

Third Party Proposal  
Pursuant to  
Order No. R1-2015-0023

Prepared for:

North Coast Regional Water Quality Control Board  
5550 Skylane Blvd., Ste. A  
Santa Rosa, CA 95403

Prepared By

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## **Order II B 1: Program Purpose**

The names, addresses, telephone numbers and e-mails of all enrolled and non-enrolled (if available) dischargers shall be compiled and stored on an excel spreadsheet within a password protected server at the office of Jacobszoon and Associates (J&A). An electronic folder (Microsoft Windows) shall be developed for each enrolled discharger. The folder will include:

- Directions to the property.
- A vicinity map and general topographic map of the site.
- A map of the project site's watershed with watercourses identified by Class.
- A Water Resource Protection Plan (Tier 2) and monitoring plan.

J&A shall collect all required fees from all enrollees as per the State Water Board fee schedule. Fees shall be placed in a trust account and deposited at the Savings Bank of Mendocino County in Ukiah. All fees invoiced by the State Water Board shall be paid from the trust account for each enrollee. J&A will track payments for each enrollee on a single excel spreadsheet.

Enrollees shall be required to have access to a secure e-mail account. All communication and notifications shall be via e-mail between J&A and enrollees, and between J&A and the Regional Water Board. Any new information regarding the program and the implementation of the program can be communicated from the Regional Water Board to the enrollees via J&A. All records generated that are related to the Order shall be available to Regional Water Board staff, and shall be retained for a period consistent with the Regional Water Board's document retention policy.

Each enrollee will be asked to complete a Notice of Intent form and a Monitoring and Reporting Program form. An electronic folder will be developed for each enrollee on a password secured server which will store Notice of Intent forms, Monitoring and Reporting forms, Water Resource Protection Plans and Inspection Reports. Files will be made available to the Regional Water Board upon request, and shall be retained for a period consistent with the Regional Water Board's document retention policy.

All dischargers applying for enrollment pursuant to Order No. R1-2015-0023 will require an initial site inspection. The inspection will include an evaluation regarding the proper Tier for the specific site. Depending upon the size of the operation and the risk to water quality, J&A, with input from the dischargers, will make a decision as to the Tier level of the site.

J&A will work with each discharger regarding the Tier 1 characteristics, standard condition requirements, and a monitoring and reporting program. The site visit will include a review of the Tier1 characteristics with the discharger and a review of the property to determine compliance. J&A shall inspect the site periodically and certify its compliance with Tier 1. Annual site inspections shall be completed by J&A, and any records generated will be stored on a password secured computer. Annual certifications shall be maintained on site with the initial certification and copy of the Order.

Dischargers that cannot meet the Tier 1 requirements will be required to abide by the Tier 2 requirements. Tier 2 dischargers must meet the Tier 1 requirements plus the development and

implementation of a Water Resource Protection Plan. J&A will develop a Water Resource Protection Plan with assistance from each discharger. The Water Resource Protection Plan will identify features on the site that do not comply with standard conditions, prescribe corrective measures to bring the site into compliance with each condition, and provide a schedule to implement those corrective measures. J&A will conduct annual (just prior to October 15) site inspections and monitoring of the site for compliance with the management measures of the Plan. In the event that prescribed corrective measures are not completed within the agreed upon implementation schedule, the discharger will then enter J&A's progressive enforcement process. The progressive enforcement process involves J&A notifying the Water Quality Control Board of the discharger's non-compliance, assigning a new implementation schedule that if not followed will result in termination of enrollment from Order No. 2015-0023. J&A will also conduct site inspections and monitoring following the accumulation of 3" total precipitation or by December 15 (whichever is sooner), as well as following any rainfall event with an intensity of 3" precipitation in 24 hours. Additional inspections and monitoring will be conducted as progress is made on prescribed corrective measures and proposed deadlines for said corrective measures near. Inspections will be more frequent where fixes are more involved and require more professional oversight. Inspection and monitoring reports shall be retained for a period consistent with the Regional Water Board's document retention policy, and made available to the Water Quality Control Board upon request.

#### **Order II B 2: Third Party Technical experience/qualifications:**

See attached Resumes. Any action associated with the implementation of this Order that requires a licensed professional shall be performed by such as required by the California Business and Professions Code and California Code of Regulations. The role of outside consultants will consist primarily of providing second opinions on complex sites. This will most likely involve a geologist and/or engineer. Enrollment into the Order will likely trigger the requirement to obtain permits from other agencies, and our outside consultants will be used indirectly for preparation of permits on our behalf (grading permits, soils/geo reports, etc.) They will also be used for enrolling Tier 3 sites until J&A has a staff CE or CEG/RG. J&A will provide coordination, supervision and task allocation for J&A's Third Party Program. J&A's field technicians will provide technical expertise in the form of conducting Order required field work and preparing associated technical documents. J&A will be responsible for tracking names of participating (and non-participating) dischargers, collecting and submitting required fees, overseeing and managing communications between J&A, Dischargers, and the Regional Water Board, and maintaining the database of information needed to satisfy annual compliance reporting to CIWQS. J&A's Third Party Program is funded by consulting fees charged to the participating clients. All records generated that are related to the Order shall be retained for a period consistent with the Regional Water Board's document retention policy.

### **Order II B 3: Organizational capacity and funding mechanisms**

Jacobszoon and Associates is operated as a sole proprietorship. Attached is a summary of Schedule of Rates. A copy of our Commercial Liability Insurance, Auto Insurance and Errors and Omission insurance shall be provided upon request. A summary of J&A revenue and expenditures will be provided upon request.

### **Order II B 4: Sample Water Resource Protection Plan**

Attached is an Erosion Control Plan and Regeneration Plan drafted in response to a Cleanup and Abatement Order. Also attached is a monitoring report to the above referenced document. Plans developed by J&A for this program will include all elements required by the Order.

### **Order II B 5: Framework for annual compliance reporting to CIWQS**

- Number of enrollees in each tier category, by subwatershed;
- Total fees charged;
- Compliance status (for example, how many Tier 2 dischargers are in the process of developing water resource protection plans, how many have developed and are implementing plans, how many are in compliance with standard conditions, how effective are BMPs, what changes or improvements are proposed to improve program effectiveness or compliance rate); and
- Monitoring information for each of the parameters listed in the MRP.

J&A will have all of the required information/records stated above. J&A shall provide annual monitoring and any other required compliance information to the Regional Water Board. All records generated that are related to the Order shall be available to Regional Water Board Staff. Any information provided to the Regional Water Board shall adhere to eSMR business rules for reporting to CIWQS.

**Order II B 6: Liability Waiver:**

**Release of Liability Waiver  
Order R1-2015-0023**

I hereby agree to be responsible to meet the stated terms and conditions of Order R1-2015-0023, and to release Jacobszoon and Associates (J&A) from any claims and demands that may occur in association with the implementation of the Order.

Furthermore, I agree to release J&A and its employees, contractors, and consultants, and will hold them harmless from liability which may arise from implementation of said Order to the extent allowed by the law.

LANDOWNER SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

**Order II B 7: Framework for Compliance Confirmation and addressing Non-Compliance:**

All enrollees of the Order will be required to file a Notice of Intent as well as a Monitoring and Reporting Program form. Enrollees must comply with the Standard Conditions of the Order, and J&A will develop and implement a Water Resource Protection Plan, if their site is subject to Tier 2 requirements.

The initial inspection by J&A will identify sites that qualify as controllable sediment sources that require treatment to be in compliance with the Standard Conditions and will be included as part of the Water Resource Protection Plan. J&A will develop an inventory of the sites, that will include a map identifying each site and a table that will report the total site volume, potential deliverable volume, rate of delivery, potential for delivery, and implementation schedule for each sediment source. The table will include a description of the site and the proposed mitigation. If additional controllable sediment sources are discovered at any time, these sites shall be added to the table.

As part of the Monitoring and Reporting Program, the person conducting the inspection will document a visual inspection and take a photograph of each sediment source identified in the Plan. Each inspection will include an updated photo of any changes to a sediment source. Sites will be monitored in compliance with the requirements of the Monitoring and Reporting Program, including future amendments.

Following each inspection, J&A will file a report regarding listed sediment sources (including photographs), sediment sources that have been successfully mitigated, and new sites that may have been discovered during the inspection. Listed sediment sources will be evaluated as per the Water Resource Protection Plan and the implementation schedule. New sites will be documented and amended into the Plan. Sediment sources that have not been mitigated and are in non-compliance as per the Plan shall be documented and made part of the inspection report.

The inspection reports shall be compiled and stored in password secured electronic files for each enrollee. All inspections, documents, and each report shall be made available to the Regional Water Board upon request, and shall be retained for a period consistent with the Regional Water Board's document retention policy.

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