



California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

November 25, 2002

David Pierson
P.O. Box 1833
Rancho Santa Fe, CA 92067

NOTICE OF VIOLATION; STORM WATER PERMITTING REQUIREMENTS; GOLDIE LANE PROPERTY; SANTA MARGARITA; SAN LUIS OBISPO COUNTY; WDID# 3 40S319357

Dear Mr. Pierson:

On November 8, 2002, Ryan Lodge of my staff inspected the Goldie Lane Property and found it in violation of the General Construction Storm Water Permit (Permit). While on site, Regional Board staff observed no erosion control and no sediment control. The nearby Huerhuero Creek and a nearby unnamed creek are tributary to the Salinas River, which is currently listed on the Federal and Regional Board 303(d) List of Impaired Water Bodies for excess silt and sediment.

The Storm Water Pollution Prevention Plan (SWPPP) for your site outlines erosion and sediment controls. We were assured by Dave Williams of your staff and by staff of your consultant, EDA Design Professionals, that erosion and sediment control would be in place prior to the first rains of the season as outlined in the SWPPP. However, no erosion control and no sediment control were in place after the first rains (Photos 1, 2). Failure to implement erosion and sediment control measures is a violation of Part C.2 of the Permit.

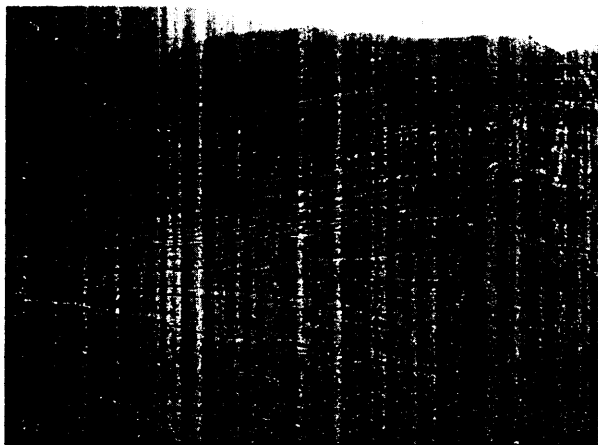


Photo 1 – No erosion or sediment control.



Photo 2 – Gully erosion down hillside.

The access road that transverses the property is also eroding in several locations. There were no erosion or sediment controls on the roadway. As a result the road is washing away at several locations (Photos 3, 4). The road threatens to wash into the unnamed tributary to Huerhuero Creek. Steps should be taken to stabilize the road to prevent further erosion.

California Environmental Protection Agency



Pierson ACL
July 8, 2005 Meeting
Attachment No. 6

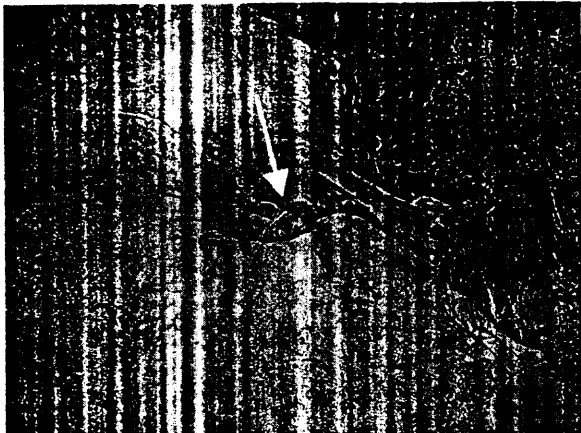


Photo 3 – Road eroding away, no erosion or sediment control.

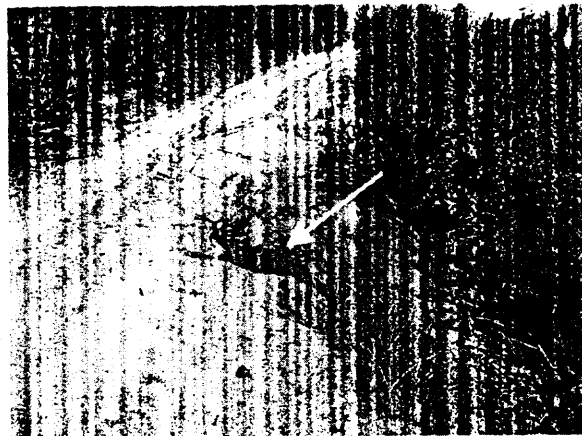


Photo 4 - Road eroding away, no erosion or sediment control.

General Permit Section A, paragraph 6, states in part:

“At a minimum, the discharger/operator must implement an effective combination of erosion and sediment control on all disturbed areas during the rainy season. These disturbed areas include rough graded roadways, slopes, and building pads. Until permanent vegetation is established, soil cover is the most cost-effective and expeditious method to protect soil particles from detachment and transport by rainfall. Temporary soil stabilization can be the single-most important factor in reducing erosion at construction sites.”

You have failed to implement an effective combination of erosion and sediment control as required by the Permit.

Violations of the General Permit constitute violation of Section 13385 of the California Water Code. Corrective action is required immediately to avoid civil liability. Regional Board staff will revisit the site within the next two weeks to ensure compliance with the Permit. The violations outlined herein and any future violations are subject to civil liability, imposed administratively by the Regional Board in an amount not to exceed ten thousand dollars (\$10,000) for each day in which the violation occurs.

Please note that correspondence to our office after December 6, 2002 should be sent to 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401.

If you have any questions regarding this matter, please call Ryan Lodge at (805) 542-4642 or Jennifer Bitting at (805) 549-3334.

Sincerely,

Roger W. Briggs
Executive Officer

cc: Todd Tognazzini
Department of Fish & Game
P.O. Box 2785
Paso Robles, CA 93447

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