

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION
WATERSHED MANAGEMENT PROGRAM**

FACILITY INSPECTION REPORT

FACILITY: Moritz Residence **WDID/401 File #:** none **INSPECTION DATE/Time:** 8/29/08 9:00 am

FACILITY: Moritz Residence (APN # 321-040-49)

REPRESENTATIVE(S) PRESENT DURING INSPECTION: Christopher Means (SDRWQCB), Danis Bechter (City of Poway), Frank Casteleneto (City of Poway), Douglas Simpson (The Simpson Law Firm), Lori Moritz, Chad Bird (Geosyntec Consultants)

Dr. Bill Moritz

(858) 472-0251

NAME OF OWNER, PARTY RESPONSIBLE FOR DISCHARGE

OWNER CONTACT NAME AND PHONE #

FACILITY OR DEVELOPER NAME (if different from owner)

FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

14272 Jerome Drive

Poway, CA 92064

FACILITY STREET ADDRESS

FACILITY CITY AND STATE

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS

- 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 OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS
- 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 ___ Noncompliance follow-up--Inspection made to verify correction of a previously identified violation.
- 03 X 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 ___ No Exposure Certification (NEC) - verification that there is no exposure of industrial activities to storm water.
- 07 ___ Notice of termination request for industrial facilities or construction sites - verification that the facility or construction site is not subject to permit requirements (Type, NOT I or NOT C - circle one).
- 08 ___ Compliance Assistance Inspection - Outreach inspection due to discharger's request for compliance assistance.

INSPECTION FINDINGS

Yes Were violations noted during this inspection? (Yes/No/Pending Sample Results)

I. COMPLIANCE HISTORY:

- 2/7/08 City of Poway issues Stop Work Notice for import of fill onto site in conflict with City grading ordinance.
- 2/8/08 City of Poway issues 2nd Stop Work Notice for grading into an ephemeral stream and import of fill.
- 3/21/08 City staff confirms conversation via memo with Dr. Moritz to stop grading and filling and meet with city to discuss violation of regulations including RWQCB & CDFG codes.
- 4/24/08 City of Poway issues 3rd Stop Work Notice which requires restoration of stream to pre-construction topography.
- 5/8/08 City of Poway refers complaint to SDRWQCB Central Watershed Protection Unit .
- 6/9/08 Regional Board with Fish & Game & Poway staff inspect site (from road and adjacent property) and attend a meeting with Dr. Moritz's representative at City Hall.
- 7/9/08 Regional Board issues Cleanup and Abatement Order R9-2008-0074

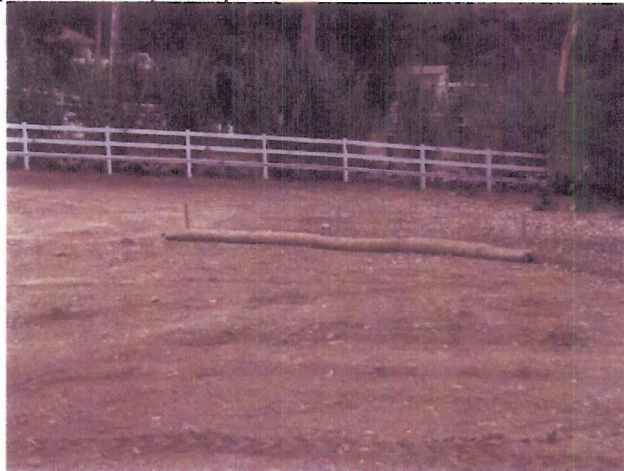
FACILITY: Moritz Residence

WDID/401 File #: none

INSPECTION DATE/Time: 6/9/08

II. FINDINGS :

- The purpose of the inspection was to assess compliance with CAO Directive No. 1 which requires that Dr. Moritz:
"Immediately, under the guidance of a qualified civil engineer or environmental consultant, implement interim site stabilization measures (sediment and erosion control best management practices) to prevent the discharge of waste off site."
- **Erosion Controls:** No erosion control BMPs have been implemented on site. If delays in implementation of the Stream Restoration Plan occur and the project runs into the rainy season, it would be necessary to consider the implementation of site wide erosion control (mulch, hydroseeding, soil binders etc.). Fact sheets addressing erosion control are available from the web at:
<http://www.cabmphandbooks.com/Construction.asp>
- **Sediment Controls:** some sediment control BMPs have been implemented on portions of the site (3 straw wattles and silt fence at southern end of the property). However the sediment control BMPs were not implemented properly or were in a state of disrepair (see attached photos).



Observation: The straw wattles were not properly keyed into the ground, and they need to be staked in to prevent failure during a rain event. RWQCB staff provided Dr. Moritz's counsel with a CASQA BMP fact sheet after the inspection. With the amount of disturbed soil on site, the implementation of only three straw wattles on site does not seem to provide effective coverage of the entire disturbed area, should soil become mobilized during a rain event.



Observation: The inlet that was constructed to convey runoff from Jerome Drive to drainage pipe installed across the property lacked sediment control BMPs to prevent the discharge of sediment into the inlet. Either gravel bags or straw wattles placed around the perimeter could alleviate this problem. The inlet also has standing water in the bottom of the inlet which could pose vector problems.



Observation: The silt fence at the southern perimeter of the project was in a state of disrepair and sediment could potentially discharge offsite during a rain event if the silt fence is not repaired/replaced. RWQCB staff recommended to the Moritz's engineer that sediment at the southern boundary be removed from the southern property boundary and the silt fence be repaired. In the picture above right, sediment covering the outlet of the installed HDPE pipe is overtopping the silt fence. RWQCB staff provided Dr. Moritz's counsel with a CASQA BMP fact sheet on the proper installation and use of silt fence.



Observation: Sediment stock piles on site were not adequately protected in the area near the barn, where a slope cut had been made. It is recommended that during the non-rainy season, soil stockpiles should be covered with plastic or protected with a temporary perimeter sediment barrier prior to the onset of precipitation. A CASQA BMP fact sheet on stockpile stabilization is available on the web at:

<http://www.cabmphandbooks.com/Documents/Construction/WM-3.pdf>



Observation: A great deal of discussion took place at the inspection regarding how (in the interim period prior to removal of the drain pipe) to manage offsite flows passing through the pipe and to prevent downstream erosion on adjacent properties. RWQCB staff suggested creating a temporary sediment trap/basin at the southern end of the property, by pulling back the pipe outlet away from the property line, and providing a temporary basin to collect sediment and runoff and discharging onto the adjacent property via a perforated standpipe. It was also suggested by Doug Simpson that the inlet (shown above) be blocked off either by capping the pipe, allowing the offsite drainage to collect there, or that a 90 degree perforated pipe extension be fitted at the upstream end to release collected runoff at a slower pace. Utilizing the upstream end of the pipe as a detention basin/ sediment trap could potentially cause the collected runoff to back up onto the property to the north of Dr. Moritz, and if this management measure is used the upstream property owner should be made aware of the possibility. It was determined during the inspection that the inlet structure was constructed on the adjacent property to the north. RWQCB staff provided Dr. Moritz's counsel with a CASQA BMP fact sheet on the proper implementation of temporary sediment traps.

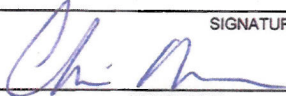
III. RECOMMENDATIONS AND ADDITIONAL COMMENTS

At the time of the inspection, the minimal BMPs implemented on site do not adequately stabilize the disturbed soil caused by unauthorized grading activities. Further work is needed in this interim phase to stabilize the property from discharge of sediment off site in the event of a precipitation event, and to bring the site into compliance with Directive No. 1 of the CAO. BMPs on site need to be more robust, and Dr. Moritz and his engineers should work with the City of Poway staff to ensure that the property meets the requirements of the Poway Stormwater Ordinance.

A subsequent inspection should be made when the BMPs have been upgraded prior to the October 1, 2008, start of the rainy season.

IV. SIGNATURE SECTION

Inspection Report
received by:

FACILITY REPRESENTATIVE	SIGNATURE	TITLE	DATE
Christopher Means STAFF INSPECTOR			8/29/08
	SIGNATURE	INSPECTION DATE	

VI. (For internal use only)

Reviewed by Supervisor:  Date 9/3/08
 CC:
 Inter-office Referral: 1) _____ 2) _____ 3) _____ 4) _____ 5) _____
 s: north watershed unit/forms/inspection form.doc (vrs. 11/22/00)

CIWQS:
 Regulatory Measure ID: 347272
 Place ID: 719044
 Party ID: 472125

