



WR-112
EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

FEB 12 2016

CERTIFIED MAIL

Douglas Cole, et al.
100 Tomorrow Rd.
Somes Bar, CA 95569

CERTIFIED MAIL NUMBER: 7003 1680 0000 2965 6632

Barbara Brenner
Churchwell White LLP
1414 K St., 3rd Floor
Sacramento, CA 95814

CERTIFIED MAIL NUMBER: 7003 1680 0000 2965 6649

RE: MARBLE MOUNTAIN RANCH/ STANSHAW CREEK WATER RIGHT DIVISION AND
NORTH COAST REGIONAL WATER BOARD INSPECTION REPORTS AND NOTICE
OF VIOLATION

Dear Mr. Cole and Ms. Brenner,

Staff from the North Coast Regional Water Quality Control Board (Regional Water Board) and the State Water Resources Control Board (State Water Board) Division of Water Rights (Division) have received and reviewed your response to the Inspection Reports and Notice of Violation.

The Regional Water Board and the State Water Board are pleased by the proposed immediate solutions and your stated willingness to work towards long-term solutions. However, we must see commitment to corrective actions that will substantially address the concerns described in the Division of Water Rights Report of Inspection and the Regional Water Board's Inspection Report in a timely manner. There is no evidence of any such commitment in your response.

The Regional Water Board and State Water Board will therefore begin moving forward with formal enforcement action. This may include a cleanup and abatement order and potentially also an administrative civil liability or cease and desist order. If the Regional Water Board or State Water Board issues an enforcement order they may consider any corrective actions you have taken on your own or that you are taking on your own. It is our understanding that certain public funding remains available so long as the Regional Water Board and State Water Board corrective actions remain "recommendations." If the Regional Water Board or State Water Board issue enforcement orders you could lose your eligibility for such public funding in addition to being responsible for administrative civil liability and corrective actions ordered.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

You are welcome to contact me if you have any questions or if you would like to discuss this further. I may be reached via e-mail at kenneth.petruzzelli@waterboards.ca.gov or by phone at 916-319-8577. Written correspondence should be addressed as follows: State Water Resources Control Board, Attn: Kenneth Petruzzelli, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

Kenneth Petruzzelli
Office Of Enforcement
State Water Resources Control Board

ec: Kathy Mrowka
State Water Resources Control Board
Kathy.mrowka@waterboards.ca.gov

Taro Murano
State Water Resources Control Board
taro.murano@waterboards.ca.gov

Diana Henriouille
North Coast Regional Water Quality Control Board
diana.henriouille@waterboards.ca.gov

Gary Curtis
Department of Fish & Wildlife
Gary.Curtis@wildlife.ca.gov

Donna Cobb
Department of Fish and Wildlife
Donna.Cobb@wildlife.ca.gov

Janae Scruggs
Department of Fish and Wildlife
Janae.Scruggs@wildlife.ca.gov

Margret Tauzer
National Oceanic Atmospheric Administration
margret.tauzer@noaa.gov

Bob Pagliuco
National Oceanic Atmospheric Administration
bob.pagliuco@noaa.gov

Konrad Fisher
Klamath River Keeper
Konrad@klamathriver.org

Bill Jennings, Executive Director
California Sportfishing Protection Alliance
bjennings@calsport.org

Craig Tucker
Natural Resource Policy Advocate
Karuk Tribe
ctucker@karuk.us

Will Hartling
Mid Klamath Watershed Council
will@mkwc.org

LeRoy Cyr
United States Forest Service
lcyr@fs.fed.us

Jon Grunbaum
Klamath National Forest
Ukonom Ranger District
jgrunbaum@fs.fed.us