

North Coast Regional Water Quality Control Board

CLEANUP AND ABATEMENT ORDER

No. R1-2025-0054

Property Owner: Unknown

Responsible Parties: Owen Bergh

Subject Property: Del Norte County Assessor's Parcel Number (APN) 140-130-028-000

The North Coast Regional Water Quality Control Board (North Coast Water Board), acting through the Executive Officer, issues this Cleanup and Abatement Order to Owen Bergh referred to as "the Discharger" pursuant to California Code section 13304.

This Order requires the Discharger to clean up and abate the effects of discharges and threatened discharges of waste¹ on the subject property at Del Norte County Assessor's Parcel Number (APN) 140-130-028-000 (hereafter the Property), and to eliminate the threat of future discharges to Klamath River located within the Klamath River watershed.

The owner of the Property is unknown to the Del Norte County Assessor's Office. That office is currently investigating ownership of the Property. Once an owner is identified, the Regional Board Executive Officer will provide notice in writing to that party of the circumstances associated with this matter and involve them as necessary. However, Owen Bergh is the self-identified owner of Klamath River RV Park (which is located on APN 140-130-028-000) and, according to Del Norte County Assessor's office, the owner of APN 140-130-007-000, which is located directly adjacent to APN 140-130-028-000. Therefore, this Order is issued to Owen Bergh as the Responsible Party which has operational control over Klamath River RV Park and the discharges of waste that originated from and threaten to originate from the RV Park.

¹ [Water Code section 13050 definitions, including "waste" and "pollution"](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=13050.&lawCode=WAT)
(https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=13050.&lawCode=WAT)

FINDINGS

On September 16, 2025, the North Coast Water Board received a complaint regarding alleged unauthorized discharges of domestic waste to waters of the state. On September 16, 2025, a representative from the Del Norte County Environmental Health Division visited the Property and documented site conditions that included riverbank erosion and onsite wastewater treatment system (OWTS) failure (Attachment A – Del Norte County Environmental Health Division 9/16/25 Site Photos). On September 24, 2025, the complainant provided photos of the Property taken on August 19, 2025, to the North Coast Water Board (Attachment B – Complainant 8/19/25 Site Photos).

The extent of the unauthorized discharges and threatened discharges of waste is such that cleaning up waste or abating the effects of waste is required to protect water quality. Although some actions have been taken by the Discharger to abate the threat of discharge, the situation is urgent and represents an emergency condition. Therefore, action must be taken swiftly by the Discharger to prevent further discharges of waste to waters of the state.

The Property is located within the Klamath Glen Hydrologic Subarea of the Klamath River watershed. The Klamath Glen Hydrologic Subarea is on the Clean Water Act 303(d) list as impaired due to sedimentation/siltation, organic enrichment/low dissolved oxygen, water temperature, and nutrients. Additionally, the Property is located within the California Coastal Commission designated Klamath River Critical Coastal Area (CCA).² The Klamath River is an impaired waterbody that flows into an estuary (Klamath River Estuary)³ and Area of Special Biological Significance (Klamath River ASBS).⁴ Discharges of waste from the Property have the potential to impact the Klamath River. The Basin Plan establishes beneficial uses for the Klamath River watershed, which include, but are not limited to Municipal and Domestic Supply and Cold Freshwater Habitat, among others. These are often the most sensitive beneficial uses. For a list of all beneficial uses you can contact staff, as listed below, or access the [Basin Plan](https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/) (https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/) online.

Cleanup actions required under this Order shall be conducted to comply with the Porter-Cologne Water Quality Control Act (Wat. Code § 13000 et seq.), the [Water Quality Control Plan for the North Coast Region Basin Plan](#)

² [Klamath River CCA Factsheet 2019](https://documents.coastal.ca.gov/assets/water-quality/ccf-factsheets/North-Coast/CCA%201%20Klamath%20River%20Factsheet%2012-16-19.pdf) (<https://documents.coastal.ca.gov/assets/water-quality/ccf-factsheets/North-Coast/CCA%201%20Klamath%20River%20Factsheet%2012-16-19.pdf>)

³ [Klamath River Estuary](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=34294&inline=true) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=34294&inline=true>)

⁴ [Klamath River ASBS](https://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.html) (https://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.html)

(https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/)⁵, State Water Resources Control Board (State Water Board) [Resolution 92-49 Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304](#)

(https://www.waterboards.ca.gov/water_issues/programs/site_cleanup_program/resolution_92_49.html)⁶, and other applicable State and North Coast Water Board plans, policies, and regulations.

Del Norte County Environmental Health Division staff observed the riverbank erosion and OWTS failure, including a section of the leach field infiltrator at the bottom of the riverbank. According to these observations, the Discharger and, as a result, shall upon order of the North Coast Water 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 as described below in this order. (Water Code §13304)

As the owner of Klamath River RV Park, the Discharger controls the infrastructure and operations of the park and is responsible for the conditions of discharge and threatened discharge on the Property. The Discharger knows or should know of the conditions resulting in the discharges or threatened discharges and has the ability to prevent additional discharges.

ORDER TO CLEANUP AND ABATE WASTE

OWEN BERGH IS HEREBY ORDERED TO TAKE CORRECTIVE ACTION, PURSUANT TO WATER CODE SECTION 13304, BY COMPLYING WITH THE FOLLOWING:

1. By October 24, 2025, pump all wastes from the septic tanks associated with the failed OWTS and provide receipts and photographic confirmation of implementation to the North Coast Water Board.
2. By October 24, 2025, complete all work to clean up and properly dispose of all wastewater system components and other infrastructure that have broken off and already discharged or threaten to discharge to waters of the state and provide receipts and photographic confirmation of implementation to the North Coast Water Board.
3. By October 24, 2025, disconnect the failed OWTS from receiving wastewater flow from any source, including but not limited to any buildings, recreational

⁵ [Basin Plan](#)

(https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/)

⁶ [Resolution 92-49 citation](#)

(https://www.waterboards.ca.gov/water_issues/programs/site_cleanup_program/resolution_92_49.html)

vehicles (RVs), and RV dump stations and provide receipts and photographic confirmation of implementation to the North Coast Water Board.

4. By October 24, 2025, disable any components of the failed OWTS that, if activated, would cause the contents of the tanks to be pumped out or move from the tanks to the dispersal components of the OWTS and provide receipts and photographic confirmation of implementation to the North Coast Water Board.
5. By November 15, 2025 and on the 15th of each calendar month thereafter until notified in writing by the Regional Board Executive Officer, provide photo documentation to the North Coast Water Board of the condition of the bank of the Klamath River at the location of the exposed OWTS components and of the OWTS dispersal field itself, including any additional OWTS components that have been exposed by erosion or fallen into the Klamath River or its channel.

Other Regulatory Requirements: The Discharger is responsible for obtaining all applicable local, state, and federal permits and approvals necessary to fulfill the requirements of this Order prior to beginning the work. This Order does not relieve the Discharger from complying with all other local, state, and federal requirements, nor does it preclude the North Coast Water Board from taking any and all other actions allowed by law.

Modifications: Any modification to this Order shall be in writing and approved by the North Coast Water Board or its delegated officer including any potential extension requests. If, for any reason, the Discharger is unable to comply with the deadlines in this Order, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as a delay is recognized and prior to the compliance deadline.

Enforcement Authority: If the Discharger fails to comply with the requirements of this Order, this matter may be referred to the Attorney General for judicial enforcement or a complaint for administrative civil liability may be issued by the North Coast Water Board. Failure to comply with this Order may result in the assessment of an administrative civil liability of up to \$5,000 per day pursuant to Water Code section 13350(a)(1) or \$10,000 per day pursuant to Water Code section 13385. The North Coast Water Board reserves its right to take any enforcement actions authorized by law, including, but not limited to, enforcement for the underlying discharges of waste in violation of the North Coast Water Board's requirements and/or the Water Code.

No Limitation of Water Board Authority: This Order in no way limits the authority of the North Coast Water Board to amend this Order to require additional investigation and cleanup of the Property consistent with the Water Code. This Order may be modified if additional information becomes available, including adding responsible parties when/if those parties are identified.

California Environmental Quality Act (CEQA) Compliance: Issuance of this Order is an enforcement action by a regulatory agency to enforce the provisions of the Water

Code and/or the North Coast Water Board's Basin Plan, and is exempt from provisions of the CEQA (Pub. Resources Code § 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15321. This action may also be considered exempt because it involves minor alterations to land and/or is an action by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of natural resources or the environment. (Cal. Code Regs., tit. 14, §§ 15304, 15307, & 15308).

Requesting Review by the State Water Board: Any person aggrieved by this action of the North Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition no later than 5:00 p.m., 30 days following the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet on the [North Coast Regional Water Quality Control Board website](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) (https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request.

This Order is effective upon the date of signature.

Signed copy upon request.

Valerie Quinto
Executive Officer

Attachments: Attachment A – Del Norte County Environmental Health Division 9/16/25
Site Photos
Attachment B – Complainant 8/19/25 Site Photos

Attachment A - Del Norte County Environmental Health Division 9/16/25 Site Photos



Photo No. 1 – IMG 1169



Photo No. 2 – IMG_1171



Photo No. 3 – IMG_1173



Photo No. 4 – KR RV PARK 1



Photo No. 5 – KR RV PARK 2



Photo No. 6 – KR RV PARK 3

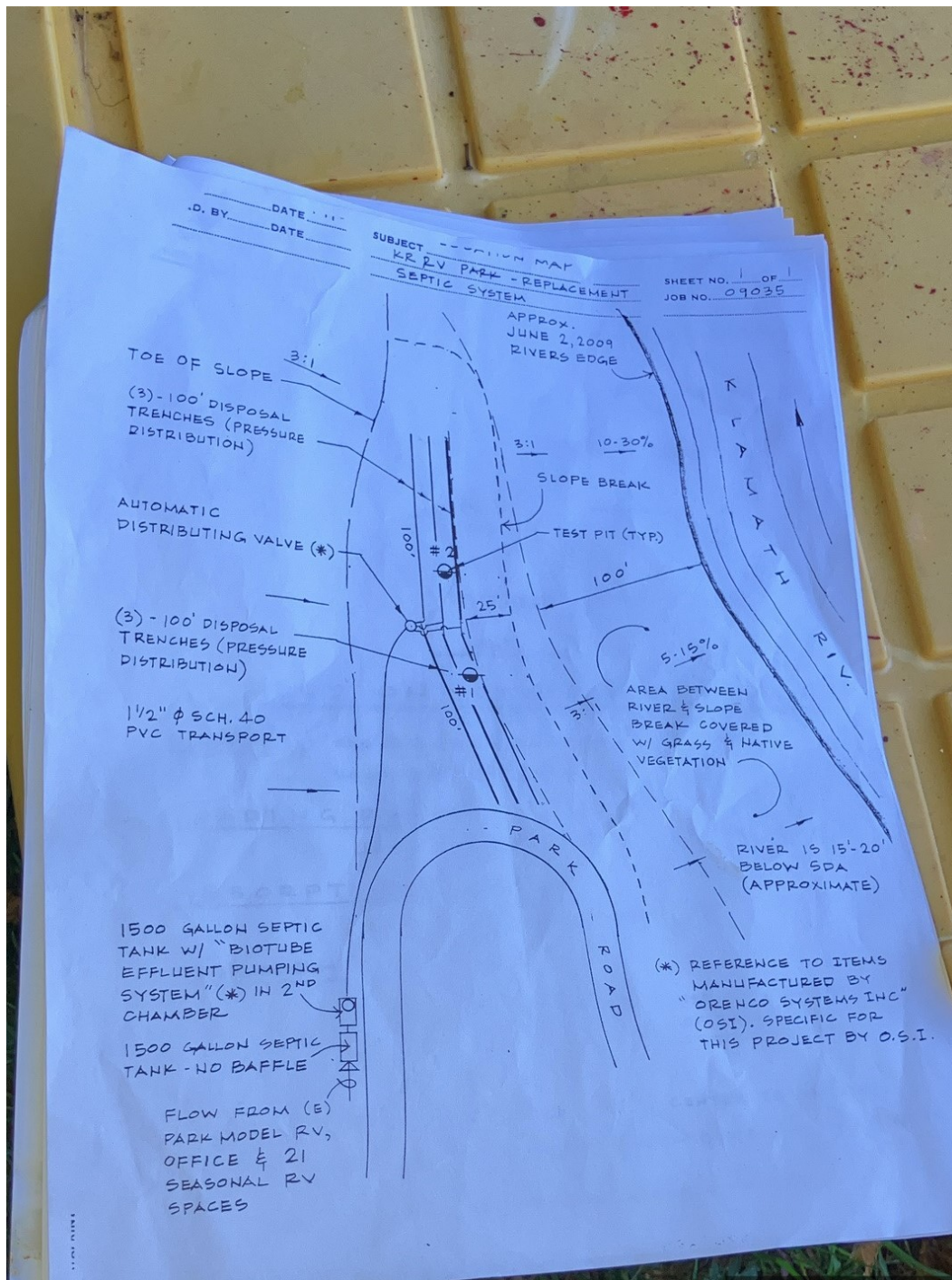


Photo No. 7 – KR RV PARK 6

Attachment B - Complainant 8/19/25 Site Photos



Photo No. 1



Photo No. 2



Photo No. 3



Photo No. 4