



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

North Coast Regional Water Quality Control Board

August 4, 2016

Douglas Cole, et al
100 Tomorrow Rd.
Somes Bar, CA 95569

Dear Douglas and Heidi Cole:

Subject: Final Cleanup and Abatement Order and Request for Technical Reports pursuant to Water Code section(s) 13267 and 13304: Siskiyou County APN 026-290-200 - WDID No. 1A15024NSI

File(s): Douglas and Heidi Cole, Marble Mountain Ranch, 92520 Highway 96, Somes Bar: Siskiyou County APN 026-290-200, Klamath River Watershed

Enclosed is a Final Cleanup and Abatement Order, No. R1-2016-0031 (Order), (Water Code section 13304) issued by the California North Coast Regional Water Quality Control Board (Regional Water Board) to you. The Order is in response to water quality violations associated with operation and maintenance of the Stanshaw Creek diversion ditch on the subject property.

Based on observations made by Water Board staff during a February 12, 2015 inspection, the Order directs you to take steps to clean up and abate the discharge of earthen materials and debris to the Klamath River and its tributaries. In response to the inspection referenced above, on December 3, 2015, a Draft Cleanup and Abatement Order was issued to you. Subsequent to the issuance of the draft Order negotiations between you and the Regional Water Quality Control Board and the State Water Resources Control Board have been ongoing. These negotiations have resulted in some progress; however, the bulk of the corrective work required by the Order remains unaddressed. We recognize that you are working on and have partially completed some of the necessary steps to move forward with correction of the violations.

However, we have not received the required plans in a format that allows our approval, thus enabling you to move forward with receiving required permits, and implementing corrective actions. As such, we are issuing this final Order to facilitate compliance with the Water Code and Clean Water Act.

The enclosed Order is a final Order. The timelines are enforceable. The tasks are defined in the directives of the attached Order. The Order requires plans be developed and submitted for approval prior to implementation. Due to the many issues at the site associated with the operation and maintenance of the Stanshaw Creek diversion ditch, there are multiple requirements; please pay attention to requirements specified in the Order and their due dates.

If you have any questions, please contact Stormer Feiler of my staff by phone at (707) 543-7128 or by email at Stormer.Feiler@waterboards.ca.gov.

Sincerely,

Matthias St. John
Executive Officer

160804_SRF_ef_ColeMarbleMountainRanch_CAO_cover_letter

Enclosure: Cleanup and Abatement Order No. R1-2016-0031

Certified-Return Receipt Requested

cc: Barbara Brenner
Churchwell White LLP
1414 K St., 3rd Floor
Sacramento, CA 95814
Barbara@churchwellwhite.com

Konrad Fisher
100 Tomorrow Rd.
Somes Bar, CA 95568
k@omrl.org

California Sportfishing Protection
Alliance
1608 Francisco Street
Berkeley, CA 94703
bjennings@calsport.org

Klamath National Forest
Ukonom Ranger District
c/o Mr. Jon Grunbaum
P.O. Drawer 410
Orleans, CA 95556

cc list: electronic copies continued next
page.

cc: *(via email only)*

Department of Fish and Wildlife

Gary Curtis

Gary.Curtis@wildlife.ca.gov

Donna Cobb,

Donna.Cobb@wildlife.ca.gov

Janae Scruggs

Janae.Scruggs@wildlife.ca.gov

North Coast Regional Water Quality Control Board

Ms. Diana Henriouille

Diana.Henriouille@waterboards.ca.gov

Stormer Feiler

Stormer.Feiler@waterboards.ca.gov

State Water Resources Control Board

Taro Murano,

Taro.Murano@waterboards.ca.gov

Ken Petruzzeli

Kenneth.Petruzzelli@Waterboards.ca.gov

National Oceanic Atmospheric Administration

Margaret Tauzer

margaret.tauzer@noaa.gov

Bob Pagliuco

bob.pagliuco@noaa.gov

Natural Resource Policy Advocate

Craig Tucker

Karuk Tribe

ctucker@karuk.us

Mid Klamath Watershed Council

Will Harling

will@mkwc.org

United States Forest Service

LeRoy Cyr

lcyr@fs.fed.us

Cascade Stream Solutions

Joey Howard

joey@cascadestreamsolutions.com