



California Regional Water Quality Control Board

Central Coast Region



ston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5427
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis
Governor

February 21, 2003

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

NOTICE OF VIOLATION; CLEANUP OR ABATEMENT ORDER REQUIREMENTS; GOLDIE LANE PROPERTY; SANTA MARGARITA; SAN LUIS OBISPO COUNTY; WDID# 3 40S319357

Dear Mr. Pierson:

On January 23, 2003, we issued Cleanup or Abatement Order No. R3-2003-0021 (Cleanup Order) to David Pierson, Goldie Lane Property (Site). The Cleanup Order is for violations of the General Storm Water Permit for Construction Activities (Permit). You have not fully complied with the Cleanup Order requirements. The Cleanup Order states in part the following:

"By January 31, 2003, David Pierson shall submit to the Central Coast Regional Water Quality Control Board an updated Storm Water Pollution Prevention Plan, describing immediate actions taken to prevent further sediment from leaving the property. The updated plan shall describe erosion and sediment control BMPs and include an implementation time schedule. The plan shall also discuss inspection and maintenance schedules for on-site BMPs.

By January 31, 2003, David Pierson shall prevent erosion by covering all inactive disturbed slopes and stockpiles at the site with effective erosion control BMPs. The erosion control BMPs may include bonded fiber matrix, blankets, mulch, straw, or other means that prevent erosion.

By January 31, 2003, David Pierson shall stabilize all access roads on Site to prevent further erosion of the road surfaces."

We have not received a complete copy of your updated Storm Water Pollution Prevention Plan (SWPPP) as required by the Cleanup Order. An unsigned copy of the SWPPP was submitted on February 13, 2003, but a SWPPP is not complete unless signed.

Regional Board staff visited the Site on February 3, 2003. Installation of erosion control BMPs on some hillsides was observed to be ongoing on the day of the inspection, but coverage was limited (Photo 1). The Cleanup Order requires that you cover all inactive slopes, and stockpiles with effective erosion control BMPs.

Previously eroded sections of the main access road had been filled in with rock and soil (Photo 2). No work had been completed to prevent further erosion of the access road. Site access roads will continue to erode unless stabilizing measures are taken. Hay bale check dams placed at the base of some of the roads will not prevent further erosion.

California Environmental Protection Agency

Recycled Paper

Pierson ACL
July 8, 2005 Meeting
Attachment No. 8

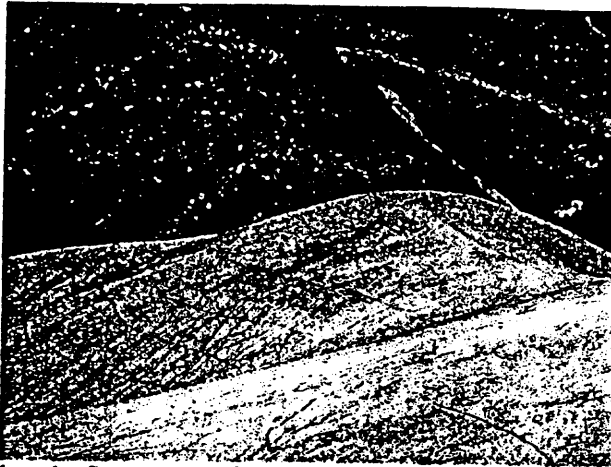


Photo 1 – Some straw and seed have been spread on the hillside.



Photo 2 – Access road has not been stabilized.

You have failed to submit a complete SWPPP and implement erosion control as required by the Cleanup Order and are currently in violation of the Cleanup Order and the Permit. You are required to stabilize all inactive disturbed slopes and stockpiles at the site, including site access roads. You are also required to submit a complete updated SWPPP immediately.

Failure to comply with the provisions of a Cleanup or Abatement Order subject you to further enforcement action, including but not limited to, assessment of civil liability pursuant to section 13268, 13350, and 13385 of the Water Code and referral to the District Attorney or Attorney General for injunctive relief and civil or criminal liability. Additionally, violations of the General Permit constitute violation of Section 13385 of the California Water Code and 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.

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: See attached list



Photo 1 – Some straw and seed have been spread on the hillside.

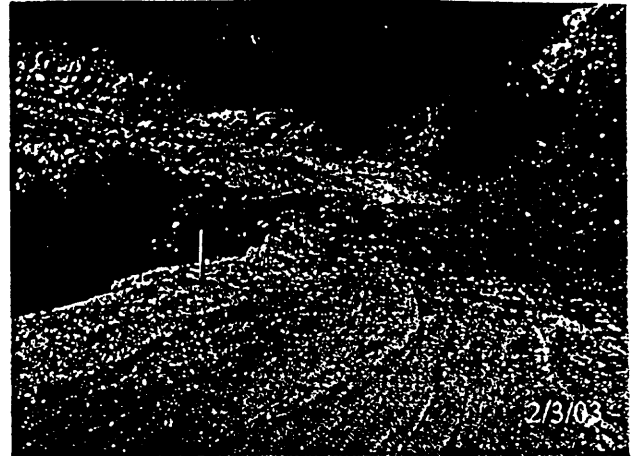


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Sincerely,

RW
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Executive Officer

cc: See attached list

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

San Luis Obispo County District Attorney
County Government Center, Room 460
San Luis Obispo, CA 93408

James Caruso
San Luis Obispo County Dept. of Planning and Building
County Government Center
San Luis Obispo, CA 93408-2040

Tim Fielder
San Luis Obispo County Code Enforcement
County Government Center
San Luis Obispo, CA 93408-2040

Debbie Arnold
Room 370
County Government Center
San Luis Obispo, CA 93408

David Williams
P.O. Box 320
Creston, CA 93432

Jeff Emrick
EDA Design Professionals
1998 Santa Barbara Street
San Luis Obispo, CA 93401

Sarah Christie
926 J Street, Suite 416
Sacramento, CA 95814

Gordon R. Hensley
P.O. Box 6884
Los Osos, CA 93412

Babak Naficy
Law Offices of Babak Naficy
1204 Nipomo Street
San Luis Obispo, CA 93401

Pam Heatherington
Environmental Center of San Luis Obispo
1204 Nipomo Street
San Luis Obispo, CA 93401