April 5, 2016

Michael Bray
2020 S Street
Eureka, CA 95501

Dear Michael Bray:

Subject: **Second Notice of Noncompliance:** Failure to Submit 2014-2015 Annual Report as Required by the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ as Amended by Order No. 2010-0014-DWQ and 2012-006-DWQ, NPDES No. CAS000002 (General Permit)

File: Little Trail Subdivision Phase 1, WDID No.1 12C371435

Your facility, located at 2463 Cyprss Avenue in Eureka, California, is regulated under the General Permit and identified by WDID No.1 12C371435. Section XVI.A of the General Permit requires you to submit an annual report by September 1st of each year. According to our records, we have not received your 2014-2015 annual report.

You are currently in violation of the General Permit, the California Water Code and the Federal Clean Water Act for failing to submit a complete 2014-2015 annual report. You are required to submit a complete 2014-2015 annual report (refer to section XVI of the General Permit) to the Regional Water Board by **May 1, 2016** (60 days from the date of the first Notice of Noncompliance). Pursuant to section 13399.33 of the California Water Code, you may be subject to penalties of not less than one thousand dollars ($1,000) plus staff costs for failing to submit your annual report. A copy of the General Permit can be downloaded from the State Water Resources Control Board's website:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Failure to submit the annual report may also result in the assessment of administrative civil liabilities of up to ten thousand dollars ($10,000) for each day in which the violation occurs.

Annual reports must be submitted electronically to the Stormwater Multiple Application & Report Tracking System (SMARTS) database (Section I.D). If you need assistance with

completing the annual report, please contact the SMARTS Help Desk at (866)563-3107. SMARTS is accessible from the following website address: https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp

Along with the annual report, you must also provide a statement explaining the reason you did not submit the annual report by the September 1st deadline and the measures you have taken to ensure timely submittals in the future. This statement must be uploaded to SMARTS as an attachment under the Annual Report Attachments tab.

Please notify Ms. Devon Jorgenson via email at Devon.Jorgenson@waterboards.ca.gov once the report and the explanation are submitted through SMARTS.

If construction on your project is complete and final stabilization has been achieved or ownership has been transferred, you are required to file a Notice of Termination (NOT) through SMARTS.

Please be aware that this is the second Notice of Noncompliance; the first was issued on **March 2, 2016.**

Your immediate attention to this matter is required. If this notification has been sent in error, or if you have any questions regarding the construction storm water program, please contact Devon Jorgenson via email or by phone at (707) 576-2701.

Sincerely,

Digitally signed by Mona Dougherty
Date: 2016.04.05 16:18:48 -07'00'

Mona Dougherty
Senior Water Resources Control Engineer

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Certified-Return Receipt Requested