



## EXECUTIVE OFFICERS REPORT North Coast Regional Water Quality Control Board

January 2014

### **2013 Executive Officer's Water Quality Stewardship Award goes to Gualala River Watershed Council**

*Matt St. John*

In June 2012, I announced the opening of nominations for the Executive Officer's Water Quality Stewardship Award, a new, annual award given to an individual or group whose exceptional work has contributed to the preservation and enhancement of surface and groundwater quality. The Regional Water Quality Control Board and its staff spend much of its time and energy focused on the task of controlling waste discharges to the region's waters. This award is designed to acknowledge and honor our partners in water quality protection who augment the Regional Water Board's work with their own efforts in pollution prevention, waste minimization, water quality enhancement, and beneficial use restoration. I am pleased to announce that the 2013 Executive Officer's Water Quality Stewardship Award goes to the Gualala River Watershed Council.

Jim Burke, Senior Engineering Geologist of the Southern Timber Unit, in consultation with retired Executive Officer (and currently volunteer to the Regional Water Board!) Bob Klamt, nominated the Gualala River Watershed Council (GRWC) for the Executive Officer's Water Quality Stewardship Award for their work promoting restoration and attaining TMDL load allocations in the Gualala River

watershed. The GWRC was founded nearly 20 years ago by a group of local residents who were concerned by the 303(d) listing of the Gualala River as impaired by sediment and who wanted to find out what they could do to improve their watershed. The group contacted Regional Water Board staff who then met with them over a period of time to help the group understand water quality issues and potential solutions and formally organize around a set of goals and objectives. The group is mostly run by volunteers representing landowners, community organizations and interested citizens with two full time paid staff members. Kathleen Morgan and Henry Alden stand out as essential members given their dedication and ongoing efforts to provide continued energy and resources for the work of the Council.

In collaboration with landowners, GRWC has conducted in-stream and riparian monitoring throughout much of the watershed for over a decade and continues to expand their monitoring efforts to track water quality trends. The Council works with landowners and agencies to secure grant funding for restoration projects such as road and watercourse crossing upgrades and placement of large wood in streams to improve habitat for anadromous salmonids. The Council maintains a database of monitoring data, road information and geographic information for the watershed and a website

(<http://www.grwc.info>) to disseminate information and provide a portal for disparate watershed groups to connect and see what other groups are doing.

In 2001, the Regional Water Board developed and the US EPA established a TMDL for the Gualala River watershed to address sediment impairment. The primary sediment delivery sources in the Gualala River watershed are from roads, timber harvesting, agricultural activities, and rural residential development. The TMDL established load allocations based on inventory information for six human-related sediment delivery sources. The TMDL calls for sediment discharge reductions from road-related sources by 95% and timber harvest-related sources by 86%. Landscape and in-stream targets were established to gauge the progress of implementing actions in addressing the sediment delivery categories and to measure stream response.

The GRWC has initiated and partnered with agencies, landowners, and other community groups to implement numerous projects that have contributed to substantially reduced sediment delivery resulting in improved in-stream conditions and salmonid habitat. Some outcomes of these projects include:

- Road projects on over 263 miles have reduced sediment input by an estimated 500,000 tons;
- The percent of hydrologically disconnected roads has increased considerably though the percent is still below the TMDL target;
- Streambed conditions are improving, with 82% of monitoring sites showing reduced sediment deposition and 85% of resurveyed monitoring reaches show thalweg deepening; and
- GRWC's "Large Wood in the Stream" program has placed over 530 pieces of large wood in streams to improve fish habitat by controlling sediment movement and increasing size, depth, and frequency of pools.

In recognition of these achievements, the Gualala River Watershed Council has earned the 2013 Executive Officer's Water Quality Stewardship Award. This Award is a token of the Regional Water Board's appreciation for GRWC's outstanding work in protecting and restoring water quality and stream habitat conditions in the Gualala River watershed. I look forward to continued support and collaboration with GRWC in the future.

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### **Triennial Review of the Basin Plan** *Alydda Mangelsdorf*

The North Coast Regional Water Quality Control Board (Regional Water Board) is responsible for reviewing, amending, and implementing the Water Quality Control Plan for the North Coast Region (Basin Plan) to ensure protection of the Region's water quality. Both the federal Clean Water Act and the state Porter Cologne Water Quality Control Act direct the Regional Water Board to conduct a periodic review of the Basin Plan to keep pace with changes in regulation, policies, new scientific findings, new waste control or monitoring technologies, and physical changes within the region, for examples. This review, known as the Triennial Review, is done once every three year period. The next Triennial Review of the Basin Plan is planned for this year, 2014.

The last Triennial Review of the North Coast Regional Water Board was conducted in 2011 and resulted in a long list of potential Basin Plan amendment projects (planning projects), the top five of which were identified by the Board as high priorities. The high priority projects included:

1. Amendments to the Basin Plan to support TMDLs (including Elk River, Freshwater Creek, Eel River, Mattole River, Navarro River, Russian River, and Laguna de Santa Rosa);

2. Development of a Temperature Implementation Policy;
3. Amendments to Chapters 3 and 4 of the Basin Plan to update chemical constituents objectives, add a groundwater toxicity objective, add a policy describing the Board's translation of narrative objectives into numeric water quality thresholds; and incorporating a program of implementation for the protection of groundwater quality;
4. Amendment of the dissolved oxygen objectives;
5. Development of an Aquatic Ecosystem Restoration Policy.

There are several components of a thorough Triennial Review. Soon in this new year, Planning Unit staff will schedule public meetings in various locations in the North Coast region so as to solicit input from North Coast stakeholders. While not each of the meetings are yet scheduled, a workshop in Fortuna will be held May 8, 2014 as part of the Regional Water Board's regularly scheduled Board meeting. Humboldt County area stakeholders, in particular, may want to present their recommendations at this meeting.

In addition to soliciting the public's suggestions, Planning staff will also coordinate with USEPA, the State Water Resources Control Board, and other state and federal partners to identify new laws, regulations, science and guidance which may be relevant to its review of the Basin Plan. Staff will coordinate with other Units and Divisions at the Regional Water Board, including retired staff, to identify those Region- or program-specific issues requiring consideration during its review. With the benefit of all the public outreach and agency coordination, Planning staff then will conduct a thorough review of the existing Basin Plan to identify those planning projects that should be added to the 2011 triennial review list.

The final step of the Triennial Review will be to organize the list of planning projects into a priority scheme and bring staff's recommended prioritized list to the Regional Water Board for its consideration. As with all decisions of the Board, the Board will consider written public comments and oral testimony prior to making its decision. Staff anticipates a public hearing of the Triennial Review and list of priorities to be scheduled on November 20, 2014 during the Board's regularly scheduled meeting to be held in Santa Rosa.

As a final note, a file on the 2014 Triennial Review has been opened and Planning staff now stands ready to receive any and all written suggestions for inclusion in this review. Please feel free to send your ideas to Alydda Mangelsdorf, Senior Environmental Scientist for Planning, at the Regional Water Board's offices at your earliest convenience. You can reach her at (707) 576-6735 or [Alydda.Mangelsdorf@waterboards.ca.gov](mailto:Alydda.Mangelsdorf@waterboards.ca.gov).

The mailing address is: North Coast Regional Water Quality Control Board, 5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403.

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### **Klamath Fish Health Assessment Team – 2013 Year End Update** *Katharine Carter*

In June of 2013 the Klamath Fish Health Assessment Team (KFHAT) raised the readiness level for the Klamath River and its tributaries to yellow (heightened awareness and frequent data & information sharing required) due to the higher-than-average likelihood of a fish kill resulting from low flows, elevated water temperatures, and a run size that was predicted to be above average.

Supplemental flow releases from the Trinity River to the Klamath River were implemented by the US Bureau of Reclamation to augment flows in the Klamath River near Kamath, California to

ensure 2,800 cfs through September 21, which was intended to aid adult salmonids in their upstream migration.

In mid-October the KFAT readiness level was downgraded to green due to multiple factors including increased flow in many of the tributaries, decreasing water temperatures, and fewer than expected salmonids entering the river.

As of November 1, fewer than half of the predicted 272,000 salmonids had made it into the Klamath River. The migration of salmonids into the Klamath River was slowed in part due to the configuration of the mouth, which was aligned so that there was a very narrow and long opening for salmonids to pass through to enter the river.

The final run size for the 2013 salmonid run is not yet known. However, the California Department of Fish and Wildlife said that while the salmonid run this year may not end up being as high as predicted, they expect that it will likely meet the average run size of 122,000.



090113 Mouth of the Klamath River. Photo Credit: Sara Borok, Ca. Dept. Fish and Wildlife

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## **Introduction to Total Maximum Daily Loads (TMDL) and 2013 Progress Report Cards for Gualala, Mattole and Shasta River**

*Rebecca Fitzgerald*

### **What is a TMDL?**

A total maximum daily load (TMDL) is a planning and management tool intended to identify, quantify, and control the

sources of pollution within a given watershed such that water quality objectives are achieved and the beneficial uses of water are fully protected.

The term TMDL is used in two ways. First, it is the total maximum daily load of a pollutant that a water body can handle and still achieve acceptable water quality (this is also known as the loading capacity). Second, it is the document that includes all the supporting components.

### **What triggers the creation of a TMDL?**

Under Section 303(d) of the federal Clean Water Act, states are required to identify water bodies that do not meet water quality standards and are not supporting their beneficial uses. States also identify the pollutant or stressor causing the impairments. The result of this effort is the 303(d) List of Impaired Waters. Placement on the 303(d) List generally triggers development of a TMDL for each waterbody and associated pollutant/stressor.

### **Components of a TMDL Project:**

**Problem Statement:** The problem statement describes the impact of the pollutant on beneficial uses, describes the geographic scope of the impairment, and confirms the 303(d) impairment listing.

**Numeric Targets:** Numeric targets provide indicators of watershed health and express the desired future condition for each stressor addressed in a TMDL. Numeric targets are goals, not requirements. They provide a guidepost to landowners, resource managers, and the public by which to determine how close the TMDL is to re-creating an in-stream environment suitable to support beneficial uses, e.g., sustainable populations of salmonids or swimmable waters. They are not expected to be attained immediately, nor are they directly enforceable.

**Source Analysis:** Point, non-point, and background sources of pollutants of concern, as well as their magnitude and location, are described in the source analysis. In short, the source analysis describes where the pollution is coming from.

**Loading Capacity:** Also known as the TMDL, the loading capacity of a waterbody is an estimate of how much pollution can reach the waterbody without impairing beneficial uses. It is defined as the sum of the individual waste load allocations to point sources, load allocations to non-point sources, natural background loading, and a margin of safety. The loading capacity can be determined by estimating historic loading, estimating loading in a reference stream, or modeling a watershed's dynamics under a scenario in which desired habitat conditions exist.

**Load Allocation:** The load allocation separates out the waterbody's loading capacity to the different pollutant sources within the watershed. Load allocations can be estimated for each of the different pollutant source and/or land use activities in a watershed. Load allocations can be expressed using different metrics. For example, sediment load allocations can be expressed as tons per square mile per year, percent reduction, ratio of controllable versus natural load, or other appropriate measures.

**Margin of Safety & Seasonal Variations:** The margin of safety summarizes the qualitative and quantitative means by which the final load allocations account for any uncertainty in the data or data analysis. The seasonal variation section summarizes the conditions that may vary in different years and at different times of the year (e.g., the discharges of sediment or increases in temperature and their associated effects on beneficial uses), and how the variations are addressed in the TMDL.

**Implementation Plan & Actions:** This is the strategy to meet the TMDL loading capacity and allocations. It can include specific directives to responsible parties for actions to take with due dates and reporting requirements. It can also be a plan to take additional actions or initiate additional study or planning efforts. The implementation plan is not required by the Clean Water Act, but it is required by the California Water Code (CWA) if the TMDL is being adopted through a Basin Plan Amendment.

**Monitoring Plan:** The monitoring plan describes what monitoring is necessary to determine if standards are being attained. As with the implementation plan, monitoring is not required by the CWA, but by the California Water Code.

#### **Progress report cards:**

Regional Water Board and State Water Board staff develop progress report cards every year to help measure and evaluate our work in impaired surface water bodies and how the environment is responding. A report card is a one-page snap shot of TMDL requirements, implementation actions, water quality outcomes, and next steps. It also includes a graph of instream water quality data when data are available.

Water Board staff initiated this effort a few years ago. Our goal is to develop or update three report cards every year in each region. The most recent report cards for the Gualala River Sediment TMDL, Mattole River Sediment TMDL, and Shasta River Temperature TMDL are presented on the following pages. Other report cards and more information can be found at:

[http://www.waterboards.ca.gov/about\\_us/performance\\_report\\_1213/plan\\_assess/11112\\_tmdl\\_outcomes.shtml](http://www.waterboards.ca.gov/about_us/performance_report_1213/plan_assess/11112_tmdl_outcomes.shtml) or by contacting Rebecca Fitzgerald, Senior of the TMDL Unit, at 707-576-2650 or [rfitzgerald@waterboards.ca.gov](mailto:rfitzgerald@waterboards.ca.gov)

# Total Maximum Daily Load Progress Report

<b>Regional Water Board:</b>	<b>North Coast, Region 1</b>
<b>Beneficial uses affected:</b>	COLD, COMM, EST, MIGR, RARE, SPWN
<b>Pollutant(s) addressed:</b>	Sediment
<b>Implemented through:</b>	NPS Permits, Stakeholder Efforts
<b>Approval date:</b>	December 20, 2001

# Gualala River Sediment TMDL

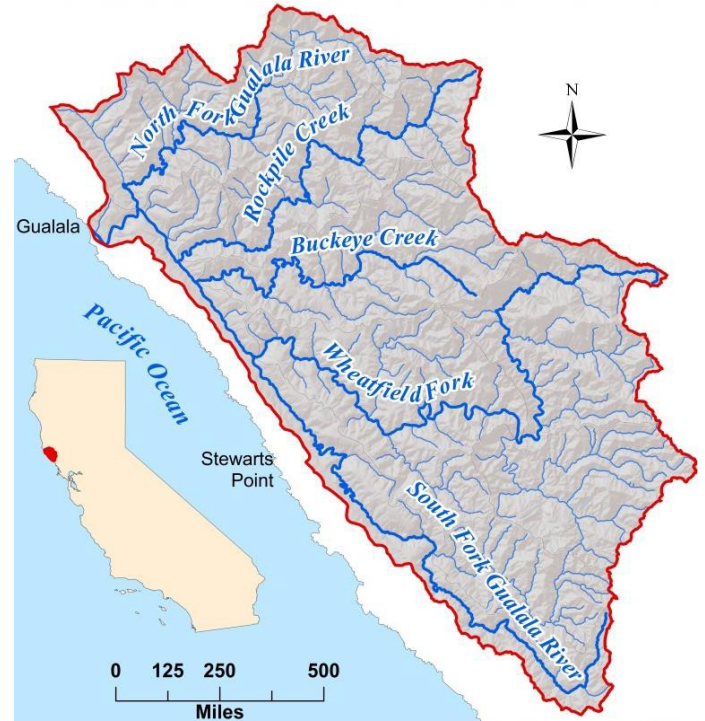
## STATUS

- Conditions Improving**
- Data Inconclusive
- Improvement Needed
- TMDL Achieved/Waterbody Delisted

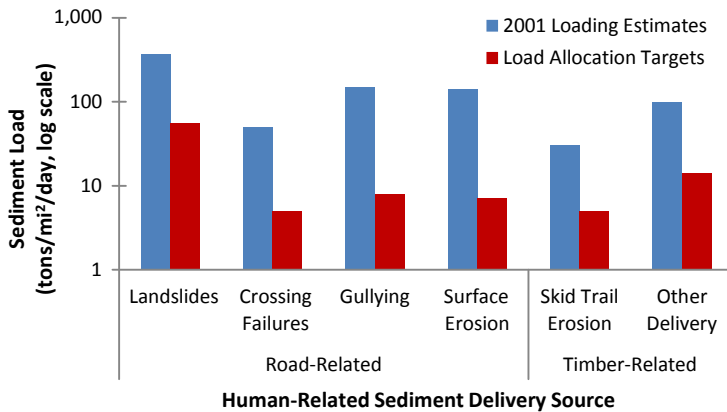
### TMDL Summary

Located along the San Andreas Fault, the Gualala River watershed is comprised of a highly dissected stream network. Unstable geology, steep slopes, and large amounts of precipitation make for high rates of natural erosion and landslides and a sensitivity of the land to practices that promote erosion. The primary sediment delivery sources are road-related processes, timber harvesting, agricultural activities, and rural residential development. Excessive sediment delivery from these sources has impaired instream beneficial uses, specifically those associated with salmonids. To address sediment impairment, U.S. EPA Region 9 developed a [TMDL for sediment in Gualala River](#) based on the North Coast Regional Water Board's [technical support document](#). The TMDL was approved by the U.S. EPA in December 2001. The TMDL established load allocations based on inventory information for six human-related sediment delivery sources. The TMDL calls for sediment discharge reductions from road-related sources by 95% and timber harvest-related sources by 86%. Landscape and instream targets were established to gauge the progress of implementing actions in addressing the sediment delivery categories and to measure stream response.

### Gualala River Watershed



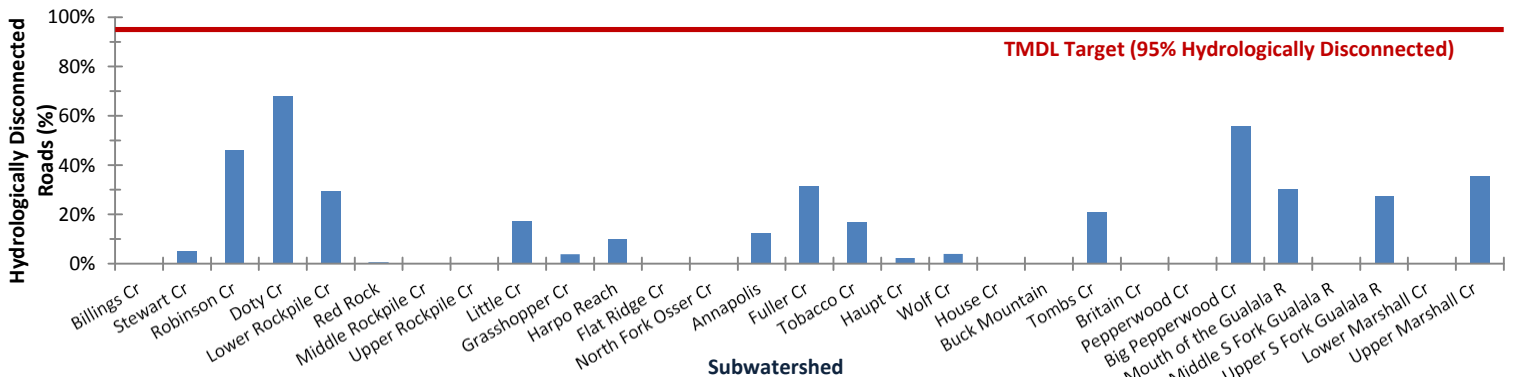
### TMDL Load Allocations for Gualala Watershed



### Water Quality Monitoring

- The percent of hydrologically disconnected roads has increased; however it is still well below the TMDL target.
- Implementation actions have reduced sediment delivery and improved instream conditions and salmonid habitat.
- Streambed conditions are improving; 82% of monitoring sites show reduced sediment deposition and 85% of resurveyed monitoring reaches show streambed deepening.
- [GRWC's "Large Wood in the Stream" program](#) has improved fish habitat by controlling sediment movement and increasing size, depth, and frequency of pools.
- Road projects on over 263 miles have reduced sediment input by an estimated 500,000 tons.

### Percentage of Roads in the Gualala River Subwatersheds that are Hydrologically Disconnected



Hydrologically disconnected roads do not drain directly into stream channels. When the TMDL was adopted in 2001, almost all the roads were hydrologically connected to streams.

Total Maximum Daily Load Progress Report		Mattole River Sediment TMDL
<b>Regional Water Board:</b>	<b>North Coast, Region 1</b>	<b>STATUS</b> <input checked="" type="checkbox"/> <b>Conditions Improving</b> <input type="checkbox"/> Data Inconclusive <input type="checkbox"/> Improvement Needed <input type="checkbox"/> TMDL Achieved/Waterbody Delisted
<b>Beneficial uses affected:</b>	AGR, COMM, COLD, EST, RARE, REC-1, REC-2, MIGR, MUN, SPWN, WILD	
<b>Pollutant(s) addressed:</b>	Sediment	
<b>Implemented through:</b>	<a href="#">319(h) Grants</a> , NPS Permits, Stakeholder Efforts	
<b>Approval date:</b>	December 30, 2002	

### TMDL Summary

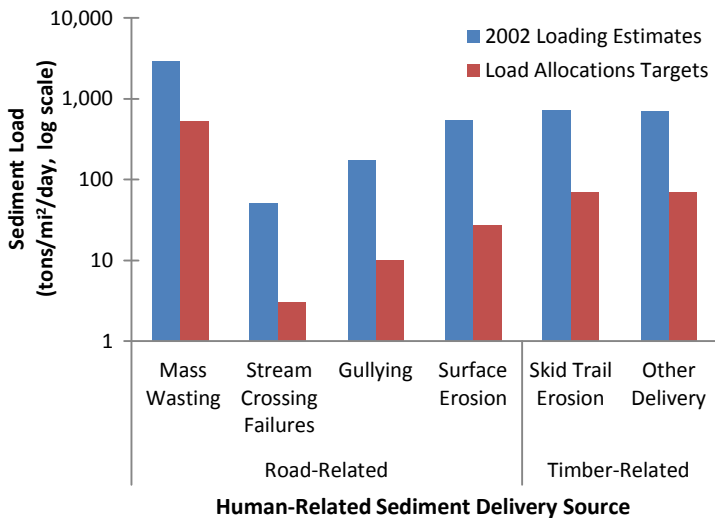
The Mattole River is impaired by excessive sediment. Major sediment sources include road usage, rural residential development, and timber harvest activities. These activities have impaired instream beneficial uses, primarily those associated with salmonids. To address the sediment impairment, U.S. EPA Region 9 developed a [TMDL for sediment in Mattole River](#) based on the North Coast Regional Water Board's [technical support document](#). The TMDL was approved by the U.S. EPA in December 2002.

The TMDL established load allocations based on inventory information for six human-related sediment delivery sources. The TMDL also established landscape and instream targets to gauge the progress towards implementing actions to address the sediment delivery categories, to measure responses in the stream, and to gauge progress towards achieving the target of an 86% reduction in human-related sediment delivery. The TMDL is implemented through actions by private landowners, industrial timberland owners, and restoration groups.

### Mattole River Watershed



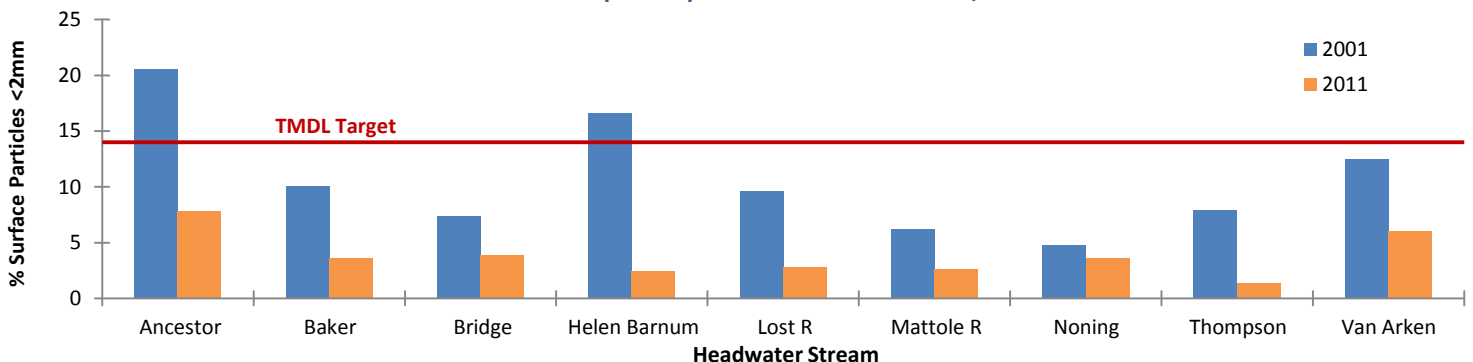
### TMDL Load Allocations



### Water Quality Outcomes

- *Mattole River headwater streams are meeting TMDL targets for the percent of instream surface sediment particles < 2 mm.*
- *Significant sediment delivery reduction has been achieved: sediment delivery has been reduced by 7-43% per year in 12 sub-watersheds (more than 771,584 tons total).*
- *Sediment source inventories cover more than 16,000 acres of the watershed and 80 miles of streams.*
- *Over 263 road projects have resulted in culvert upgrades and armoring, road resurfacing, and road decommissioning; greatly reducing road related sediment sources.*
- *Riparian and stream bank stabilization work has installed 35 willow wall/planting sites, 98 wing deflectors, 3,230 feet of riprap wall, 50 channel modification sites, 20 rock grade controls, and more than 15 acres of land treated for overstocking and invasive plants.*

### Percent Surface Particles (<2mm) in Headwater Streams, 2001 and 2011



## Total Maximum Daily Load Progress Report

<b>Regional Water Board:</b>	<b>North Coast, Region 1</b>
<b>Beneficial uses affected:</b>	COLD, COMM, CUL, MIGR, MUN, RARE, REC-1, SPWN
<b>Pollutant(s) addressed:</b>	Water Temperature
<b>Implemented through:</b>	<a href="#">319(h) Grants</a> , Staff Outreach, Stakeholder Efforts, WDR Waiver
<b>Approval date:</b>	January 26, 2007

## Shasta River Temperature TMDL

### STATUS

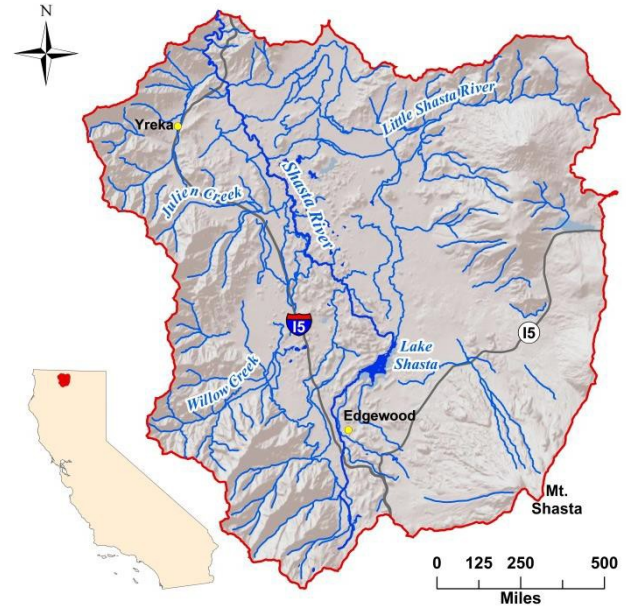
- Conditions Improving**
- Data Inconclusive
- Improvement Needed
- TMDL Achieved/Waterbody Delisted

### TMDL Summary

The Shasta River is a tributary to the Klamath River and drains a 795 mi<sup>2</sup> basin. Shasta River surface water diversions are used for irrigated agriculture and cow-calf grazing operations. Water temperatures do not meet water quality objectives as they regularly exceed chronic temperature thresholds for salmonids, contributing to a population decline in the basin. The river's temperature is affected by surface water diversions, reduced riparian shade, and warm irrigation tailwater return flows. To address elevated water temperatures, the North Coast Water Board adopted a [TMDL for temperature in Shasta River](#), which was approved by the U.S. EPA in January 2007.

The [Shasta River TMDL Action Plan](#) requires landowners to implement measures that will protect streams and enhance riparian vegetation and encourages landowners to work together to improve water conservation and management and prevent tailwater return flows from entering streams. The Regional Water Board is implementing these efforts through a mix of public funding assistance and permits, including the [Shasta River TMDL Conditional Waiver of WDRs](#), which was revised in October 2012.

### Shasta River Watershed



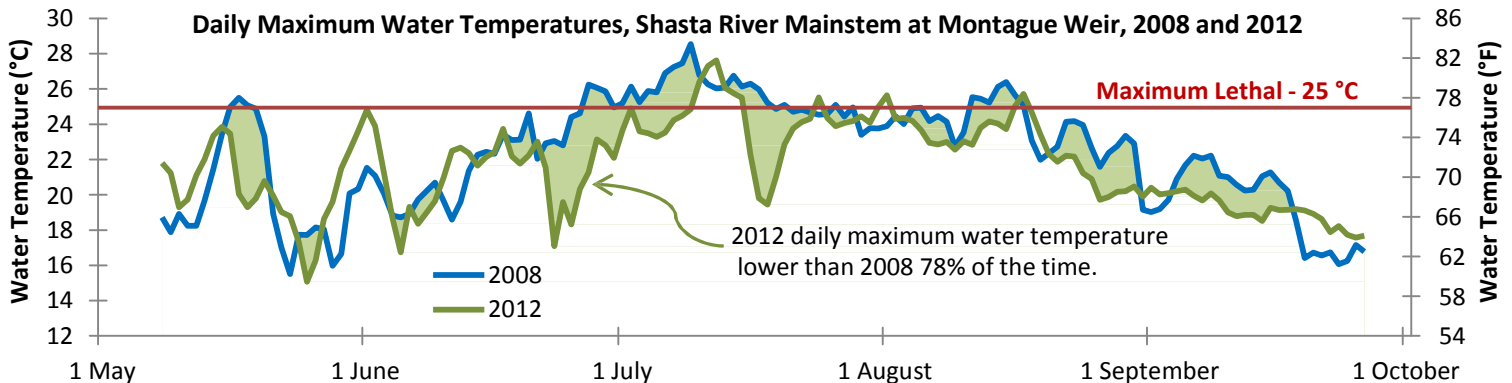
### TMDL Load Allocations

Source	Allocation
Change in Riparian Vegetation	<b>Shasta River below Dwinnell Dam:</b> Reach average potential solar radiation; reach-specific values are listed in the TMDL Table 6.2. <b>Shasta River above Dwinnell Dam and Tributaries:</b> Potential effective riparian shade = 90% of site potential shade.
Tailwater Return Flow	No net increase in receiving water temperature.
Surface Water Flow	Reductions in the maximum daily stream temperatures of 1.5°C, 1.2°C, and 2.1°C from baseline at River Mile (RM) 24.1, RM 15.5, and RM 5.6, respectively.

### Water Quality Outcomes

- Water quality data show a decrease in stream temperatures at some locations; e.g., 2012 daily maximum temperatures were lower than 2008 daily maximum temperatures 78% of the time at the Montague Weir site.
- Conditions for coho have improved in the upper watershed areas.
- Four of six identified impoundments have been removed.
- 168 miles (63% of stream length) of riparian fencing has been installed along the Shasta River and five tributary segments to exclude livestock.
- Tailwater neighborhoods have been identified and mapped and improvements are being made by irrigators.
- Efforts to dedicate cold water flows through the [1707 water rights process](#), or the water trust process, are underway.
- Water Board staff are confirming TMDL Waiver participation and compliance through property-by-property assessments.

### Shasta River Water Quality



Updated September 2013



## Enforcement Report for January 2014 Executive Officer's Report

*Diana Henriouille*

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
11/5/13	Kayo Oil Co./ Ultramar #77	CAO Rescission	Leaking underground fuel tank release to soil and ground water	Completed

**Comments:** On November 5, 2013, the Executive Officer (EO) issued Order No. R1-2013-0069, rescinding Cleanup and Abatement Order (CAO) 88-47 for the cleanup site located at 7898 Old Redwood Highway in Cotati. The original CAO was issued due to releases of petroleum hydrocarbons to soil and ground water. Since that time, the Discharger has removed and replaced the leaking tank(s) and has conducted extensive site investigation and cleanup, including soil and ground water remediation, correcting the violation. This case is closed.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
11/6/13	Michael Gholami/ AM/PM Mini Mart	NOV	Failure to maintain corrective action measures in compliance with CAO	Corrective action resumed; ongoing

**Comments:** On November 6, 2013, the Assistant Executive Officer (AEO) issued a Notice of Violation (NOV) to Mr. Michael Gholami, owner of an AM/PM Mini Mart located on Hearn Avenue in Santa Rosa, for failure to continue the required extraction of groundwater as directed under CAO No. R1-2013-0018. The NOV required that the Discharger report on the status of groundwater extraction and provide a plan to achieve compliance with the Order by November 21, 2013. A consultant for the Discharger confirmed that corrective action measures had been resumed prior to November 21.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
11/13/13	Philbrick Family Partnership	CAO Rescission	Unauthorized instream work including construction of a dam	Completed

**Comments:** On November 13, 2013, the EO rescinded CAO No. R1-2010-0050, issued to the Philbrick Family Partnership for property located at 25830 Comptche Road west of Ukiah, in Mendocino County. The original CAO was issued due to unauthorized modification of a watercourse through instream dam construction. Since CAO issuance, the Discharger has conducted corrective work including restoration of the natural stream channel, and revegetation of all disturbed areas and streamside areas affected by the illegal stream modification work. Accordingly, the violation has been corrected, and this case is closed.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
11/13/13	Navoti Organics LLC	CAO Rescission	Unauthorized instream work including construction of a dam	Completed

**Comments:** On November 13, 2013, the EO rescinded CAO No. R1-2010-0076, issued to Navoti Organics LLC, for property located at 25910 Comptche Road, west of Ukiah, in Mendocino County. The original CAO was issued due to unauthorized modification of a watercourse through instream dam construction. Since CAO issuance, the Discharger has conducted corrective work including restoration of the natural stream channel, and revegetation of all disturbed areas and streamside areas affected by the illegal stream modification work. Accordingly, the violation has been corrected, and this case is closed.

Note both the Navoti site and the Philbrick site mentioned above are located on adjacent properties on the same unnamed watercourse, tributary to Johnson Creek, in the Navarro River watershed. A third site, the Rector property, located upstream of the Philbrick and Navoti sites (25820 Comptche Road) was also subject to investigation and enforcement response within the same timeframe, CAO (R1-2010-0048), for instream dam construction. The owners of that property (Steve Rector and Ann Carol Frocteau, Dischargers) entered a negotiated settlement with the Prosecution Team, signed by the EO (Order No. R1-2013-0045) in August 2013, agreeing to either secure permits to keep its instream dam in place or to develop and implement a dam removal and restoration plan. Under that Order, the Dischargers is also required to pay \$30,000 in administrative penalties to both the Regional Water Board and the Department of Fish and Wildlife. To date, the Dischargers are in compliance with the payment provisions of that Order, and the matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
11/14/13	Caltrans	NOV	Violation of the Clean Water Act Section 401 certification	Ongoing; review underway

**Comments:** On November 14, 2013, the Chief of the Nonpoint Source and Timber Harvest Division issued an NOV to California Department of Transportation for failure to submit a project proposal for the Hwy 299 Green Point Sink Project. The Clean Water Act section 401 certification, Condition 26, requires that Caltrans develop and implement a project to offset the increased storm water runoff resulting from the increased impervious surface associated with the highway project. The NOV directed Caltrans to provide a project proposal by December 15, 2013. In response, Caltrans submitted a project proposal; staff review is underway.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
11/15/13	James F. Cotter	CAO & 13267	Unauthorized grading activities in wetland	Ongoing; not in compliance

**Comments:** On November 15, 2013, the Executive Officer (EO) issued a Cleanup and Abatement Order and Water Code section 13267 Order No. R1-2046-0078 to Mr. James F. Cotter for unauthorized grading activities in wetlands within the Laguna de Santa Rosa near Sebastopol. The Order directs the Discharger to submit technical information, and to submit and implement site restoration, mitigation, and monitoring plans. The first deliverable, a workplan for wetland restoration, is due 45 days from issuance of the CAO. To date, the Discharger has not submitted the required workplan.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
11/27/13	Eric Windschitl	CAO Rescission	Unauthorized instream work, discharges and threatened discharges of sediment to receiving waters	Completed

**Comments:** On November 27, 2013, the EO rescinded CAO No. R1-2013-0081, issued to Eric Windschitl for property located near Burnt Ranch, in Trinity County. The original CAO was issued as a result of a joint investigation with Cal Fire that confirmed illegally converted timberland, unauthorized construction of roads and earthen fill pads with very steep, unstable outer slopes, and modification of watercourses through instream dam construction. Since CAO issuance, the Discharger undertook corrective work including removal or stabilization of earthen fill pads, road stabilization and drainage improvements, dam removal, stream channel restoration, and re-vegetation of disturbed areas affected by the illegal work. Accordingly, the violations have been corrected, and this case is closed.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
12/3/13	North Bay Construction	Stipulation and ACLO	Sanitary Sewage Overflow	Completed

**Comments:** On December 3, 2013, the EO issued a final Settlement Agreement and Stipulation for entry of Administrative Civil Liability Order No. R1-2013-0067 to North Bay Construction to settle violations associated with the unauthorized release and discharge of untreated wastewater from a collection pipeline to the Laguna de Santa Rosa. The final negotiated settlement amount for this matter was \$85,725, which North Bay has paid. This matter is resolved.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
12/12/13	Walter Properties, Inc. William Occhipinti Occhipinti's Incorporated Atlantic Richfield Company	CAO Rescission	Leaking underground fuel tank release to soil and ground water	Completed

**Comments:** On December 12, 2013, the EO issued CAO No. R1-2013-0084, rescinding CAO No. R1-2002-0090, for the cleanup site located at 210 Fifth Street, in Santa Rosa. The original CAO was issued due to releases of petroleum hydrocarbons to soil and groundwater. Since that time, the Discharger has conducted site investigation and remediation correcting the violation. This case is closed.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
12/12/13	MGM Brakes Assembly Plant Site	Expedited Payment Letter	NPDES permit effluent limit violations	Completed

**Comments:** On December 12, 2013, the AEO issued Order No. R1-2013-0083, Offer to Participate in Expedited Payment Program (EPP) for three violations of effluent limits in General NPDES Permit No. R1-2011-0028, which regulates discharges of highly treated ground water to surface waters. The three violations were subject to Mandatory Minimum Penalties (MMPs) totaling \$9,000. The Dischargers opted to participate in the expedited payment program and have paid the penalty. This matter is completed.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
12/18/13	Joung Min Yi	ACLC	Discharges of sediment to receiving waters	Ongoing

**Comments:** On December 18, 2013, the AEO issued Administrative Civil Liability (ACL) Complaint No. R1-2013-0085 (Complaint) to Joung Min Yi for sediment discharges into tributaries of Upper Main Eel River from September 30 through November 22, 2011 associated with grading and poor maintenance at 29980 and 30010 Highway 101 North, near Willits. The Complaint alleges that four specific discharges of sediment from Mr. Yi's properties entered into waters of the state and United States without a permit and in violation of the federal Clean Water Act. The Complaint proposes to assess discretionary penalties in the amount of \$56,404. This matter is ongoing.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
12/19/13	Steve Willis Trucking	CAO Rescission	Leaking underground fuel tank release to soil and ground water	Completed

**Comments:** On December 19, 2013, the EO issued Order No. R1-2013-0086, rescinding CAO No. R1-2007-0105. The original CAO was issued as a result of petroleum spill from a truck along Freshwater Creek in Eureka, and directed the Discharger to investigate and clean up petroleum products in soil, sediment, and surface water. The Discharger has completed site investigation and remediation, and has corrected the violation. This case is closed.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
12/24/13	Gaddis Nursery	CAO Rescission	Leaking underground fuel tank release to soil and ground water	Completed

**Comments:** On December 24, 2013, the EO issued Order No. R1-2013-0087, rescinding CAO 97-45, for the cleanup site located at 1051 Spencer Avenue in Santa Rosa. The original CAO was issued due to releases of petroleum hydrocarbons to soil and ground water. Since that time, the Discharger has conducted site investigation and remediation, correcting the violation. This case is closed.

Date Issued	Discharger	Action Type	Violation Type	Status as of January 10, 2014
12/30/13	Mobil Montecito	CAO Rescission	Leaking underground fuel tank release to soil and ground water	Completed

**Comments:** On December 30, 2013, the EO issued Order No. R1-2013-0090, rescinding CAO No. R1-2001-84 for the cleanup site located at 6598 Montecito Blvd. in Santa Rosa. The original CAO was issued due to releases of petroleum hydrocarbons to soil and ground water. Since that time, the Discharger has conducted site investigation and remediation, correcting the violation. This case is closed.

