedule an inspection so that we may evaluate whether the corrective actions have been implemented properly and to confirm that these violations have been corrected. Confirmation of completion of each corrective action must be provided to Regional Water Board staff no more than 30 days following completion.

Please contact Dean Prat of my staff at 707-576-2801 if you have any questions or need additional 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