



California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair



Matthew Rodriguez
Secretary for
Environmental Protection

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<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.
Governor

3 January 2012

Leia Riley, Project Director II
California Department of General Services
Real Estate Services Division –Project Management Branch
707 3rd Street, 3rd Floor
West Sacramento, CA 95605

CERTIFIED MAIL
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**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2012-0500, CALIFORNIA
DEPARTMENT OF GENERAL SERVICES, NEVADA CITY FOREST FIRE STATION,
NEVADA COUNTY**

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code (CWC) sections 13385 and 13323. The Complaint charges the California Department of General Services (Discharger) with civil liability in the amount of **one hundred and sixty eight thousand dollars (\$168,000)** for violations of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ (NPDES No. CAS000002). The violations are associated with failure to implement storm water best management practices at the Nevada City Forest Fire Station construction site.

The Discharger may:

- Pay the proposed administrative civil liability and waive its right to a hearing (Option #1 on the attached waiver form);
- Ask that the hearing be postponed to facilitate settlement discussions or for other reasons (Options #2 or #3 on the attached waiver form); or
- Contest the Complaint and/or enter into settlement discussions without signing the enclosed waiver.

If the Central Valley Water Board does not receive a signed waiver by **2 February 2012**, a hearing will be scheduled for the **29/30 March 2012** Board meeting in Rancho Cordova. This hearing will be governed by the attached Hearing Procedures, which have been approved by the Board Chair for use in adjudicating matters such as this one. Any objections to the Hearing Procedures must be received by Alex Mayer, whose contact information is listed in the Hearing Procedures, by **5 p.m. on 17 January 2012**.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations. The settlement will be considered final

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pending a 30-day comment period, starting from the date this Complaint is issued. Interested parties may comment on the proposed action during this period by submitting written comments to the Central Valley Water Board staff person listed below. Should the Central Valley Water Board receive new information or comments during this comment period, the Executive Officer may withdraw the complaint, return payment, and issue a new complaint. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/.

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Marty Hartzell at (916) 464-4630 or Steve Rosenbaum at (916) 464-4631.

Original Signed by

WENDY S. WYELS, Supervisor
Compliance and Enforcement Section

Enclosure: ACL Complaint R5-2012-0500
Hearing Procedures
Waiver Form

cc w/o encl: Niklas Karlsson, Acting Branch Chief, Dept. of General Services, West Sacramento
Henry Nanjo, Assistant Chief Counsel, Dept. of General Services, West Sacramento
Kenneth Landau, Central Valley Water Board, Rancho Cordova
Ellen Howard, Office of Enforcement, SWRCB, Sacramento
Alex Mayer, Office of Chief Counsel, SWRCB, Sacramento
Jay Boatwright, Sequoia Pacific Builders, Roseville