



EXECUTIVE OFFICERS REPORT North Coast Regional Water Quality Control Board

May 2014

2014 319(h) Grant Projects *Diana Henrioulle*

Late in April, State Water Board's Division of Financial Assistance has notified successful applicants for 2014 319(h) grant funds. The federally funded 319(h) program addresses Nonpoint Source (NPS) pollution. Each year, the California NPS Program allocates approximately \$4.0 million of this funding from the U.S. Environmental Protection Agency to support implementation and planning projects that address water quality problems in surface water and groundwater resulting from NPS pollution. The ultimate goal of these projects is to restore the impacted beneficial uses in these water bodies. Projects are required to be located in a watershed that has an adopted/nearly adopted Total Maximum Daily Load (TMDL) for the constituent(s) of concern and has been identified as a preference watershed in the NPS Program Preferences.

This year's program allocated about \$3.9 million, funding 12 projects statewide, including the following four projects in the North Coast Region:

- 1) **Organization:** Mendocino County Resource Conservation District
Project Title: Collaborative TMDL Planning for the Navarro Watershed

Description: This project will include Level 1 aerial photo analysis of three subwatersheds in the Navarro watershed, and Level 2 review to identify highest priority impaired water

body segments, identification of areas where canopy/riparian buffers are most needed, and identification and development of plans for implementation projects to address high priority sediment sources and critical temperature areas.

- 2) **Organization:** Salmonid Restoration Federation (SRF)
Project Title: Redwood Creek, South Fork Eel River, Water Conservation Monitoring, Planning and Assessment, and Education Project

Description: The SRF will monitor summer flows and temperatures in Redwood Creek to identify impairments and solutions, and to build capacity for a water conservation program. SRF will engage the local community in monitoring efforts and work with county, state, and federal agencies to identify critical reaches for water conservation projects that could increase cold water instream flows. SRF will educate users on water conservation practices. SRF will coordinate closely with Cal Trout (see project 3) description, below) to optimize efforts and project effectiveness where possible.

- 3) **Organization:** California Trout, Inc.
Project Title: South Fork Eel River Conservation Project

Description: Cal Trout, in partnership with Trout Unlimited, CEMAR (Center for Ecosystem Management and Restoration), McBain Associates, and Humboldt State University's Institute for River Ecosystems,

will develop and implement a water supply study, instream flow study, and water consumptive demand evaluation in the Sproul Creek watershed. Through this project, Cal Trout plans to develop a watershed-scale diversion management plan and methodology applicable to the South Fork Eel River basin, as well as to other coastal tributaries. This project also will include public outreach and education, and identification of water conservation opportunities to increase summer low flows. Water conservation opportunities are particularly targeted, though not solely, to marijuana cultivation practices. As noted in the description for the SRF project (2) above) Cal Trout and SRF will coordinate closely to optimize efforts and effectiveness of their respective projects.

Also occurring in parallel to the SRF and Cal Trout efforts will be the Regional Water Board's Cleanup and Abatement Account-funded effort with the Mendocino County Resource Conservation District and Eel River Recovery Project to monitor temperature and observe flows throughout the Eel River watershed, to educate and inform watershed residents about the impacts of water use and land management activities on instream conditions, and to assist residents in identifying and implementing measures to conserve water and protect water quality. Finally, also in parallel to these efforts is the University of California, Berkeley's 5-year, \$5 million study of the Eel River basin, intended to increase understanding about the role that watershed characteristics, climate influences, and human activities have on flows and beneficial uses of the Eel River.

- 4) **Organization:** California Land Stewardship Institute (CLSI)
Project Title: Focused Implementation of Sediment/Temperature TMDLs in the

Navarro River Basin using the Fish Friendly Farming Program

Description: This project is intended to enroll and certify 5,000 acres of vineyard/orchard parcels in the Navarro River watershed into the Fish Friendly Farming (FFF) program- assessing parcels for sediment sources, water sources, conservation opportunities and riparian conditions and to identify and apply appropriate management measures. CLSI also proposes under this project to recertify 3,940 acres of vineyard/orchard parcels in the Navarro watershed that had previously enrolled in and been certified under the program. CLSI has committed to working closely with Regional Water Board staff as we develop our agricultural lands regulatory program, and to revise the FFF program as needed to implement our program, once developed. FFF has been actively implemented in the North Coast Region since its inception in 1997; staff of the North Coast Region have worked cooperatively to help review and affirm successful implementation of FFF - recommended management measures on vineyards throughout Sonoma and Mendocino County, and the program has migrated successfully into the San Francisco Bay and Central Valley Regions, as well.

The next step for these projects will be grant agreement development, which we expect will begin in May 2014. We will update the Board once these projects are underway.

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Hi-Ridge Mill Site in Yreka
Cody Walker

Regional Water Board staff is involved in a Siskiyou County cleanup and redevelopment project that is a boon for water quality, the environment, and economic redevelopment.

The Regional Water Board has been the lead oversight agency for pollution cleanup at the former Hi-Ridge Lumber Company mill site in Yreka since the late 1970s. Contamination of the site is primarily due to the historical use of wood preservative chemicals. Onsite and offsite investigations identified wood preservative contamination in soil, groundwater, and storm water discharges. Some effort towards cleanup was conducted by Hi-Ridge at the former green-chain area (where lumber was sorted and treated). However, contaminated storm water discharges continued to occur.

In 1998 Hi-Ridge Lumber Company ceased operations at the site and went out of business. This caused the loss of many jobs and removed resources for continued cleanup. The site sat unoccupied for many years until a county tax sale divided up ownership of several land parcels that collectively were the mill site. In late 2013, the Regional Water Board was contacted by Fruit Growers Supply Company, a prospective buyer of the main mill site parcels. Fruit Growers had the intention of reusing the property for milling purposes, while also conducting due diligence investigations prior to closing purchase of the properties.



The former Hi-Ridge Lumber mill was initially constructed as Eastlick Lumber Mill in the mid-1950s. Hi-Ridge Lumber Company operated the site from 1970 until 1998. At center left is the foundation of the former sawmill. Photo by Cody Walker

Regional Water Board cleanup staff worked diligently with Fruit Growers to develop a path forward. Upon reviewing the results of the investigations and identifying an acceptable remedial action alternative in coordination with Regional Water Board staff, Fruit Growers moved forward with the purchase of the former Hi-Ridge mill under terms of the California Land Reuse and Revitalization Act of 2004 (CLRRRA). What the CLLRA program does is identify specific terms between a prospective purchaser and the lead regulatory agency for cleanup of a contaminated property. An acceptable remediation plan and CLLRA agreement were developed by Fruit Growers and Regional Water Board staff and the Executive Officer signed the agreement.

Since closing the purchase of the properties in December 2013, Fruit Growers has moved forward with implementing the remedial action plan that consolidates soil containing non-hazardous levels of residual wood preservative contamination at the former green-chain location. The soil was subsequently capped with clean fill and impervious asphalt concrete to mitigate potential human health risks, exposure of the contaminated soil to precipitation, and abate contaminated storm water discharges. Fruit Growers engineered storm water management plans included the construction of five storm water retention ponds to reduce offsite storm water discharges. Included as part of the remedial action plan is a commitment to use institutional controls, or deed restrictions, limiting use of the property as heavy industrial, and a continuing responsibility to conduct operation and maintenance of the cap.



Destruction of a contaminated mill supply well occurred as part of the site remediation. Photo by Cody Walker

Completion and full operation of the new lumber mill is anticipated by the end of 2014. With redevelopment of the former Hi-Ridge mill, an otherwise blighted set of properties have been cleaned up to address ongoing environmental problems while at the same time creating an economic boost to the community.



Agricultural Lands Discharge Program

Ben Zabinsky

North Coast Regional Water Quality Control Board staff continue to develop the Agricultural Lands Discharge Program, focusing on a series of targeted permits specific to agricultural commodities or geographic areas. In the near term, staff are developing permits for discharges from each of the following commodities/areas: agriculture in the Tule Lake watershed, outdoor lily bulb cultivation, and marijuana cultivation and associated activities, vineyards and orchards. This article provides an update on the first three permits under development. Staff will provide a separate update on a

permit for dischargers associated with marijuana cultivation activities in the next few months.

- Agriculture Discharges in the Tule Lake Basin – Staff met with agriculture interests in the Tule Lake Basin in January 2014 to discuss the formation of a third-party program to meet some of the permit requirements, such as development of a group water quality management plan and coordinated monitoring and reporting. In March 2014, staff held a teleconference call with environmental and tribal interests regarding the development of this permit to get their input. Staff is also participating in a Lost River monitoring group which is evaluating existing monitoring data in the basin in part to determine monitoring requirements for the permit. Staff currently anticipate bringing this permit to the Board for consideration in early 2016.



Walking Wetlands, Tule Lake Basin. Photo by Rebecca Fitzgerald

- Lily Bulb Cultivation – Staff met with lily bulb growers, agricultural interests and environmental interests in April 2014 to get input on permit development and to discuss recent water quality sampling results that included toxicity testing. Preliminary test results have shown occurrences of toxicity in surface water

both above and below areas of lily bulb cultivation. The source of the toxicity has not been determined. Sampling will continue in the basin through winter of 2015. In response to a Regional Board staff request, the lily bulb growers with input from Natural Resource Conservation Service and University of California Cooperative Extension staff will be reporting existing water quality protection measures being implemented on lily bulb operations. Staff will incorporate this information into conditions of the permit. At this time staff anticipate bringing the lily bulb permit to the Board for consideration in late 2016.



Lilly Bulb Field. Photo by Rebecca Fitzgerald

- **Vineyards & Orchards** – Staff plan to develop draft requirements for third-party programs, including certification programs, by mid-2014. Staff are coordinating with the San Francisco Bay Region’s development of a discharge permit for vineyards in the Sonoma Creek and Napa River watersheds. Staff are also coordinating with existing third-party certification programs to align their program requirements with the requirements of the upcoming permit. Staff are developing the program so that participation in a third-party certification program will facilitate compliance. Staff have also attended local grower meetings to reach out to the local agricultural community regarding the upcoming

permit. Staff anticipate bringing the vineyards and orchards permit to the Board for consideration in 2018.



Spring Vineyard at Laguna Trail. Photo by Rebecca Fitzgerald.

Additionally, staff are continuing to implement the TMDL Waivers of Waste Discharge Requirements for the Scott and Shasta River watersheds.

For additional information on the North Coast Regional Water Board’s Water Quality Compliance Program for Discharges from Agricultural Lands, please see the following Web site or contact Ben Zabinsky at (707) 576-6750 (BZabinsky@waterboards.ca.gov). You may also click on the following link: http://www.waterboards.ca.gov/northcoast/water_issues/programs/agricultural_lands/



Flood Irrigation. Photo by Rebecca Fitzgerald

Enforcement Report for May 2014 Executive Officer's Report
Diana Henriouille

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
1/6/14	Humboldt Redwood Company, LLC	NOV	Failure to disclose information required by WDRs.	Ongoing

Comments: On January 6, 2014, the Chief of the Nonpoint Source and Timber Harvest Division issued a Notice of Violation (NOV) to Humboldt Redwood Company LLC for failure to identify and treat an existing controllable sediment discharge source on a timber harvest plan site per directives of WDR Order No. R1-2004-0030. Regional Water Board staff identified this site during a completion inspection for the project. HRC has scheduled this site for treatment by October 15, 2014. If this site fails and causes a discharge of sediments prior to treatment, staff may recommend the assessment of penalties.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
1/13/14	Klamath National Forest	NOV	Unauthorized discharge of sediment and turbid water into waters of the State	No action required

Comments: On January 13, 2014, the Chief of the Nonpoint Source and Timber Harvest Division issued a NOV to Klamath National Forest for discharges of sediment and turbid water to Olsen Creek and the North Fork Salmon River resulting from sediment pond cleanout activities that occurred on October 29, 2013. The NOV directs the Discharger to implement adequate sediment control BMPs in the future. The Discharger will also remove a portion of the deposited sediment by hand over the upcoming dry season, subject to prior review and approval by Regional Water Board staff.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
3/7/14	Becki J. Rodriguez	NOV	Failure to meet CAO deadlines	Ongoing

Comments: On March 7, 2014, the Assistant EO issued an NOV to Becki J. Rodriguez for failure to comply with a directive of Cleanup and Abatement Order (CAO) No. R1-2013-0064, specifically, submittal of a full restoration plan for property in Humboldt County. The original violations leading to issuance of the CAO involved site clearing, stream filling, and placement of fill in and where it could enter watercourses. The Discharger has developed and implemented interim erosion controls on the site, but must complete full site restoration per an approved plan by October 1, 2014.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
3/24/14	Fernando Becerra-Valencia	NOV	Draining and placing fill in vernal pools	Ongoing

Comments: On March 24, 2014, the Chief of the Nonpoint Source and Timber Harvest Division issued an NOV to Fernando Becerra-Valencia for unauthorized activities involving draining vernal pools and placing fill and constructing fencing in vernal pools, on his property on Madera Avenue in Santa Rosa, in violation of the Federal Clean Water Act and California Water Code section 13050. The Discharger has been directed to take immediate measures to stop pools from draining and to remove fencing, as well as to provide a wetland evaluation and restoration plan within 45 days of the date of the NOV (by May 8, 2014). The Discharger has taken steps to prevent further pool drainage and has engaged a consultant to develop the wetland evaluation and restoration plan.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
3/24/14	Santa Rosa Dept. of Public Works	ACLC	Unauthorized discharges of treated or partially treated wastewater to receiving waters	Discharger has waived hearing within 90 days and requested to enter settlement discussions.

Comments: On March 24, 2014, the AEO issued Administrative Civil Liability Complaint (ACLC) No. R1-2014-0024 to the City of Santa Rosa WWTF for discharges of treated and partially treated wastewater, including sediment-laden recycled water to the Laguna de Santa Rosa and other tributaries that are tributary to the Russian River and waters of the United States. Those discharges are violations of WDR Order No. R1-2006-0045 and the North Coast Regional Water Quality Control Basin Plan (Basin Plan). The proposed penalty is \$74,776.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
3/25/14	Comptche Store	CAO	Unauthorized discharge of petroleum product	Ongoing

Comments: On March 25, 2014, the EO issued Cleanup and Abatement Order No. R1-2014-0025 to Belinda Marie Pollack, Comptche Store, for the release of approximately 150 to 250 gallons of gasoline to an unnamed tributary of the Albion River. The Order requires the Discharger to submit and implement workplans and monitoring plans to address the violations onsite and document and report on correction efforts.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
3/25/14	Spring Hill Cheese	ACLC	Failure to furnish information and reports as required under General WDR for cow dairies	Ongoing

Comments: On March 25, 2014, the AEO issued ACLC No. R1-2014-0022 to Spring Hill Jersey Cheese, Inc. for failure to submit Annual Reports, as required by the General Order R1-2012-0002. The proposed penalty is \$22,200.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
4/3/14	Donald & Rogie Shutt	NOV	CAO non-compliance	Ongoing

Comments: On April 3, 2014, the EO issued an NOV to Donald and Rogie Shutt for failure to comply with CAO No. R1-2013-0050. The CAO required submittal and implementation of restoration and monitoring plans to correct damage caused by unauthorized hydromodification and stream filling in Gilbert Creek, tributary to the Pacific Ocean, near Smith River. The Dischargers have thus far failed to comply with any directive of the CAO, and are months past due in meeting several compliance and submittal deadlines. The NOV discusses these violations and potential penalties, encourages the Dischargers to contact staff to discuss plans to come into compliance, and advises the Dischargers that staff are reviewing violations in preparation for developing an Administrative Civil Liability Complaint.

Date Issued	Discharger	Action Type	Violation Type	Status as of February 20, 2014
1/17/14	Crescent City Harbor District	NOV	1/17/14	Ongoing

Comments: On January 17, 2014, the Chief of the Nonpoint Source and Timber Harvest Division issued a Notice of Violation (NOV) to Crescent City Harbor District (CCHD) for illegal disposal of construction material on the "Pappas Property." The NOV directs the Discharger to immediately cease any activities that involve the disposal of any construction debris or other materials from CCHD projects at any location that does not have all the appropriate and required permits in place prior to their use, and in any manner that may adversely affect water quality. The NOV also directs the Discharger to obtain all the required permits for past and potential future use of the "Pappas Property" including coverage under the General Stormwater Permit, and preparation and implementation of an appropriate Storm Water Pollution Prevention Plan.

Date Issued	Discharger	Action Type	Violation Type	Status as of February 20, 2014
1/17/14	Dry Creek Properties	NOV	Storm Water Permit	Ongoing

Comments: On January 17, 2014, the Assistant E.O. issued an NOV to Dry Creek Properties for threatened or potential threat to discharge sediment to waters of the State from grading activities. The Discharger was directed to submit reports and properly winterize exposed soil by January 27, 2014.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
2/26/14	California Dept. of Transportation	NOV	Violations of Water Quality Certification, Basin Plan Prohibitions, and statewide permit	Ongoing

Comments: On February 26, 2014, the Division Chief of the Non Point Source and Timber Harvest Division issued a NOV to Caltrans for its Willits Bypass Project, due to failure to comply with requirements of its Clean Water Act section 401 Water Quality Certification and the Statewide Construction General permit, as well as for violations of Basin Plan prohibitions. Specifically, stormwater discharges from the project have exceeded Basin Plan water quality objectives for turbidity and for pH, on multiple occasions, and Caltrans has provided an incomplete monitoring report for January 2014. The NOV directs Caltrans to repair, improve, and document improvements made to BMPs; submit a plan to provide additional BMPs as appropriate; consider installing and operating an Active Treatment System to treat stormwater from the site; submit a number of reports from the period during which the violations were documents; submit a Project Rain Event Action Plan; and revise and resubmit a complete monitoring report for January 2014. Caltrans responded to us on March 7th and submitted all of the information required by the NOV.

Date Issued	Discharger	Action Type	Violation Type	Status as of April 16, 2014
2/27/14	Stony Point Cleaners	CAO	PCE contamination in groundwater	Ongoing

Comments: On February 27, 2014, the Executive Officer issued Cleanup and Abatement Order R1-2014-0018 (CAO) to several parties identified as Dischargers associated with the Stony Point Cleaners located at 469 Stony Point Road in Santa Rosa. The CAO directs the Dischargers to develop a workplan describing Interim Remedial Measures to be implemented at the site, provide periodic monitoring reports, and develop and implement a plan to test indoor air to determine the human health risks to workers inside the building. workplans were due to be submitted by April 13, 2014. In response to extension requests submitted by various of the parties named as Dischargers, the EO has granted a 90 day extension to this deadline to allow the named parties to work together to produce the required workplans.

