

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

In the matter of:)	
)	Order No. R5-2007-0532
K. Hovnanian Forecast Homes)	Imposing Administrative Civil Liability
Southern, Inc.)	Pursuant to Settlement Agreement
)	
_____)	

INTRODUCTION:

1. By this Order, the Executive Officer of the Regional Water Quality Control Board, Central Valley Region (Regional Water Board) imposes administrative civil liability on K. Hovnanian Forecast Homes Southern, Inc. (Forecast Homes) pursuant to a settlement agreement. The issuance of an order pursuant to settlement agreement is authorized by Government Code section 11415.60. The Executive Officer has been delegated the authority to issue this Order pursuant to Resolution R5-2007-0009.

BACKGROUND:

2. Pursuant to Water Code section 13385, the Executive Officer issued ACL Complaint No. R5-2007-0527 (Complaint) to Forecast Homes. The Complaint alleged that Forecast Homes failed to implement and maintain controls to reduce pollutants in storm water discharges from their construction site to the BAT/BCT performance standard, resulting in the repeated discharge of sediment-laden storm water and other pollutants into nearby surface waters.
3. The Executive Officer and Forecast Homes have entered into a settlement agreement (Agreement) regarding the Complaint. Among other provisions, the Agreement provides for Forecast Homes to remit payment of \$200,000 to the State Water Resources Control Board Pollution Cleanup and Abatement Account and to pay \$100,000 to fund a supplemental environmental project SEP, both within 20 days of receiving written notice from the Regional Water Board, or its delegee, that it has adopted an order or decision by settlement pursuant to Government Code section 11415.60 which approves the Agreement.
4. Notice of the Agreement was provided to the public and the public received no less than thirty days to comment on the Agreement. The Executive Officer has considered all comments that have been received.

IT IS HEREBY ORDERED THAT:

5. The attached Agreement between the Executive Officer and Forecast Homes is approved pursuant to Government Code section 11415.60 and is incorporated by reference into this Order.

Original signed by

Pamela C. Creedon
Executive Officer

17 December 2007
(date)