



California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair

VSM



Arnold
Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental
Protection

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
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<http://www.waterboards.ca.gov/centralvalley>

31 July 2009

CERTIFIED MAIL
7009 0960 0000 4241 9306

Mr. Zane Shaeffer
815 Taylor Road
Newcastle, California 95658

CLEANUP AND ABATEMENT ORDER NO. R5-2009-0711, RED RAVINE, PLACER COUNTY

The enclosed Cleanup and Abatement Order directs you to clean up and abate conditions of earthen materials discharged from construction activities on your property into Red Ravine, a surface water tributary to Secret Ravine and Dry Creek.

This Order requires that you, by **31 August 2009**, file a Notice of Intent requesting coverage under the Construction Storm Water General Permit; submit a Storm Water Pollution Prevention Plan to the Central Valley Water Board's Executive Officer; and submit a written report detailing the results of a site assessment of all areas impacted by your construction activities.

By **30 September 2009**, you are required to submit a comprehensive Cleanup and Restoration Plan describing how the impoundment structure and all soil deposited in the stream channel will be removed; where the removed material will be taken; how the disturbed soil areas will be stabilized; and how you will restore the pond, ravine, associated wetlands, and riparian areas to pre-project conditions.

By **31 October 2009**, you shall complete the implementation of your approved workplan and submit a report to the Board detailing the efforts you have made in implementing your remediation plan.

By **15 May 2010**, you shall provide a report on the stabilization and status of the rehabilitation of the remediated site.

If you have any questions, please contact Virginia Moran at (916) 464-4814 or Greg Vaughn at (916) 464-4742.



JOSEPH MELLO, CHG
Interim Chief, 401 Certification/Storm Water Section

Enclosure: Cleanup and Abatement Order

cc: See Page 2

cc w/enclosures:

William Ness and Kathy Norton, USACOE, Sacramento
Eugene Bromley, U.S. Environmental Protection Agency, San Francisco
Carol Oz and Mark Jeter, California Department of Fish and Game, Fresno
Patrick Pulupa, Office of Chief Counsel, Sacramento
Mark Bradley, Office of Enforcement, Sacramento
Charles Rich, Division of Water Rights, Sacramento
Dan Radulescu, Central Valley Water Board, Rancho Cordova
Ted Rel, Placer County Community Development Resource Agency, Auburn

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER R5-2009-0711
FOR

ZANE AND CATHERINE SHAEFFER
RED RAVINE
PLACER COUNTY

This Order is issued to Zane and Catherine Shaeffer (hereafter collectively referred to as Discharger) based on provisions of California Water Code (CWC) section 13304, which authorizes the Executive Officer of the Central Valley Regional Water Quality Control Board (Central Valley Water Board or Board), to issue a Cleanup and Abatement Order (Order) and CWC section 13267, which authorizes the Central Valley Water Board to require the preparation and submittal of technical and monitoring reports.

The Executive Officer of the Central Valley Water Board finds, with respect to the Discharger's acts, or failure to act, the following:

1. The Discharger owns property located at 815 Taylor Road in Placer County (Assessor's Parcel Number 031-241-051-000). The property is located in Section 24, Township 12 North, Range 7 East (Mount Diablo Baseline and Meridian), of the Rocklin, CA 7.5" Quadrangle (Latitude 38.871687°, Longitude 121.142049°).
2. On 22 June 2009, Central Valley Water Board staff responded to a complaint filed on the Cal/EPA Environmental Complaint Form-Assignment and Triage website (Complain 6511; Submittal date 22 June 2009). Staff did not enter the property but made an initial observation from Taylor Road of an illegal damming of Red Ravine, which created an impoundment, and caused destruction of a riparian area. Two construction vehicles were observed simultaneously compacting soil dumped by a dump truck that was entering the cemetery across the street and being loaded with soil, then dumping the soil at the impoundment location. A decision was made that this complaint had merit and a follow-up inspection was appropriate.
3. On 23 June 2009, staff conducted a compliance inspection of the property and construction within the surface impoundment was still taking place. A dump truck was observed entering and exiting the site via Red Ravine Road and entering and exiting the Newcastle Cemetery. Board staff approached the contractor and inquired if he could produce proper permits for the activity. He could not. Board staff then advised the contractor that work on the illegal impoundment should cease immediately. The contractor told the Board staff he would allow one more dump load of dirt to be delivered and after compacting this last load of dirt, he would cease operation. In addition to the construction of the illegal impoundment, Board staff observed areas of staging, parking, stockpiling of excavated material from the pond, clearing, grubbing, and grading which totaled at least one acre or more.

4. Board staff then went to the Shaeffer residence; no one answered the door. A business card for the supervisor of the Board's 401 Certification unit with the staff person's name on the card was left in the front door (see Staff Report, Attachments A and B).
5. On 29 June 2009, a multi-agency inspection was held at the property with the landowner and the contractor present. In addition to the Board, other agencies in attendance were the Army Corps of Engineers and California Department of Fish and Game (DFG). Each agency observed and documented regulatory violations, and photographically documented the environmental damage caused by the unpermitted construction activities (Attachments A, B and C).
6. Placer County provided the Board the approved parcel map for this property (75799; 30/PM/102), which strictly prohibits any grading within a designated riparian area of parcel 2 (i.e., a portion of the subject property that has been filled). In addition, Placer County provided the Board documentation that indicates the landowner has engaged in illegal grading activity in this same location in the past and not met the regulatory requirements for DFG 1600 Permit Program (Attachment C).
7. The Discharger has conducted construction activities on more than one acre and has failed to obtain coverage under the Construction Storm Water General Permit for clearing, grading, and excavation, as is required for land disturbances of one or more acres.
8. The Discharger's activities have impacted Red Ravine, a tributary to Secret Ravine and Dry Creek. If the site is not immediately stabilized and if a long-term solution to migration of downstream sediment is not implemented, these impacts will likely be accelerated. Complete Cleanup and Restoration of the site must occur prior to the onset of the local wet season (1 November 2009).

REGULATORY CONSIDERATIONS

1. The Discharger, by failing to file for the proper permits prior to initiating grading activities, by not stabilizing the site after the activities occurred, and by damming a creek without proper permits, has caused or permitted, or threatens to cause or permit, waste to be discharged or deposited where it has discharged to waters of the state and has created, and continues to threaten to create, a condition of pollution or nuisance. The condition of pollution is a priority violation and issuance of a cleanup and abatement order pursuant to CWC section 13304 is appropriate and consistent with policies of the Water Board
2. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition*, (hereafter Basin Plan) designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board. The beneficial uses of the Sacramento River, as identified in Table II-1 of the Basin Plan, are municipal and domestic supply; agricultural supply; water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development of aquatic organisms; and wildlife habitat.

3. CWC section 13304(a) states that:

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 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 ... Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the fact may warrant.

4. CWC section 13304(c)(1) states that:

If the waste is cleaned up or the effects of the waste are abated, or, in the case of threatened pollution or nuisance, other necessary remedial action is taken by any governmental agency, the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of waste within the meaning of subdivision (a), are liable to that governmental agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial action. The amount of the costs is recoverable in a civil action by, and paid to, the governmental agency and state board to the extent of the latter's contribution to the cleanup costs from the State Water Pollution Cleanup and Abatement Account or other available funds.

5. CWC section 13050 states, in relevant part:

(l)(1) "Pollution" means an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects... the following:

(A) The waters for beneficial uses.

6. CWC section 13267(b)(1) states, in relevant part, that:

...the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports.

7. The technical reports required by this Order are necessary to ensure compliance with this Order to demonstrate that appropriate methods will be used to clean up waste discharged to surface waters and to ensure that cleanup complies with Basin Plan requirements. The Discharger is subject to this Order because they own the property from which waste was discharged.

8. The issuance of this Order is exempt from the provisions of the California Environmental Quality Act, pursuant to California Code of Regulations, title 14, section 15321(a)(2).

IT IS HEREBY ORDERED that, pursuant to CWC sections 13304 and 13267, the Discharger shall cleanup and abate the impacts to Red Ravine caused by grading and construction actions and submit the necessary technical reports required by this Order in accordance with the schedule set forth below:

1. The Discharger shall take all reasonable steps to stabilize the site and shall immediately cease all discharges of sediment and other wastes to waters of the state, including, but not limited to, Red Ravine and its tributaries. Compliance with this directive shall include, but not be limited to, immediately cleaning up and abating the soil materials that have been discharged to surface waters in accordance with the following schedule.
2. By **31 August 2009**, the Discharger shall: (1) file a Notice of Intent requesting coverage under the Construction Storm Water General Permit; and (2) submit a Storm Water Pollution Prevention Plan to the Central Valley Water Board's Executive Officer.
3. By **31 August 2009**, the Discharger shall submit a written report detailing the results of a site assessment of all areas impacted by the dam and road construction, including the disturbed areas above the dam and the length of the creek impacted by soil deposition. The report must include at minimum the habitat type (e.g., riffle, run, pool), the volume of soil deposited in the stream channel, and a full assessment of the biological and habitat impacts to the creek channel and upstream area.
4. By **30 September 2009**, the Discharger shall submit a comprehensive *Cleanup and Restoration Plan* (Plan), for approval by the Board's Executive Officer. The Plan must also be submitted to the DFG, US Army Corps of Engineers, and Placer County. The Plan shall describe how the impoundment structure and all soil deposited in the stream channel will be removed. The Plan shall contain information establishing that the earthen material removed will be deposited in an area and manner that will not impact surface waters, and all disturbed soil areas will be stabilized with an effective combination of erosion and sediment controls. The plan will return the pond, ravine, associated wetlands, and riparian areas to pre-project conditions or better. All work must be conducted in accordance with the approved Plan.

The Plan shall be implemented as soon as possible after approval by the Board's Executive Officer. At minimum, the Plan shall include the following elements:

- a. A **qualified** biologist shall be onsite at all times during cleanup and restoration activities. The biologist will monitor work activities and write daily work reports that include photographs of the activities. The Discharger shall consult a list of approved consultants from an existing list maintained by an appropriate regulatory agency, such as that provided by the US Army Corps of Engineers.

- b. If the creek is flowing and the work activity results in a visible plume, water samples shall be taken upstream and downstream of the work area every four hours and analyzed for turbidity and suspended solids.
 - c. If downstream turbidity levels exceed Basin Plan objectives, the Discharger must immediately stop work and implement additional best management practices (BMPs) to return downstream water quality back to within Basin Plan objectives. When water quality objectives are exceeded due to construction activities, monitoring results must be reported verbally to Board and DFG staff within eight hours. A written report on the exceedance of water quality objectives including photographs shall be submitted to Board and DFG staff within 48 hours. The report shall note what actions were taken to improve BMPs.
 - d. The Discharger shall insure that during the cleanup and abatement work, additional damage to the surrounding pond, wetlands, and riparian area does not occur and sediment is retained on site and not deposited into the wetland north of the pond, associated drainages, or downstream into Red Ravine.
5. By **31 October 2009**, all work will be completed in accordance with the approved Plan and the entire project shall be stabilized.
 6. By **31 October 2009**, the Discharger shall submit a *Completion Report* describing in detail how the *Cleanup and Restoration Plan* has been implemented and how the site and impacted surface waters have been fully remediated. The report shall include photographs of the site and Red Ravine prior to and after stabilization and cleanup and monitoring information taken during the stabilization activities.
 7. The Discharger shall conduct visual monitoring throughout the 2009-2010 wet season in accordance with the current General Construction Permit. All inspection reports shall include written reports and photo documentation of soil stability and establishment of vegetation. By **15 May 2010**, the Discharger shall submit the monitoring reports and photographs to the Board and Department of Fish and Game, US Army Corps of Engineers, and Placer County staff.
 8. The Discharger shall notify Water Board staff at least three working days prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation.
 9. The Discharger shall obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning work.
 10. If the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. An extension may be

granted by revision of this Order or by a letter from the Executive Officer. Extension requests not approved in writing by the Executive Officer with reference to this Order are denied.

11. The Discharger shall provide Board staff reasonable access to areas of the property as needed.
12. All technical reports submitted by the Discharger shall include a cover letter signed by the Dischargers, or an authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to their knowledge, the report is true, complete, and accurate by making the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

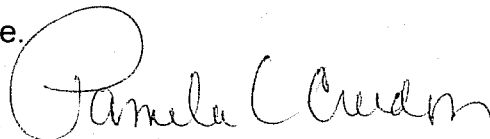
If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

Failure to comply with this Order may result in the assessment of an Administrative Civil Liability of up to \$10,000 per violation per day, pursuant to the CWC sections 13268, 13350, and/or 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality
or will be provided upon request.

This Order is effective upon the date of signature.



PAMELA C. CREEDON, Executive Officer

31 July 2009

Date

Attachment A: Staff Site Inspection Report

Attachment B: Central Valley Water Board staff inspection photographs

Attachment C: Copies of letters from Placer County and the approved parcel map showing restrictions for the riparian area.

VSM: Enforcement/Newcastle/2009



California Regional Water Quality Control Board

Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Arnold Schwarzenegger
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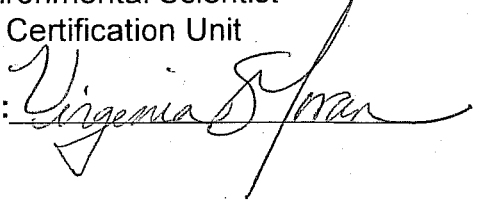
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Attachment A Shaeffer Violation R5-2009-0711

TO: Greg Vaughn
Senior Engineer
401 Certification Unit

FROM: Virginia Moran
Environmental Scientist
401 Certification Unit

DATE: June 22 and 23, 2009

SIGNATURE: 

SUBJECT: COMPLAINT OF ILLEGAL FILL OF WETLANDS, 815 TAYLOR ROAD, NEWCASTLE, ROCKLIN 7.5" QUADRANGLE, T12N, R7E, S.E. ¼ OF SECTION 24, 38.871687 LATITUDE, 121.142049 LONGITUDE, NEWCASTLE, CALIFORNIA 95658-9780, PROPERTY OWNERS: ZANE AND CATHERINE SHAEFFER, PLACER COUNTY APN: 031-241-051-000

On Monday, June 22, Senior Manager, Joe Mello, received a water quality complaint via the Cal/EPA Environmental Complaint Form-Assignment and Triage website (Complaint 6511; Submittal date 6/22/2009). It alleged that an illegal fill may be in process at the address listed above. I was dispatched to the location at about 2:30 p.m. and arrived about 3:30 p.m. My initial observation was made from Taylor Road looking south. I did not enter the property. I observed construction vehicles constructing and compacting an impoundment across a pond. I remained there for about 20 minutes in order to take photos. In the meantime, staff in the office was researching if a permit for this project existed and confirmed there was not a 401 permit. This was confirmed via a call I made from my cell phone. I observed the construction activity for about 20 minutes. I watched two construction vehicles simultaneously compacting soil dumped by a dump truck that was entering and exiting the cemetery across the street then dumping the soil at the impoundment location.

After this preliminary visit, I went to the Placer County Administrative Offices on Bell Road (DeWitt Center) to notify Placer County of this activity. I was able to speak only to the receptionist. I told her about the possible violation and asked her to put me in touch with the Code Compliance Division. I also requested an APN for the property. She attempted to look the property up on her computer but without more specific information, stated she would not be able to confirm the proper APN. She took my name and number and said she would have someone get back with me soon.

On Tuesday, June 23, I made two phone calls to Placer County and was transferred each time to some kind of technician who did not seem to understand why I was calling. Later in the day, the decision was made by my supervisor that the CVRWQCB should inform the landowner via a site visit that he/she was in violation of the Porter-Cologne Water Quality Act and lacked the proper 401 water quality certification for the project. Enroute to the property, I tried calling Placer County again using my cell phone. I was transferred to a technician in the code compliance division. He proceeded to tell me we would need to submit our complaint "in

writing" and did not seem to understand what entity I represented. I asked him if there was someone else I could talk to in his division. He told me he would ask an engineer in the office and if the engineer wanted to talk with me, he would provide the engineer with my cell phone number. Within minutes, I received a phone call from a Mr. Ted Rel who identified himself as an engineer with Placer County. He told me, based on a preliminary assessment only, he had no recall of ever reviewing this project and he would get back to me to confirm this.

I reached the property at approximately 4:15 p.m. and parked on the shoulder of Taylor Road. I walked onto the site via Red Ravine Road. I observed one dump truck entering and exiting the site via Red Ravine Road. I observed only a single person on the site and approached him. His name was Guy Ostenson, the contractor that was hired for the project and owner of Sierra Pre-Casting Company out of Newcastle. Mr. Ostenson was cordial, respectful, and helpful. I asked him if he was the owner of the property and he informed me the owner, Mr. Zane Shaeffer, was not home and he believed Mr. Shaeffer was camping at Lake Shasta. I asked him if he was aware he needed permits for the work he was doing. He told me that he had no idea he was in error. He informed me that per his work agreement with Mr. Zane Shaeffer, he was not responsible for obtaining permits for the job. This was supposed to be the responsibility of the landowner, Mr. Zane Shaeffer. Mr. Ostenson then handed me a folder he stated was given to him by Mr. Shaeffer. He asked me if I would look through it with him to determine if he had the proper permits. He opened it up and flipped through it. As he flipped through it, I noticed what appeared to be two violation letters addressed to Mr. Shaeffer from CDFG. The most recent letter from CDFG I observed was from 2005 and it was a cease and desist order. After these observations, I told Mr. Ostenson, it did not appear Mr. Shaeffer provided him with the correct permits but that we needed to speak to Mr. Shaeffer directly. Mr. Ostenson asked me what he should do. I stated that we strongly advise, in the interest of ceasing additional damage to the waterway and the lack of proof that the project was properly permitted, he stop work as soon as possible. Mr. Ostenson asked me if he would be held liable for the damage. I told him I could not answer this question but this alone seemed to be justification for ceasing activity. I repeated that the person I needed to speak to was Mr. Shaeffer. Mr. Ostenson then informed me that the impoundment looked especially "muddy and dirty" because Secret Ravine School had just cleaned debris from the grate in their pond off Kentucky Green Way. This had allowed water from their pond to drain into the Shaeffer pond. He suggested I visit the school pond to confirm that the "dirty water" was from the school pond and not the impoundment. Mr. Ostenson told me there was one more dump load of dirt to be delivered and after compacting this last load of dirt, he would cease operation.

The dump trucks were entering and exiting from a cemetery that is across the road from Mr. Shaeffer's property. This appeared to be the source of the soil for the project.

I took some photos then proceeded to the residence of Mr. Shaeffer. I knocked on the door and rang the doorbell. After a few minutes when no one came to the door, I left my supervisor Greg Vaughn's business card with my information written on the back in the crack of the front door right above the doorknob. It was secure in this location.

I then left the residence and observed the operation for another few minutes from Taylor Road. From there, I stopped by the pond at Secret Ravine School and observed the grate in the pond which did appear to be recently cleared of debris. I took a photo of the grate and this pond. This ended my site visit.

Attachment B
Photos of Zane Shaeffer Violation R5-2009-0711



Figure 1. View of illegal impoundment looking west toward the residence.



Figure 2. View of illegal impoundment on south side of drainage.

Attachment B
Photos of Zane Shaeffer Violation R5-2009-0711



Figure 3. View of illegal impoundment on north side of drainage. Poned section.



Figure 4. View of ponded section. Area north of this to Taylor Road is wetland habitat.

Attachment B
Photos of Zane Shaeffer Violation R5-2009-0711

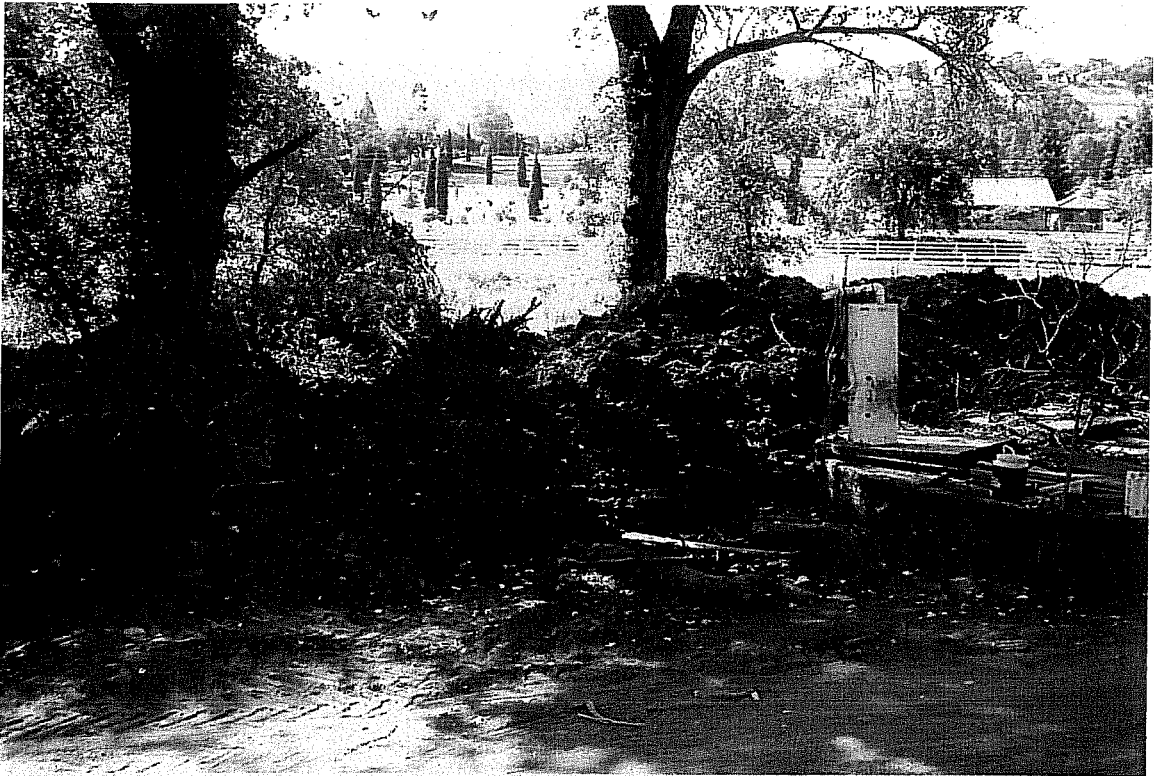


Figure 5. View of stockpiled excavated soil on project site.



Figure 6. View of stockpiled excavated soil on project site.

Attachment B
Photos of Zane Shaeffer Violation R5-2009-0711

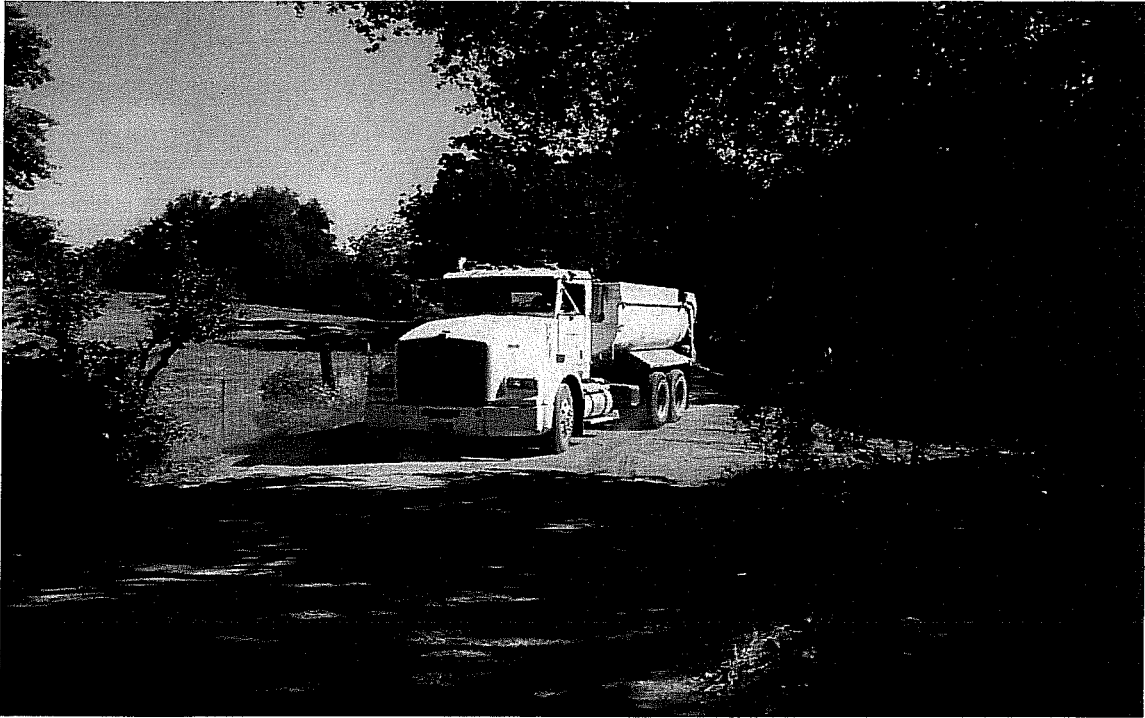


Figure 7. Dump truck exiting project site. Soil was obtained from cemetery across the street.



Figure 8. Wetlands on north end of property. Photo of drainage that enters property from the east with fish in the drainage.

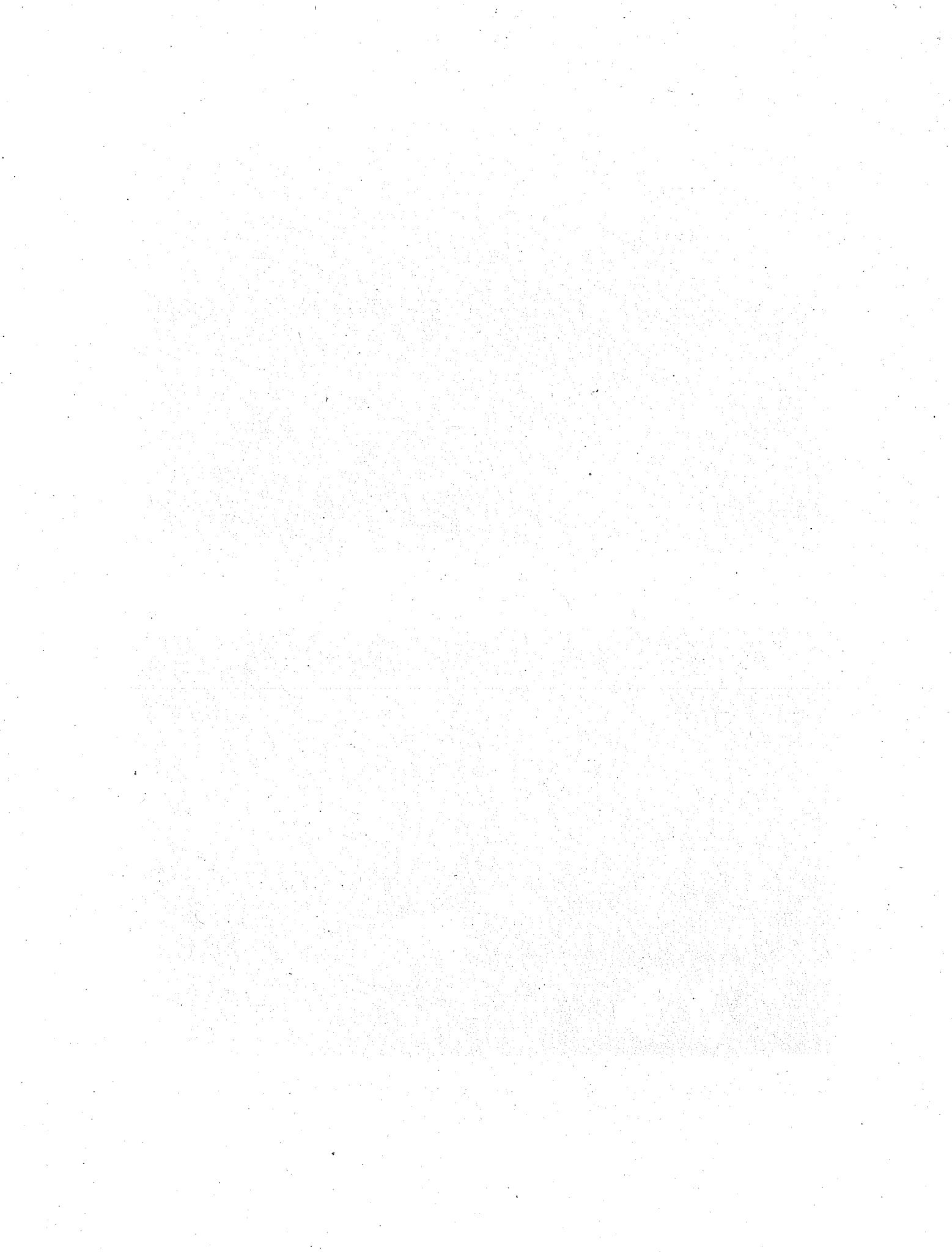
Attachment B
Photos of Zane Shaeffer Violation R5-2009-0711



Figure 10. View of same drainage as it enters pond basin from the north and east.

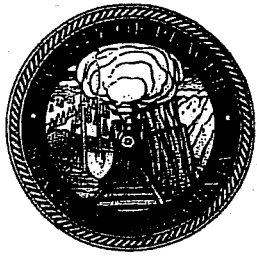


Figure 11. Obligate wetland plant, arrowhead (*Sagittaria latifolia*) grows in wetlands on north end of property that drain into the pond basin.



Attachment C
Supporting Documentation

Shaeffer Violation R5-2009-0711



PLACER COUNTY
DEPARTMENT OF PUBLIC WORKS

Tim Hackworth, Director
Ken Grehm, Assistant Director
Rick Dondro, Deputy Director
Wes Zicker, Deputy Director

May 4, 2005

Zane and Catherine Shaffer
815 Taylor Road
Newcastle, CA 95658

**SUBJECT: GRADING VIOLATION ON A.P.N. 031-241-051
(815 TAYLOR ROAD, NEWCASTLE)**

Dear Mr. and Mrs. Shaffer,

During field reviews on May 2, 2005, it was noted that the pond on the subject parcel has been cleaned. Approval of parcel map 75799 (30/PM/102) strictly prohibits any grading within the designated riparian area of parcel 2. The subject property is parcel 2 of parcel map 75799.

On February 26, 2004, DLD Service of Granite Bay applied for grading permit 3202 on your behalf. The proposed grading was pond restoration. The proposed pond restoration plan included dredging of the pond and rebuilding the levee and spillway.

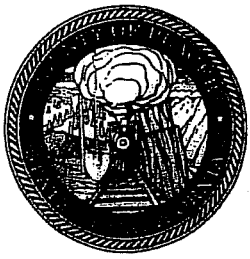
The Planning Department required an environmental review prior to issuing a grading permit. There is no evidence that an application was made for an environmental assessment questionnaire. Therefore, grading permit 3202 was never issued.

You are to cease any and all grading activity on the subject site. Additionally you must contact the Planning Department, Mr. George Rosasco and begin the environmental review process.

If the project is not exempted from the California Environmental Quality Control Act or could not be mitigated, you may be required to prepare a restoration plan and restore the site to its prior condition.

Since the area is a protected site, you are required to provide evidence that approval for the performed work was obtained from the following agencies, or that you were exempted by them.

1. California Department of Fish and Game
2. California Regional Water Quality Control Board
3. Army Corps of Engineers



PLACER COUNTY
DEPARTMENT OF PUBLIC WORKS

Tim Hackworth, Director
Ken Grehm, Assistant Director
Rick Dondro, Deputy Director
Wes Zicker, Deputy Director

May 11, 2005

Zane and Catherine Shaffer
815 Taylor Road
Newcastle, CA 95658

**SUBJECT: GRADING VIOLATION ON A.P.N. 031-241-051
(815 TAYLOR ROAD, NEWCASTLE)**

Dear Mr. and Mrs. Shaffer,

Thank you for your prompt response to my May 4, 2005 letter concerning the subject violation.

The letter from the Department of Fish and Game states, "If the project described in your notification IS NOT EXEMPT FROM CEQA, the lead agency must prepare an environmental document for the project." Placer County Planning Department is the lead agency and when you made application for your grading permit in February 2004, they made a determination that your proposed project was not exempt from the provisions of the California of the California Environmental Quality Control Act (CEQA).

Since the project is not categorically exempt from CEQA, it is essential that either you or DLD Service, if they are your designated representative, contact George Rosasco at the Planning Department to begin the environmental review process. He can be reached at (530) 886-3000.

It is essential that you, or DLD Service begin the environmental review process immediately since a violation of the grading ordinance exists. Failure to do so will result in a notice being placed in the Placer Land Use System (PLUS) that would withhold any and all development permits for the parcel and possibly the matter could be forwarded to Code Enforcement for compliance. If you have any other questions, you may contact me at (530) 889-7542.

Very truly yours,

County Of Placer
Department Of Public Works
T. D. Hackworth, Director

William A. Davidson
Engineering Technician II

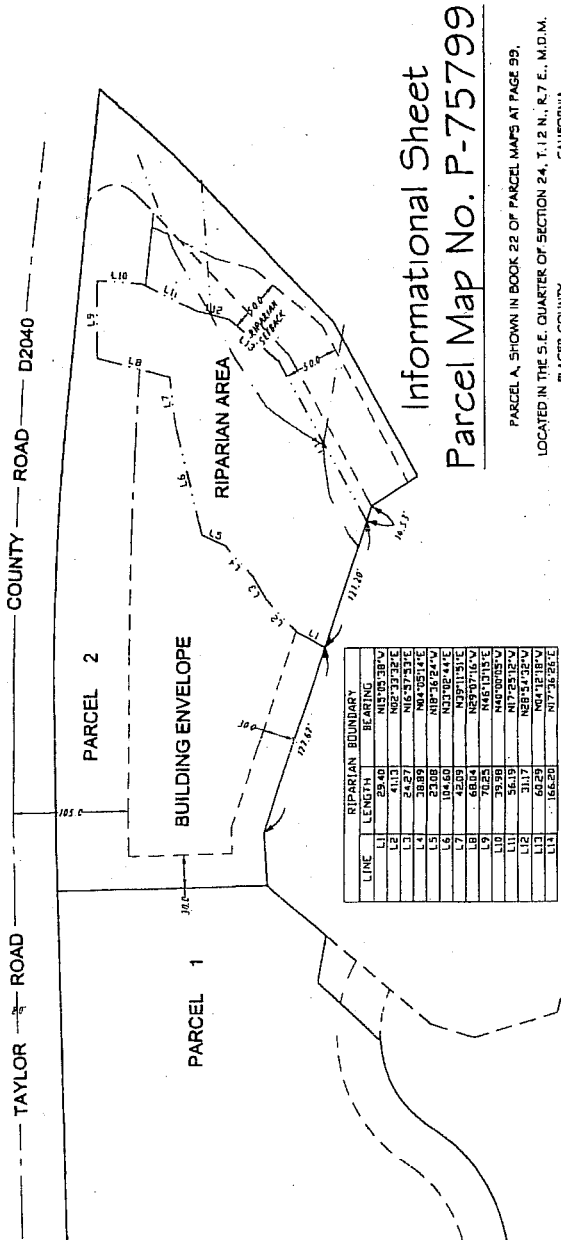
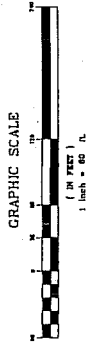
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cc: Planning Department, George Rosasco

DGP 3202

INFORMATIONAL SHEET NOTES

1. THE BUILDING ENVELOPE SHOWN ON PARCEL 2 IS THE ONLY APPROVED SITE FOR PRIMARY STRUCTURES; NO OTHER SITES ARE PERMITTED UNLESS APPROVED BY THE PARCEL REVIEW COMMITTEE.
2. PROTECTION AREAS (CEMPA AREAS) ARE CREATED FOR THE PROTECTION AND PRESERVATION OF NATIVE RIPARIAN AREAS. ANY DISTURBANCE WITHIN THE RIPARIAN PROTECTION AREAS IS PROHIBITED INCLUDING THE PLACEMENT OF FILL MATERIALS, LAWN CLIPPING, OIL, CHEMICALS, OR TRASH OF ANY KIND, GRADING, CLEARING, VEGETATION REMOVAL, OR DOMESTIC LANDSCAPING INCLUDING ACCESSORY STRUCTURES, SWIMMING POOL, SPAS AND FENCING IS ALSO PROHIBITED WITHIN RIPARIAN AREAS SHOWN. PLANNING OR SPACE MAINTENANCE REQUIREMENTS FOR THE RIPARIAN AREAS SHOWN, PLANNING OR SPACE MAINTENANCE REQUIREMENTS FOR THE BUILDING ENVELOPE IS DELETED OR DELETED AND FINANCING IS NECESSARY FOR THE MAINTENANCE OF THE NATURAL VEGETATION AND ONLY WITH THE PRIOR WRITTEN CONSENT OF THE PLANNING DEPARTMENT AND ANY OTHER RELEVANT AGENCY WHICH MAY HAVE JURISDICTION.
3. THIS SHEET CONTAINS ADDITIONAL INFORMATION TO BE INCLUDED IN COMPLIANCE WITH SECTION 65432.2 OF THE SUBDIVISION MAP ACT. INFORMATIONAL PURPOSES ONLY. AND CANNOT BE USED AS A BASIS OF TITLE. IT IS NOT INTENDED TO AFFECT RECORD TITLE INTERESTS. THE INFORMATION IS DERIVED FROM PUBLIC RECORDS OR RECORDS AND DOES NOT IMPLY THE CORRECTNESS OR SUFFICIENCY OF THOSE RECORDS OR RECORDS BY THE PREPARER OF THIS ADDITIONAL INFORMATION SHEET.



LINE	LENGTH	BEARING
L1	29.40	N157°05'38"W
L2	41.10	N02°33'32"E
L3	34.27	N65°57'31"E
L4	38.29	N82°02'14"E
L5	104.60	N33°02'44"E
L6	42.09	N39°11'31"E
L7	68.04	N25°07'16"W
L8	70.25	N45°10'15"E
L9	54.78	N72°02'14"E
L10	31.17	N27°54'22"W
L11	60.29	N04°12'18"W
L12	166.20	N77°36'22"E

**Informational Sheet
 Parcel Map No. P-75799**

PARCEL A, SHOWN IN BOOK 22 OF PARCEL MAPS AT PAGE 99,
 LOCATED IN THE S.E. QUARTER OF SECTION 24, T.12 N., R.7 E., M.D.M.
 PLACER COUNTY CALIFORNIA
 JUNE 2001
 SWIFT ENGINEERING MEADOW VISTA, CA
 SHEET 2 OF 2

