Childs, Guy@Waterboards

From: Wyels, Wendy@Waterboards
Sent: Friday, October 23, 2015 3:38 PM
To: Kevin Hinman
Cc: Altevogt, Andrew@Waterboards; Ellison, Kailyn@Waterboards; Childs, Guy@Waterboards; Hold, Howard@Waterboards
Subject: RE: FW: Holland Riverside Marina: Ability to Pay
Attachments: Holland Riverside Marina 13267 Order.pdf

Kevin,
We have not received your response to the California Water Code 13267 Order. That response was due on October 16th and you are subject to $1,000 per day in penalties for failure to respond. The email that you sent below does not respond to the Order. For your information, I've attached another copy of the Order.

We have also not received your Ability To Pay response.

Please recognize that if we do not receive both documents shortly, then we will be issuing an Administrative Civil Liability Complaint which will be considered at an upcoming Board meeting.

If you have any questions, please feel free to contact me.

Wendy Wyels
Supervisor, Compliance and Enforcement Section
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite A
Rancho Cordova, CA 95670
(916) 464-4835
wwyels@waterboards.ca.gov

Save Our Water
Visit for tips at:
saveourwater.com
www.waterboards.ca.gov

From: Kevin Hinman [mailto:hollandstime@gmail.com]
Sent: Thursday, October 15, 2015 5:03 PM
To: Wyels, Wendy@Waterboards
Subject: Re: FW: Holland Riverside Marina: Ability to Pay

There is considerable information required in the Ability to Pay Form which I have been working with my CPA to complete for you as well as my bank. The difficulty being that with the modifications, lawsuit and foreclosure I've faced and the loss of Cruiser Haven, filing taxes had not been completed for 2013 to present. Extensions were filed with consideration of these complications. I have been working to remedy this since before our meeting as the same information is needed for my mortgage bank. Due to these complications this is not a simple filing. I have stressed to my CPA that it is very important that I get this wrapped up as

quickly as possible. When I initially forwarded the Ability to Pay form to her she said there's no way she would have it in time but I asked her to please try her best. If you like I can send you PDF copies of my bank statements pending completion of the Ability to Pay form.

Updates on the ponds:

Alpha Analytical is coming out on Tuesday to perform the annual testing requirements and we are back on schedule for the testing regiment. I'm upgrading the Pond 1 Aeration pump from a 5HP 3 phase pump to a 7.5 HP 3 phase pump and upgrading the Pond 2 Aeration pump from a 1HP single phase pump to a 5HP 3 phase pump which should reduce ammonia buildup considerably.

Please consider that when I purchased Holland Riverside, Pond 2 was a tulle patch with 4ft tall vegetation growing in the pond and never had any pump at all. I cleaned the ponds up better than they have been since they were built. This 5HP 3 phase aeration pump in pond 2 is a major upgrade to the system. These 3 phase motors are very heavy and expensive. Please take these upgrades into account during my financial evaluation as my mortgage on the marina will remain unpaid in order to facilitate this upgrade.

I have consulted with my bankruptcy attorney in the event I am unable to meet the financial demands required of me. I would prefer to pay for improving the system than facing steep penalties I simply cannot afford and will not benefit the marina or the environment.

I have forwarded your email to my CPA and am working to get this resolved as quickly as possible.

I operate a tractor and machinery often in my daily work. If I do not answer it's likely because I'm operating a John Deere tractor or our diesel mower or maintenance boat. Please leave a message and I will return you're call. The number on my website goes directly to my Harbormaster whom you can also leave a message with.

Thank you for your time and consideration.

Sincerely,

Kevin Hinman
Hollland Riverside Marina
(925) 628-7557

On Thu, Oct 15, 2015 at 10:40 AM, Wyels, Wendy@Waterboards <Wendy.Wyels@waterboards.ca.gov> wrote:

Hi Kevin,

The Ability to Pay form was due to the Board three days ago, on October 12th. Despite your email (below), we have not received them nor have we received any update from you. Please provide the information immediately. In addition, your response to the Water Code Section 13267 Order for Technical Reports is due tomorrow, October 16th.

We will evaluate your response to the Ability to Pay form and the Water Code 13267 Order in determining whether this matter can be settled without proceeding to a hearing before the Board.

Wendy Wyels

Supervisor, Compliance and Enforcement Section

Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, Suite A

Rancho Cordova, CA 95670

(916) 464-4835

wwyels@waterboards.ca.gov

From: Kevin Hinman [mailto:hollandstime@gmail.com]
Sent: Tuesday, September 22, 2015 12:44 PM
To: Ellison, Kailyn@Waterboards
Subject: Re: Holland Riverside Marina: Ability to Pay

Thank you Kailyn

I've received the attached forms and am filling them out now. I will scan and forward a copy after filled out and signed and place the originals in the mail immediately after.

Sincerely

Kevin Hinman
Holland Riverside

On Sep 21, 2015 2:18 PM, "Ellison, Kailyn@Waterboards" <Kailyn.Ellison@waterboards.ca.gov> wrote:

CONFIDENTIAL SETTLEMENT COMMUNICATION

Mr. Hinman,

Please find that attached Ability to Pay form we discussed at Friday's settlement meeting. Please complete the form and return the form, along with the information requested in the form, to me by mail or email (addresses below) at your earliest convenience, but no later than October 12, 2015.

Kailyn Ellison, Attorney

Office of Enforcement

State Water Resources Control Board

1001 "I" Street, 16th Floor

Sacramento, California 95814

Kailyn.Ellison@waterboards.ca.gov

(916) 445 - 9557