
North Coast Regional Water Quality Control Board

September 15, 2015

Ms. Alicia Galliani and Ms. Alice Maas
11560 East Road
Potter Valley, CA 95469

Dear Mmes. Galliani and Maas:

Subject: Notice of Violation of Order No. R1-2013-0005, General Waste Discharge Requirements for Discharges for Timber Operations on Non-Industrial Timber Management Plans (NTMP) in the North Coast Region

File: Nonindustrial Timber Management Plan 1-95NTMP-018 MEN, "Galliani NTMP"

The purpose of this letter is to notify you that you are in violation of the General Waste Discharge Requirements for Discharges for Timber Operations on Non-Industrial Timber Management Plans (NTMP GWDR) in the North Coast Region (North Coast Regional Water Quality Control Board Order No. R1-2013-0005). Under California Water Code section 13350, you are subject to potential enforcement actions and penalties resulting from the violation. To be in compliance with the NTMP GWDR section A(5), you must submit to the North Coast Regional Water Quality Control Board a written description of the site in question, with additional design and installation details of the proposed corrective actions, and schedule for implementation. Corrective action must occur no later than October 15, 2016.

Introduction

Non-Industrial Timber Management Plan (NTMP) 1-95NTMP-018 MEN is located 2 miles southeast of Manchester in Mendocino County within the Garcia River watershed (Calwater number 1113.700205). Regional Water Board staff participated in the pre-harvest inspection of the NTMP on January 1, 1996, and provided recommendations based on inspection observations. After incorporating these recommendations, the plan was approved in March, 1996. The first Non-Industrial Timber Operation (NTO) entry, NTO #1, occurred in May, 1999. The most recent NTO, NTO #11, was enrolled under Tier A of the NTMP GWDR on June 23, 2015.

July 15, 2015 Site inspection

On July 15, 2015, Regional Water Board staff Ryan Bey inspected NTO #11. Also present during the inspection were Lee Susan, Registered Professional Forester (RPF) and Ken Margiott of the California Department of Forestry and Fire Protection (CAL FIRE). NTO #11 includes approximately 145 acres to be harvested using selection silviculture. Cable yarders and tractors will be used for yarding. During the inspection, Regional Water Board staff inspected the condition of numerous watercourse crossings. At an un-numbered site located north of watercourse crossing number 6 (Logging Area 2015 map/Galliani NTMP Yarding Systems map, attached as map 1), Regional Water Board staff observed a 48"-diameter corrugated metal culvert with a rusted bottom in which there were a number of holes (Images 1 and 2). Water flowing out of the holes in the culvert may saturate underlying and surrounding fill material, increasing the potential that the crossing and associated fill will fail during a large storm event. As such, the culvert is no longer functioning as designed and must be replaced.

Section A(5)(a-c) of the NTMP WDR states that:

- a. The RPF shall conduct a field evaluation of current conditions on the NTO area to identify sites that are violating or have the potential to violate applicable water quality requirements or adversely impact beneficial uses, are human caused, and can be reasonably and feasibly treated.
- b. The RPF shall propose measures to protect and restore the beneficial uses of water to the extent feasible at sites identified in Section A(5)(a) and the landowner shall implement such measures during the life of the NTO.
- c. The landowner shall submit to the Regional Water Board a list containing each site identified in the NTO pursuant to Section A(5)(a) and a brief description of corrective action as proposed in Section A(5)(b). The location of each site must be shown on NTO maps.

As specified in section A(5)(a-c) of the NTMP WDR, the landowner should have provided to the Regional Water Board information about this culvert and corrective action and have scheduled corrective action for the site during the life of NTO #11.



Figure 1 and 2: rust and rust holes. Note water draining out of holes, saturating surrounding fill soil

Project Completion:

On August 10, 2015, Regional Water Board staff Jonathan Warmerdam spoke with RPF Lee Susan about the culvert. Following that discussion, Mr. Susan submitted a description of the existing site conditions to the Water Board with a proposed corrective action plan. We appreciated the timely response. However, the plan did not include design, installation and material specifications. Please submit to the Regional Water Board, by October 15, 2015, a revised proposed corrective action plan for this site to prevent or minimize sediment discharge. Please address the following in the plan:

- The length, diameter and material of the new culvert necessary to ensure that it will accommodate the estimated 100-year flood flow, including debris and sediment loads;
- Specifics about the removal of the existing culvert and installation of the new culvert; and
- Specific prescriptions to hydrologically disconnect the road approaches to the crossing, including proposed road surface materials and incorporation and location of rolling dip(s) or other drainage structures, as warranted.

Implementation of the corrective action must occur no later than October 15, 2016. Following implementation of corrective action at the site, you must contact Regional Water Board staff to schedule a subsequent inspection so that we may evaluate whether the corrective action has been sufficiently implemented and confirm that the violation has been adequately corrected.

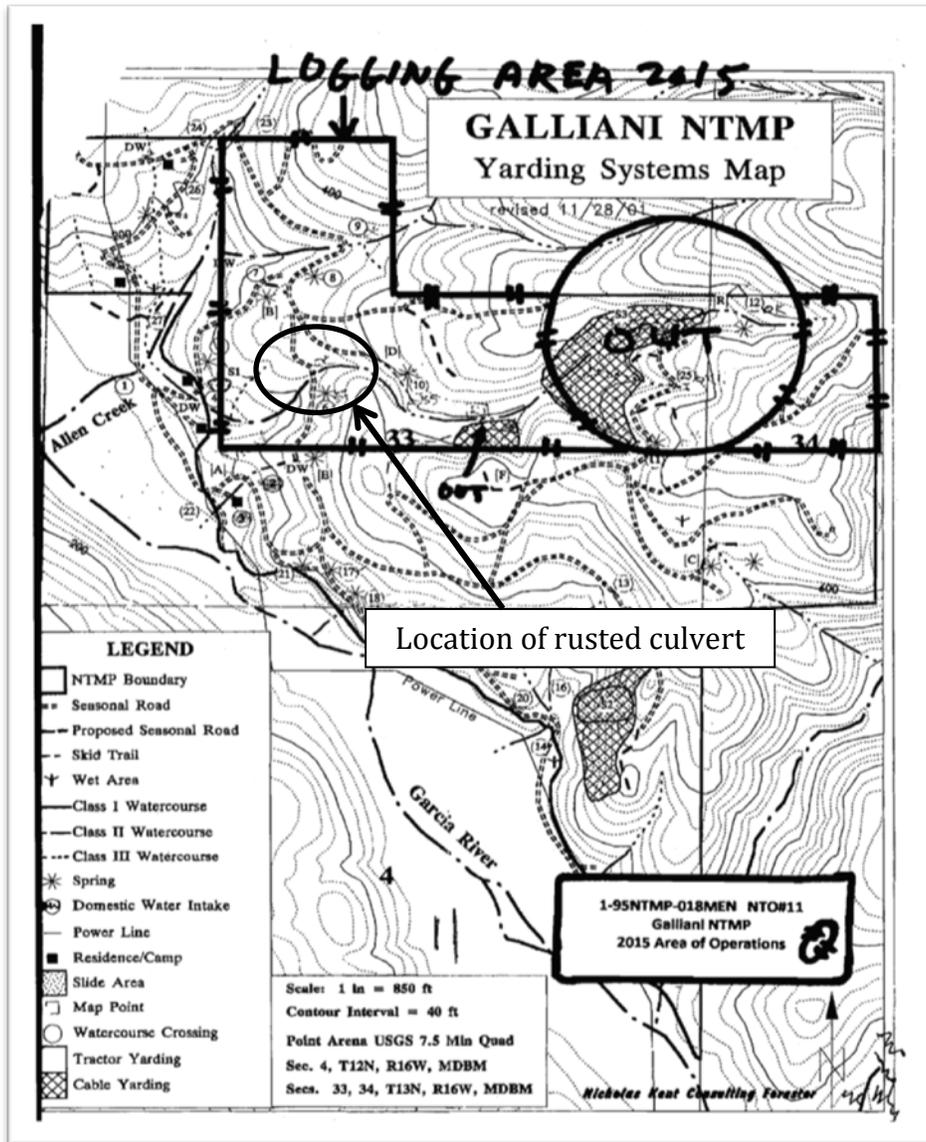
Please contact Jim Burke at 707-576-2289 or Ryan Bey at 707-576-2679 if you have any questions or need more information regarding this matter.

Sincerely,

Fred Blatt, Division Chief
Nonpoint Source and Surface Water Protection Division

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cc: Mr. Lee Susan, summit@mcn.org
Ms. Leslie Markham (CAL FIRE), Leslie.Markham@fire.ca.gov
Mr. Craig Pedersen (CAL FIRE), Craig.Pedersen@fire.ca.gov
Mr. Jon Hendrix (CDFW), Jon.Hendrix@wildlife.ca.gov



Map 1: location of rusted culvert