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## North Coast Regional Water Quality Control Board

July 27, 2023

Ms. Elizabeth N. Olsen  
5032 Greenwood Heights Dr.  
Kneeland, CA 95549

GLS Tracking Info: 559838539

Dear Ms. Olsen,

**Subject:** Notice of Violation and Transmittal of Inspection Summary Report for May 5, 2023, Drive-by Inspection of Humboldt County Assessor's Parcel No. 404-051-036

**File:** Elizabeth N. Olsen, 5032 Greenwood Heights Drive, Kneeland, Humboldt County, CA

State law assigns responsibility for protection of water quality within the North Coast Region to the North Coast Regional Water Quality Control Board (Regional Water Board). The Regional Water Board issues discharge permits, takes enforcement action, and monitors ground and surface water quality.

You are receiving this Notice of Violation because, based on observations by Regional Water Board staff of the property at 5032 Greenwood Heights Drive, Kneeland, Humboldt County (Property), you are responsible for ongoing unlawful discharges of waste into waters of the state that are creating or threatening to create a condition of pollution or nuisance<sup>1</sup> in violation of the Porter-Cologne Water Quality Control Act. The

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<sup>1</sup> Water Code Section 13050, subdivision (m) states that a "Nuisance" means anything which meets all of the following requirements: 1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

May 5, 2023, Inspection Summary Report (Attachment A) provides documentation of the alleged violations. This Notice directs you to correct the alleged violations by addressing site features and conditions that threaten to impact water quality. Failure to respond may result in future enforcement.

Within 30 days of this letter, please advise Regional Water Board at [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov), of your intentions, plan, and schedule to implement corrective actions. Corrective actions can include, but may not be limited to, the development and implementation of a Manure Management Plan<sup>2</sup> that satisfactorily addresses features and conditions that threaten to impact water quality.

## Background

On May 5, 2023, Regional Water Board staff inspected the area within the vicinity of the subject Property.

The purpose of the inspection was to evaluate onsite and nearby conditions and to identify and assess any impacts or threatened impacts to the quality and beneficial uses of waters of the state resulting from unauthorized discharges from the subject Property.

During the inspection, staff observed at the subject Property unsanitary pig farm conditions with accumulated waste; pungent, muddy, manure water running from the pig farm enclosures into drainages along Greenwood Heights Drive; evidence of animal fecal matter deposits along downslope drainage ditches from the Property runoff; and evidence of animal fecal matter deposits and green algae growth within downslope wetland areas from the Property runoff. Foul odors were detected, and these odors may qualify as nuisance conditions.

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extent of the annoyance or damage inflicted upon individuals may be unequal; (3) occurs during, or as a result of, the treatment or disposal of wastes.

<sup>2</sup> The following resources may be useful in developing a Manure Management Plan: 1) [Manure Management and Utilization 2021 GAAMPs](https://www.michigan.gov/-/media/Project/Websites/mdard/documents/environment/rtf/2021-GAAMPs/manure_management_and_utilization_2021_gaamps.pdf?rev=3c731b33c9d540b48c976b2a49233925) (https://www.michigan.gov/-/media/Project/Websites/mdard/documents/environment/rtf/2021-GAAMPs/manure\_management\_and\_utilization\_2021\_gaamps.pdf?rev=3c731b33c9d540b48c976b2a49233925) 2) [Swine Manure Management Planning](https://www.extension.purdue.edu/extmedia/id/id-205.html) (https://www.extension.purdue.edu/extmedia/id/id-205.html); 3) [Small Farm Manure Management Planning](https://www.canr.msu.edu/resources/small-farm-manure-management-planning) (https://www.canr.msu.edu/resources/small-farm-manure-management-planning); 4) [Best Environmental Management Practices](https://www.extension.purdue.edu/extmedia/id/id-308.pdf) (https://www.extension.purdue.edu/extmedia/id/id-308.pdf); 5) [Increasing the Value of Animal Manure for Farmers](https://www.ers.usda.gov/webdocs/publications/106089/ap-109.pdf?v=8109.7) (https://www.ers.usda.gov/webdocs/publications/106089/ap-109.pdf?v=8109.7)

**Alleged Violations****Porter-Cologne Water Quality Control Act (Water Code § 13000 et seq.):**

Water Code section 13304, subdivision (a) states, in part, that a person who has discharged or discharges waste into the waters of this state in violation of any waste discharge requirement or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall, upon order of the regional board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts.

**Additional Potential Liabilities**

The Regional Water Board is considering whether the violations alleged above warrant formal enforcement as defined in the State Water Resources Control Board's Water Quality Enforcement Policy<sup>3</sup>. We encourage you to take steps to correct the alleged violations as soon as possible, securing any applicable permits from this and other agencies prior to conducting corrective actions, such as the development and implementation of a Manure Management Plan. Please note that the existing conditions, as observed and documented in the Inspection Summary Report (Attachment A), may represent continuing violations of the California Water Code.

Future correspondence regarding this matter will be sent to you at this address unless an alternative address is provided to the Regional Water Board. Failure to accept mail from the Regional Water Board is not a valid excuse for non-compliance with any future enforcement orders, and a failure to respond or otherwise appear at a future enforcement proceeding could subject you to a default order and the imposition of administrative civil liability.

If you have questions about what is required of you to comply with the requirements outlined above, please contact Regional Water Board staff Lynette Shipsey at [Lynette.Shipsey@waterboards.ca.gov](mailto:Lynette.Shipsey@waterboards.ca.gov) or (707) 576-2460.

Within 30 days of this letter, please advise Regional Water Board at [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov) of your intentions, plan, and schedule to implement corrective actions, such as the development and implementation of a Manure Management Plan.

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<sup>3</sup> [WATER QUALITY ENFORCEMENT POLICY \(ca.gov\)](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/040417_9_final%20adopted%20policy.pdf)  
([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2017/040417\\_9\\_final%20adopted%20policy.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/040417_9_final%20adopted%20policy.pdf))

Sincerely,

Kelsey C. Cody, Ph.D.  
Senior Environmental Scientist  
Groundwater Permitting Unit  
North Coast Regional Water Quality Control Board

230612\_draft Complaint Letter\_Olsen\_Pig Farm\_5032 Greenwood Heights\_COMP-56962\_final.docx

Attachments:

1. Attachment A – May 5, 2023, Inspection Summary Report

cc:

Humboldt County Code Enforcement

Karen Meynell [kmeynell@co.humboldt.ca.us](mailto:kmeynell@co.humboldt.ca.us)

Humboldt County Sherriff's Office

William Honsal [hso@co.humboldt.ca.us](mailto:hso@co.humboldt.ca.us)

North Coast Regional Water Quality Control Board

Jeremiah Puget [Jeremiah.Puget@waterboards.ca.gov](mailto:Jeremiah.Puget@waterboards.ca.gov)

Charles Reed [Charles.Reed@waterboards.ca.gov](mailto:Charles.Reed@waterboards.ca.gov)

Lynette Shipsey [Lynette.Shipsey@waterboards.ca.gov](mailto:Lynette.Shipsey@waterboards.ca.gov)

State Water Resources Control Board

Nate Jacobsen [Nathan.Jacobsen@waterboards.ca.gov](mailto:Nathan.Jacobsen@waterboards.ca.gov)