



# Enforcement News

## **Sutter County Developer Agrees to \$160,000 Settlement over Environmental Threats to Grass Valley's Wolf Creek**

### ***Hilbers New Home Communities LP Violates Storm Water Rules***

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**SACRAMENTO** – The Central Valley Regional Water Quality Control Board has reached a [\\$160,875 settlement](#) with a Sutter County developer for violating its stormwater permit and allowing sediment to run into a nearby creek last winter.

The developer, Hilbers New Home Communities LP, based in Yuba City, enrolled in the stormwater construction permit program but failed to implement stormwater best management practices required by the permit at its Timberwood Estates construction site between November 2018 and February 2019. This allowed turbid storm water and sediment to flow into a nearby creek which drains to Wolf Creek, which flows through Grass Valley.

“The owner of this project did not protect the site during the winter months and was slow to install effective storm water management Best Management Practices allowing sediment-laden stormwater to discharge into a nearby creek,” said Andrew Altevogt, assistant executive officer for the Central Valley Water Board. “This project was in an area that gets roughly three times the rainfall that the valley gets, and our expectation is that permit holders take this into account and take appropriate steps to protect the site. That did not happen in this case.”

Hilbers New Home Communities LP had enrolled the project in the statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbing Activities but failed to protect the site during rain events. Regional Water Board staff inspected the project several times between September 2018 and March 2019 and found the project lacked the kind of erosion controls required in the permit until late February 2019, when the developer installed a storm water treatment system to filter storm water prior to discharge to the creek.

The settlement was reached using a streamlined process that allowed Hilbers New Home Communities LP to quickly resolve the violations.



The owners of any construction site greater than 1 acre in size must enroll in the [General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities](#). Among other items, this permit requires the owner to hire a “stormwater professional” to design and install erosion and sediment controls to prevent discharges of sediment-laden stormwater.

Discharges of sediment can cloud the receiving water, which reduces the amount of sunlight reaching aquatic plants. These discharges can also clog fish gills, smother aquatic habitat and spawning areas, and transport other materials such as nutrients, metals, and oil and grease which can negatively impact aquatic life and habitat.

[The Central Valley Regional Water Quality Control Board](#) is a California state agency responsible for the preservation and enhancement of water quality.

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