

Appendix G

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION

FACILITY INSPECTION FORM

DATE: February 20, 2007 TIME: 09:50 AM WDID: 9 33C320657 FILE NO. 10-3020657

Roripaugh Ranch
FACILITY OR DEVELOPER NAME

Jason Ochoa
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

Nicholas Road and Butterfield Stage Road
FACILITY STREET ADDRESS

Temecula, CA
FACILITY CITY AND STATE

Ashby USA, LLC
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE
If different from Facility Contact

Peter Olah
OWNER CONTACT NAME AND PHONE #

FACILITY REPRESENTATIVE(S) PRESENT DURING INSPECTION: None (unscheduled follow-up inspection)

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS (CHECK ALL THAT APPLY)

- MS4 URBAN RUNOFF REQUIREMENTS NPDES NOS. CAS0108758, CAS0108740 or CAS0108766
- GENERAL PERMIT ORDER NO. 99-08-DWQ, NPDES NO. CAS000002 - CONSTRUCTION
- GENERAL PERMIT ORDER NO. 99-06-DWQ, NPDES NO. CAS000003 - CALTRANS
- GENERAL PERMIT ORDER NO. 97-03-DWQ, NPDES NO. CAS000001 - INDUSTRIAL
- GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
- GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
- SECTION 401 WATER QUALITY CERTIFICATION
- CWC SECTION 13264

INSPECTION TYPE (Check One)

- A1 _____ "A" type compliance--Comprehensive inspection in which samples are taken. (EPA Type S)
- B1 _____ "B" type compliance--A routine nonsampling inspection. (EPA Type C)
- 02 X Noncompliance follow-up--Inspection made to verify correction of a previously identified violation.
- 03 _____ Enforcement follow-up--Inspection made to verify that conditions of an enforcement action are being met.
- 04 _____ Complaint--Inspection made in response to a complaint.
- 05 _____ Pre-requirement--Inspection made to gather info. relative to preparing, modifying, or rescinding requirements.
- 06 _____ Miscellaneous - inspection type is not included on this list, may include NOT, NEC, NONA or other types
- 07 _____ Pretreatment Audit (every five years)
- 08 _____ Pretreatment Compliance (yearly except audit year)

INSPECTION FINDINGS

Y Were violations noted during this inspection? (Yes/No/Pending Sample Results) if YES SEE SECTION IV below

No Was an enforcement action taken during this inspection? (Yes/No)

No Were samples taken? (N=no) If YES then, G= grab or C= Composite and attach a copy of the sample results/chain of custody form

COMMENTS REGARDING INSPECTION (FOR ENTRY INTO SWIM, such as notes on photos, file locations and/or samples):
Unscheduled inspection conducted to evaluate Discharger's BMP corrections from previous construction violations (R9-2006-0135) issued in November 2006. Pictures were taken of inspection violations.

I. COMPLIANCE HISTORY:

NOV R9-203-0197 was issued on April 22, 2003 for discharges of sediment and inadequate BMPs. NOV R9-2003-0392 was issued on November 4, 2003. ACL Order R9-2003-0302 was issued on November 12, 2003 in the amount of \$51,000. On March 21, 2006, SEA was issued for discharges of sediment and inadequate BMPs. NOV R9-2006-0135 was issued on November 2, 2006 for various construction and 401 Certification violations. A required technical report was due November 30, 2006.

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II. FINDINGS

The weather on the day of inspection was slightly overcast, but sunny. The drive-by inspection was to evaluate the down stream effects of runoff discharge from the sediment basin after a recent rain event. The Regional Board had received several complaints of hydromodification effects from neighbors located down gradient from the sediment basin. Discharges from the sediment basin had altered a natural water way, caused severe erosion of the banks, and deposited large quantities of sediment on down gradient properties. The Regional Board, in response to those complaints, had conducted inspections to evaluate compliance with the construction storm water permit and 401 Certification requirements. Construction storm water violation (R9-2006-135) and violations of Order 01C-091, 401 Certification were cited.

I did not meet with a site representative nor contacted anyone at the site during the inspection. The site was on my way to a scheduled inspection.

Long Valley Wash

I arrived at the site at 09:50 AM and entered at the Liefer Road entrance. On my way to inspect the sediment basin, which is located at the panhandle of the site, I observed a series of sediment traps to reduce sediment runoff along the roadways and access ways at Long Valley Wash. Most of the inactive (inside) slopes were stabilized using vegetative blankets to reduce erosion. Storm water runoff from that part of the site would run along the roadways and access roads and eventually to Long Valley Wash.

The natural waterway, Long Valley Wash, was cited in the November 2006 inspection for Construction Storm water and 401 Certification 01C-091 non-compliances (Violation No. R9-2006-0135, Construction Permit Findings # 6 and Certification Findings # 10, respectively). The violations noted the installed berms and dykes in Long Valley Wash would impede the natural flow of water in the natural waterway. The noted violations stated that the berms and dykes are to be removed and not use Long Valley Wash as a BMP. The berms and dykes continue to be there (see photo # 3). Long Valley Wash must be maintained in its natural state as much as possible.

Sediment Basin

There was no observable discharge of storm water from the sediment basin located at the panhandle. Previous complaints from down gradient neighbors stated that concentrated storm water discharges from the basin deposited large quantities of sediment onto their properties and severely eroded the banks of the natural water causing it to encroach onto a neighbor's property. Inspection of one of the neighbor's property showed no deposition of sediment nor recent impacts to the natural waterway which abuts the property.

Summary

Ashby USA, LLC continues to be in violation of the construction storm water permit for failure to implement and maintain best management practices pursuant to Water Quality Order No. 99-08, Section A.5.a.2(c). The previous Notice of Violation (R9-2006-135) requested the removal of the earthen-dyke which was constructed in the channel. Long Valley Wash has been disturbed from its natural condition.

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III. RECOMMENDATIONS AND ADDITIONAL ITEMS FOR FOLLOWUP

1. The immediate removal of the earthen dyke in the channel.
2. Stabilization of the soil in the area to maintain the natural drainage course.
3. The channel must not be used as a BMP.
4. Long Valley Wash must remain in its natural condition.


IV. VIOLATIONS AND CITATIONS

Violation of Order No. 99-08-DWQ, Section A.5.a.2(c) which states, "...temporary on-site drainages to carry concentrated flow shall be selected to comply with local ordinances, to control erosion, to return flows to their natural drainage courses, and to prevent damage to downstream properties."

SWPPP Reviewed: YES ___ NO X SWPPP UPDATE NECESSARY: YES ___ NO ___

COPY PROVIDED TO OPERATOR? YES Y NO ___ COPY TO BE MAILED? YES Y NO ___

V. SIGNATURE SECTION

RESPONSIBLE PARTY	SIGNATURE	DATE
<u>Tony Felix</u>		<u>5/9/07</u>
STAFF INSPECTOR	SIGNATURE	DATE

VI. (For internal use only)

Reviewed by Supervisor: _____	DATE _____			
CIWQS ENTRY date: _____	CIWQS COMPLIANCE ENTRY date: _____	PROGRAM ID _____		
Violations 1) _____	2) _____	3) _____	4) _____	5) _____
Enforcement 1) _____				
cc: <u>City of Temecula</u>	Contact <u>Aldo Licitra</u>			



Photo 01: Site entrance at the Liefer Road junction.



Photo 02: Looking east at Long Valley Wash subject to construction storm water and 401 cert permit regulations.

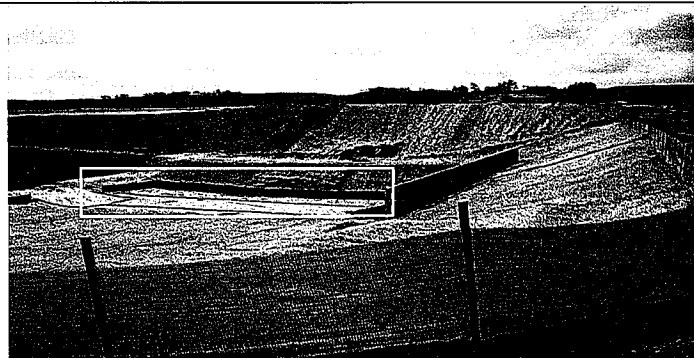


Photo 03: Long Valley Wash bridge (right). Insert shows earthen berm/dyke constructed in natural water way which is a violation of the construction storm water permit. Natural water way is used as a BMP.

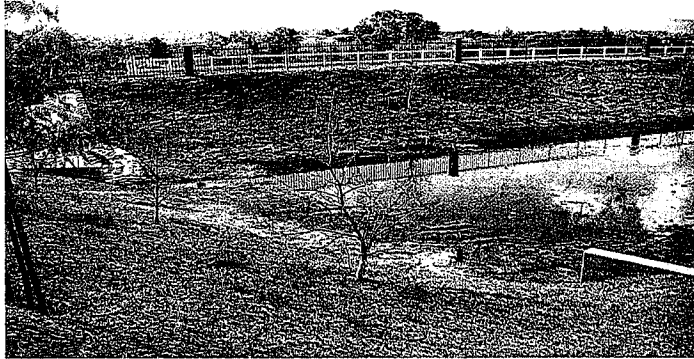


Photo 04: Runoff from recent rain event (not enough for offsite discharge) settles in basin at panhandle.



Photo 05: Looking northeast-extent of sediment basin with ponded water from runoff.

Additional inspection photos are stored at: <S:\Watershed Protection\North Unit\Tony\Construction SWInspections\Temecula Inspections>