

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

CLEANUP AND ABATEMENT ORDER NO. R2-2015-0001
MARK AND KAREN GULLOTTA
MARIN COUNTY

1. Mark and Karen Gullotta (Dischargers) own approximately 10 acres of land at 12601 Sir Francis Drake Boulevard, Assessor's Parcel Number 114-081-07, in unincorporated Marin County (Site).
2. On December 2, 2014, Marin County staff notified the Regional Water Board that the Dischargers were conducting unpermitted land development activities at the Site. The Dischargers' unpermitted land development activities involved construction of an unreinforced, and therefore unstable, cinder-block retaining wall within and immediately uphill of an unnamed creek (Creek), grading for a road on the hillside above the Creek, removal of riparian and upland vegetation, installation of two culverts within the Creek, improper disposal of green waste where it could be conveyed by stormwater runoff into the Creek, and improper storage of hazardous materials.
3. The Dischargers failed to obtain proper authorizations and permits from the San Francisco Bay Regional Water Quality Control Board (Regional Water Board), California Department of Fish and Wildlife (CDFW), U.S. Army Corps of Engineers, and Marin County.
4. The Creek constitutes waters of the State and is tributary to Tomales Bay. Tomales Bay is identified as a nutrient- and sediment-impaired water body pursuant to the federal Clean Water Act (CWA) section 303(d).
5. The Regional Water Board's Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) defines the existing and potential beneficial uses for waters within the Region. The beneficial uses of any water body identified in the Basin Plan generally apply to all its tributaries. The Basin Plan designates the following existing and potential beneficial uses for Tomales Bay: commercial and sport fishing, shellfish harvesting, marine habitat, fish migration, preservation of rare and endangered species, fish spawning, wildlife habitat, contact and noncontact water recreation, and navigation.
6. On December 16, 2014, CDFW and Marin County staff inspected the Site. Attachment 4 to this Order provides copies of photographs taken during this inspection.
7. The Dischargers have unreasonably affected or threaten to affect water quality and beneficial uses of the Creek by performing the unpermitted land development activities described in Finding No. 2 above.
8. The Dischargers' unpermitted land development activities at the Site are in violation of California Water Code (CWC) sections 13260 and 13264, and the Basin Plan, as described below:

- a. CWC section 13260 requires that any person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the State, shall file with the appropriate Regional Water Board a Report of Waste Discharge (ROWD). CWC section 13264 further provides that no person shall initiate any new discharge of waste, or make any material changes in any discharge, prior to the filing of the ROWD required by CWC section 13260. The Dischargers have not filed a ROWD with the Regional Water Board for the unpermitted land development activities performed at the Site, activities which could adversely impact the quality of waters of the State. Accordingly, the Dischargers are in violation of CWC sections 13260 and 13264.
 - b. The Basin Plan, Table 4-1, prohibits the discharge of rubbish, refuse, bark, sawdust, or other solid wastes into surface waters or at any place where they would contact or where they eventually would be transported to surface waters, including flood plain areas. The Dischargers' placement of green waste in a wetted area on the Creek's flood plain threatens to discharge bark, leaves, and other green wastes into the Creek and down-gradient receiving waters, including Tomales Bay, thereby unreasonably affecting or threatening to affect beneficial uses. Tomales Bay is a CWA section 303(d) listed nutrient-impaired water body. Accordingly, the Dischargers' uncontained disposal of green waste in the Creek's flood plain at the Site is in violation of the Basin Plan.
 - c. The Basin Plan, Table 4-1, prohibits the discharge of silt, sand, clay, or other earthen materials from any activity in quantities sufficient to cause deleterious bottom deposits, turbidity, or discoloration in surface waters, or to unreasonably affect or threaten to affect beneficial uses. The Dischargers' installation of culverts in the Creek channel, placement of unreinforced cinder-blocks within and along the destabilized hillside immediately above the Creek, removal of a portion of the Site's mature riparian habitat, and road construction and grading without implementing appropriate erosion and sediment control measures, has resulted in the discharge of soil and/or threatened discharge of soil into the Creek and down-gradient receiving waters, including Tomales Bay, thereby unreasonably affecting or threatening to affect beneficial uses. Tomales Bay is a CWA section 303(d) listed sediment-impaired water body. Accordingly, the Dischargers' illicit land development activities at the Site are in violation of the Basin Plan.
9. CWC section 13304 requires any person who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the State and creates, or threatens to create, a condition of pollution or nuisance, shall, upon order of the Regional Water Board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts.
 10. Based upon the above findings, the Regional Water Board finds that the Dischargers have caused or permitted waste, or threaten to cause or permit waste, to be discharged or deposited where it is, or probably will be, discharged into waters of the State and have created, or threaten to continue to create, a condition of pollution. As

such, pursuant to CWC sections 13267 and 13304, this Order requires the Dischargers to submit technical reports to enable the Regional Water Board to understand the extent, scope, and character of the discharge and its impacts and requires the Dischargers to undertake corrective action to clean up the waste they discharged and abate its effects.

11. This Order is an action to enforce the laws and regulations administered by the Regional Water Board. As such, this action is categorically exempt from the California Environmental Quality Act, pursuant to section 15321(a)(2) of Title 14 of the California Code of Regulations.
12. Pursuant to CWC section 13304, the Dischargers are hereby notified that the Regional Water Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Regional Water Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effect thereof, or other remedial action, required by this Order.

IT IS HEREBY ORDERED, pursuant to CWC sections 13267 and 13304, that the Dischargers shall submit the required technical reports and clean up the waste discharged, abate its effects, and take other remedial actions as follows:

Prohibitions

1. No silt, sand, clay or other earthen material, green waste, debris, cement, concrete, or washings thereof, petroleum products, or other unauthorized construction-related materials or wastes shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State.
2. The discharge of sediment, waste products, hazardous materials, or other materials that will degrade, or threaten to degrade, water quality, or adversely affect, or threaten to adversely affect, existing or potential beneficial uses of the waters of the State is prohibited.
3. The discharge of sediments to waters of the State resulting from failure to provide effective erosion and sediment control measures is prohibited.
4. Removal of riparian vegetation in a manner that impacts water quality in any creek or other water of the State is prohibited.
5. The take, or incidental take, of any special status species is prohibited. The Discharger shall use the appropriate protocols, as approved by CDFW, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service, to ensure that activities do not impact the Beneficial Use of the Preservation of Rare and Endangered Species.

Provisions

1. No later than March 11, 2015, the Dischargers shall submit a winter stabilization plan, acceptable to the Regional Water Board's Executive Officer. The winter stabilization plan shall specify measures to (a) prevent failing slopes from discharging soil, sediment, cinderblocks, and other wastes to waters of the State and (b) effectively

control erosion and sedimentation from all bare soil and disturbed areas on the Site. The Dischargers shall have the winter stabilization plan prepared by a qualified and licensed professional (e.g., a civil engineer or geologist with appropriate training) and shall immediately implement the measures specified in the winter stabilization plan and any revisions to the winter stabilization plan required by the Executive Officer.

2. No later than March 24, 2015, the Dischargers shall obtain coverage under the State Water Resources Control Board's NPDES General Permit for Discharges of Storm Water Associated with Construction and Land Disturbance Activities (Construction General Permit). Instructions for obtaining coverage under the Construction General Permit are available on-line at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.
3. No later than March 31, 2015, the Dischargers shall submit, acceptable to the Executive Officer, the following:
 - a. A technical report providing a description of the recent land development activities at the Site and an assessment of the activities' impacts to the Creek and associated riparian habitat. This technical report shall describe in detail the nature and extent of the unpermitted grading, excavation, and vegetation clearing activities by means such as, but not limited to, providing a map illustrating the extent of the land development activities at the Site and calculations quantifying the acreage of land disturbance and linear footage of channel impact. The impact assessment shall be completed by a licensed professional geologist or civil engineer with expertise in geomorphology and/or creek restoration, and shall, at a minimum, include a description of the pre-disturbance channel morphology, soil conditions, hydrology, and characterization of the Creek and riparian habitat, and any preexisting wetlands and loss thereof resulting from the land development activities, as well as supporting documentation (e.g., aerial photographs, photographs, reports, topographic maps, or drawings). The results of this impact assessment shall serve as the basis for the Corrective Action Workplan described below.
 - b. Description of any permits and other authorizations applied for and/or obtained from local, State, and federal agencies and local or regional districts for any grading, excavation, filling, vegetation clearing, or other activities that have disturbed land or water features at the Site since it was acquired by the Dischargers.
4. No Later than May 1, 2015, the Dischargers shall submit a Corrective Action Workplan, acceptable to the Executive Officer, that includes the following:
 - a. A workplan proposal for corrective actions designed to (1) eliminate the threat of discharge of sediments and other wastes posed by the land development activities at the Site, (2) restore the Creek and associated riparian habitat, and (3) compensate for any temporal losses of water quality functions and values provided by the Creek and associated riparian habitat impacted by the Dischargers' unpermitted land development activities (Corrective Action Workplan). This Corrective Action Workplan shall include interim and final success criteria and performance standards for assessing whether the corrective actions are achieving the intended water quality protection and habitat restoration goals, including

identification and justification for targeted native plant species proposed to be planted, reference sites, and soil and hydrologic conditions. The Corrective Action Workplan shall include an implementation time schedule.

- b. A corrective action self-monitoring program proposal, designed to monitor and evaluate the success of the corrective actions proposed for implementation in the Corrective Action Workplan, in accordance with the interim and final success criteria and performance standards. The corrective action self-monitoring program shall monitor the success of the corrective actions until the approved final success criteria and performance standards have been successfully achieved, but for not less than a period of five years following completion of the corrective actions, and for not less than a period of two years after any irrigation of revegetation plantings has ceased.
 - c. Within sixty days of acceptance of the Corrective Action Workplan by the Executive Officer, the Dischargers shall initiate implementation of the Corrective Action Plan in accordance with the accepted implementation time schedule.
5. No later than January 31 of each year following initiation of the corrective actions and continuing until the final success criteria and performance standards are successfully achieved, the Dischargers shall submit annual self-monitoring reports, acceptable to the Executive Officer, evaluating the progress of implementation and success of the corrective action restoration activities in accordance with the approved implementation time schedule and approved corrective action self-monitoring program proposal.
 6. The Dischargers shall submit with the final self-monitoring report a Notice of Completion, acceptable to the Executive Officer, demonstrating that the Corrective Action Workplan, as accepted, has been successfully completed.
 7. If the Dischargers are delayed, interrupted, or prevented from meeting the work completion and report submittal deadlines specified in this Order, the Dischargers shall promptly notify the Executive Officer in writing with recommended revised corrective action implementation or report submittal deadlines. Any extensions of the time deadlines specified in this Order must be approved in writing by the Executive Officer. The Executive Officer may consider revisions to this Order.
 8. Regional Water Board staff shall be permitted reasonable access to the Site as necessary to oversee compliance with this Order.
 9. No later than 14 days from the date of this Order, the Dischargers are required to acknowledge in writing their intent to reimburse the State for cleanup oversight work as described in the Reimbursement Process for Regulatory Oversight fact sheet provided to the Dischargers with this Order, by filling out and returning the Acknowledgement of Receipt of Oversight Cost Reimbursement Account Letter or its equivalent, also provided with this Order.

10. The technical reports and other submittals required under Provision Nos. 1, 3, 4, 5, 6, and 9 above shall be complete, accurate, and otherwise adequate as determined acceptable by the Executive Officer.
11. The Dischargers' reliance on qualified professionals promotes proper planning, implementation, and long-term cost effectiveness of investigation and cleanup and abatement activities. Professionals shall be qualified, licensed where required, and competent and proficient in the fields pertinent to the required activities. California Business and Professions Code sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgment be performed by or under the direction of licensed professionals.
12. None of the obligations imposed by this Order on the Dischargers are intended to constitute a debt, damage claim, penalty, or other civil action that should be limited or discharged in a bankruptcy proceeding. All obligations are imposed pursuant to the police powers of the State of California intended to protect the public health, safety, welfare, and environment. A cleanup order that accomplishes the dual objectives of removing accumulated wastes and stopping or ameliorating ongoing pollution emanating from such wastes is not a dischargeable claim.

Failure to comply with the provisions of this Order may result in the imposition of civil liabilities, imposed either administratively by the Regional Water Board or judicially by the Superior Court in accordance with CWC sections 13268, 13304, 13308, and/or 13350, and/or referral to the Attorney General of the State of California for injunctive relief or civil or criminal liability. Failure to submit, late or inadequate submittal of technical reports and workplan proposals, or falsifying information therein, is a misdemeanor and may subject the Dischargers to additional civil liabilities. This Order does not preclude or otherwise limit in any way the Regional Water Board's ability to take appropriate enforcement action for the Dischargers' violations of applicable laws, including, but not limited to, discharging without a permit and failing to comply with applicable State requirements.

Bruce H. Wolfe
Executive Officer

Date

ATTACHMENT 1

REIMBURSEMENT PROCESS FOR REGULATORY OVERSIGHT

We have identified your facility or property as requiring regulatory cleanup oversight. Pursuant to the Porter-Cologne Water Quality Control Act, reasonable costs for such oversight can be recovered by the Regional Water Quality Control Board (Regional Water Board) from the responsible party. The purpose of this enclosure is to explain the oversight billing process structure.

Introduction

The Porter-Cologne Water Quality Control Act authorizes the State Water Resources Control Board (State Water Board) to set up Cost Recovery Programs. The Budget Act of 1993 authorized the State Water Board to establish a Cost Recovery Program for the Site Cleanup Program (SCP). The program is set up so that reasonable expenses incurred by the State Water Board and Regional Water Boards in overseeing cleanup of illegal discharges, contaminated properties, and other unregulated releases adversely impacting the State's waters can be reimbursed by the responsible party. Reasonable expenses will be billed to responsible parties and collected by the Fee Coordinator at the State Water Board in the Division of Financial Assistance.

The Billing System

Each cost recovery account has a unique charge number assigned to it. Whenever any oversight work is done, the hours worked are charged to the account number on the employee's time sheet. The cost of the hours worked is calculated by the State Accounting System based on the employee's salary and benefit rate and the State Water Board overhead rate.

State Water Board and Regional Water Board administrative charges for work such as accounting, billing preparation, general program meetings and program specific training cannot be charged directly to an account. This work will be charged to administrative accounting codes. The Accounting Office totals these administrative charges for the billing period and distributes them back to all of the accounts based on the number of hours charged to each account during that billing period. These charges show as State Water Board Program Administrative Charges and Regional Water Board Program Administrative Charges on the Invoice.

The Overhead Charges are based on the number of labor hours charged to the account. The overhead charges consist of rent, utilities, travel, supplies, training, and personnel services. If there is no labor charged to the account during the billing period, there will be no overhead charges for that billing period with the exception of the last month of each fiscal year. This is due to the fact that the labor charges end June 30 for the current fiscal year. However, several kinds of overhead charges such as supply orders and travel expenses are paid after the fiscal year ends. The State Water Board Accounting Office keeps track of these charges and distributes them back to all of the accounts based on the number of hours charged to each account for the whole fiscal year that has just ended. Therefore, the quarterly statements for the last month of the

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fiscal year could show no labor hours charged for the billing period, but some overhead charges could be charged to the account.

Invoices are issued quarterly, one quarter in arrears. If a balance is owed, a check is to be remitted to the State Water Board with the invoice remittance stub within 30 days after receipt of the invoice. The Accounting Office sends a report of payments to the Fee Coordinator on a quarterly basis.

Copies of the invoices are sent to the appropriate Regional Water Boards so that they are aware of the oversight work invoiced. Questions regarding the work performed should be directed toward your Regional Water Board project manager. If the responsible party becomes delinquent in its quarterly payments, oversight work may cease immediately. Work will not begin again unless the payments are brought up-to-date.

Daily Logs

A detailed description (daily log) of the actual work being done at each specific site is kept by each employee in the Regional Water Board who works on cleanup oversight at the property. This information is provided on the quarterly invoice using standardized work activity codes to describe the work performed. *Upon request, a more detailed description of the work performed is available from Regional Water Board staff.*

Removal From The Billing System

After the cleanup is complete, the Regional Water Board will submit a closure form to the State Water Board to close the account. If a balance is due, the Fee Coordinator will send a final billing for the balance owed. The responsible party should then submit a check to the State Water Board to close the account.

Agreement

The responsible party of the property is required to acknowledge that he/she agrees to reimburse the State for appropriate cleanup oversight costs. You may wish to consult an attorney in this matter. As soon as the acknowledgement is received by the Regional Water Board, the account will be added to the active SCP Cost Recovery billing list and oversight work will begin.

Regional Water Board Dispute Resolution

Based on the Regional Water Board's review and comment, the following section has been added as a San Francisco Bay Regional Water Board attachment to the SCP Cost Recovery Program's "Guide to the Billing Process" enclosure, "Reimbursement Process for Regulatory Oversight".

Regional Water Board staff proposes to provide each responsible party (upon request) with daily logs of actual oversight work done and supporting accounting information for the responsible party's site. If, upon the receipt of the billing statement, the responsible

ATTACHMENT 1

party disputes the amount due, the responsible party may follow the dispute resolution procedure described below. If the responsible party follows the procedure, the Regional Water Board will not initiate, except as noted, enforcement action for failure to reimburse the State Water Board. During this procedure, the responsible party is encouraged to confer with Regional Water Board staff at any time to discuss the areas in question and attempt to resolve the dispute.

1. The responsible party must notify the Regional Water Board in writing within 30 calendar days of receipt of the billing statement to indicate that it disputes the billing statement and requests a meeting with the Regional Water Board's Assistant Executive Officer. This notification must indicate the specific areas of dispute and provide all appropriate support documentation. Upon completion of the meeting, the Assistant Executive Officer will provide a recommendation to the Regional Water Board's Executive Officer on the dispute and recommend an amount due, based on documentation provided by both the responsible party and the Regional Water Board staff at the meeting. The Executive Officer will submit a written decision and resultant amount due to the responsible party and specify the new due date by which the resultant amount due must be paid to avoid enforcement action. This due date will be not less than ten working days from the date of the Executive Officer's written decision.
2. If, upon receipt of the Executive Officer's written decision, the responsible party still disputes the amount due and so notifies the Executive Officer by the new due date, the Executive Officer will schedule an appeal hearing of the decision before the Regional Water Board at the next appropriate monthly meeting. The Executive Officer may also consider recommending that the Regional Water Board take enforcement action for the responsible party's failure to pay the resultant amount due by the new due date if the Regional Water Board finds the responsible party's appeal without basis. Any amount due and not appealed to the Regional Water Board will be considered a violation of the Regional Water Board's order.

California Code of Regulations - Dispute Resolution

If a dispute regarding oversight charges cannot be resolved with the Regional Water Board, section 13320 of the California Water Code provides an appeal process to Regional Water Board decisions. Regulations implementing Water Code section 13320 are found in Title 23 of the California Code of Regulations, section 2050.

ATTACHMENT 1

ATTACHMENT 2

STATE WATER RESOURCES CONTROL BOARD
SITE CLEANUP PROGRAM (SCP)
BILLING COST EXPLANATION
Fiscal Year 2014-2015

<u>Employee Salary and Benefits by Classification</u> ¹	<u>ABR</u>	<u>SALARY/ BENEFITS RANGE</u>
7500 - AEO CEA	CEA	\$9,017 - \$20,133
4558 - Admin Officer II	ADMNOffII	\$6,752 - \$8,389
5871 - Assistant Chief Counsel	ACC	\$13,044 - \$15,110
5393 - Associate Governmental Program Analyst (Statewide)	AGPA	\$6,427 - \$8,046
4707 - Business Serv Asst (Spec)	BSA	\$3,645 - \$5,579
3756 - Engineering Geologist (SWRCB)	EG	\$6,731 - \$12,671
0760 - Environmental Program Manager I (Managerial) (SWRCB)	EPMIM	\$10,136 - \$11,510
0756 - Environmental Program Manager I (Supervisory) (SWRCB)	EPMIS	\$9,166 - \$11,397
0769 - Environmental Program Manager II (SWRCB)	EPMII	\$11,695 - \$13,285
0762 - Environmental Scientist (SWRCB)	ES	\$4,495 - \$8,593
3843 - Exec Officer I	EO	\$14,324 - \$15,953
3842 - Exec Officer II	EO II	\$14,632 - \$16,315
5601 - Information Officer I (Spec)	IO	\$6,427 - \$8,046
1419 - Key Data Operator	KDO	\$3,145 - \$4,476
1282 - Legal Secretary	LS	\$4,438 - \$5,835
1441 - Office Assistant (General) (Statewide)	OA	\$3,030 - \$4,168
1379 - Office Assistant (Typing) (Statewide)	OA	\$3,130 - \$4,252
1138 - Office Technician (General) (Statewide)	OT	\$3,853 - \$4,828
1139 - Office Technician (Typing) (Statewide)	OT	\$3,924 - \$4,911
3851 - Principal Water Resources Control Engineer (SWRCB)	PWRCE	\$14,377 - \$16,329
5373 - Public Participation Specialist	PPS	\$6,427 - \$8,046
3826 - Sanitary Engineering Associate (Statewide)	SEA	\$7,245 - \$9,068
3782 - Sanitary Engineering Technician (Statewide)	SET	\$4,990 - \$7,171
3751 - Senior Engineering Geologist (Statewide)	SEG	\$10,776 - \$14,850
0764 - Senior Environmental Scientist (SWRCB)	SRES	\$7,961 - \$9,897
3224 - Senior Legal Typist	SLT	\$3,782 - \$5,290
3844 - Senior Water Resources Control Engineer (SWRCB)	SWRCE	\$10,776 - \$14,850
5778 - Staff Counsel (Statewide)	STCOUN	\$6,828 - \$11,892
5795 - Staff Counsel III (Statewide)	STCOUNIII	\$11,221 - \$14,399
5815 - Staff Counsel III (Sup)	STCOUNIII	\$11,227 - \$14,408
5780 - Staff Counsel IV (Statewide)	STCOUNIV	\$12,396 - \$15,916
0765 - Staff Environmental Scientist (SWRCB)	SES	\$7,954 - \$9,893
5157 - Staff Services Analyst (General)	SSA	\$4,115 - \$6,689
4800 - Staff Services Manager I	SSM I	\$7,954 - \$9,218
3748 - Supervising Engineering Geologist (Statewide)	SUEG	\$11,828 - \$14,808
3849 - Supervising Water Resources Control Engineer (SWRCB)	SUWRCE	\$11,828 - \$14,808
3846 - Water Resources Control Engineer (SWRCB)	WRCE	\$6,731 - \$12,607

Note: The State is currently negotiating with the unions so the upper limits of the above ranges may be subject to change.

¹ The name and classification of employees performing oversight work will be listed on the invoice you receive.

ATTACHMENT 2

Intermittent Employees:

1120 – Seasonal Clerk	SC	8.68/hr. – 9.85/hr.
1931 – Scientific Aid	SAID	11.58/hr. – 13.34/hr.
4871 - Student Assistant - Engineering (Statewide)	SAE	11.55/hr. – 17.28/hr.

Operating Expenses:

(Both State and Regional Water Board offices)

Indirect Costs (Overhead = cost of doing business) 120%

Billing Example

3846 - Water Resources Control Engineer

Salary and Benefits:	\$	12,607
Overhead (indirect costs):	\$	15,128
Total Cost per month	\$	27,735

Divided by 173 hours per month equals per hour: \$ 160.32

(Due to the various classifications that expend SCP resources, an average of \$ 150.00 per hour is used for projection purposes.)

ATTACHMENT 2

**ACKNOWLEDGMENT OF RECEIPT OF
OVERSIGHT COST REIMBURSEMENT ACCOUNT LETTER**

I, Mark Gullotta, acting within the authority vested in me as an authorized representative of the property located at 12601 Sir Francis Drake Boulevard, Assessor's Parcel Number 114-081-07, in unincorporated Marin County, acknowledge that I have received and read a copy of the attached *REIMBURSEMENT PROCESS FOR REGULATORY OVERSIGHT* and the transmittal letter, dated February 25, 2015 concerning cost reimbursement for Regional Water Board staff costs involved with oversight of cleanup and abatement efforts at 12601 Sir Francis Drake Boulevard in unincorporated Marin County. The address for this site is 12601 Sir Francis Drake Boulevard, Marin County.

I understand the reimbursement process and billing procedures as explained in the letter. I also understand that signing this form does not constitute any admission of liability. Billings for payment of oversight costs should be mailed to the following individual and address:

BILLING CONTACT Mark Gullotta

BILLING ADDRESS 232 West Napa Street

Sonoma, CA 94937

TELEPHONE NO. _____

RESPONSIBLE PARTY'S SIGNATURE _____

(Signature)

(Title)

DATE: _____

ATTACHMENT 4 - PHOTOGRAPHS



First Unauthorized Culvert

ATTACHMENT 4 - PHOTOGRAPHS



ATTACHMENT 4 - PHOTOGRAPHS

Downstream of First Unauthorized Culvert



Heavy Equipment with Failing Cinder Block Wall and Unauthorized Road Above Creek

ATTACHMENT 4 - PHOTOGRAPHS



Invert of Second Unauthorized Culvert and Failing Cinder Block Wall Within and Above
Creek

ATTACHMENT 4 - PHOTOGRAPHS



Outfall of Second Unauthorized Culvert and Failing Cinder Block Wall Within and Above Creek Bank

ATTACHMENT 4 - PHOTOGRAPHS



ATTACHMENT 4 - PHOTOGRAPHS

Unauthorized Road and Cinder Block Wall Slumping Towards Creek

ATTACHMENT 4 - PHOTOGRAPHS



ATTACHMENT 4 - PHOTOGRAPHS

Improper Disposal of Green Waste adjacent to storm channel



Erosion Caused by Unauthorized Road Cut

ATTACHMENT 4 - PHOTOGRAPHS



Road Slumping and Erosion from Unauthorized Grading

ATTACHMENT 4 - PHOTOGRAPHS



Uncontrolled Hazardous Materials