



Enforcement News

North Coast Water Board proposes \$4.5 million fine against quarry operator for alleged Clean Water Act violations

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SANTA ROSA – A Sonoma County quarry operator is facing a \$4.5 million fine for multiple violations of the Clean Water Act that threaten the survival of endangered salmon populations in tributaries of the Russian River, according to a formal complaint signed last week by staff of the North Coast Regional Water Quality Control Board.

The proposed fine is part of a legal proceeding known as an administrative civil liability that alleges the quarry operator, Dean Soiland, doing business as BoDean Co. Inc., discharged highly turbid storm water from its quarry operations into Porter Creek from September 2018 through May 2019. These discharges violate requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities.

The complaint alleges that BoDean violated other requirements of the NPDES General Permit also by failing to implement best management practices that would have reduced or prevented sediment in stormwater discharges.

Mark West Quarry is a 120-acre aggregate rock quarry next to Porter Creek, a major tributary of Mark West Creek known for its pristine waters and excellent habitat for wildlife, including endangered California steelhead trout and Coho salmon. From December 2018 through May 2019, the quarry discharged more than 10.5 million gallons of highly turbid storm water causing significant amounts of fine sediment to deposit in Porter Creek.

Abnormally high levels of sediment in surface waters can smother aquatic animals and habitats; alter or obstruct flows, resulting in flooding; and reduce water clarity, which makes it difficult for organisms to breathe, find food and refuge, and reproduce.

“Storm water runoff from quarries and other industrial operations exposed to rainfall can cause substantial impacts to water quality unless practices are in place and maintained to prevent soil erosion and sediment transport,” said Claudia E. Villacorta, North Coast Water Board assistant executive officer. “Had the quarry operator complied with the storm water permit, impacts to water quality could have been avoided. The proposed fine reflects the extent of those impacts and the operator’s failure to implement minimum practices established in the permit.”



Industrial facilities such as the Mark West Quarry are required to control their storm water discharges using the best available technology that is economically achievable or the best conventional pollutant control technology.

A public hearing to consider the complaint and vote on whether to approve the \$4.5 million fine is scheduled for Dec. 2-3 before the North Coast Water Board.

A copy of the administrative complaint will be available for review on the North Coast Water Board's [website](#).