

Central Valley Regional Water Quality Control Board

6 February 2015

VIA ELECTRONIC & U.S. MAIL

Mr. William Cowin
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**SUBJECT: HERITAGE RANCH ADMINISTRATIVE CIVIL LIABILITY COMPLAINT
R5-2015-0500: PROSECUTION TEAM RESPONSE TO LETTER DATED
28 JANUARY 2015**

Dear Mr. Cowin,

Thank you for your letter, which you submitted on behalf of your client, Heritage Ranch LLC, in response to the subject Administrative Civil Liability (ACL) Complaint. As you represent Heritage Ranch LLC in the subject matter, all correspondence regarding the upcoming hearing and submissions made pursuant to the Hearing Procedures will be made to your office.

You state in your letter that the Heritage Ranch property has no discharges. As explained in the California Water Code section 13267 directive your client received (Attachment A to the Complaint), the Irrigated Lands Regulatory Program (ILRP) as revised in December 2012 to regulate waste discharges to land/groundwater in addition to waste discharges to surface waters. Regulatory coverage is therefore required for the Heritage Ranch property irrespective of the occurrence of waste discharges to surface waters.

You also mention in your letter that Central Valley Water Board staff has inspected the Heritage Ranch property on two occasions. I would like to clarify that the purpose of the first inspection was to determine if the property is used for commercial irrigated agriculture. The second inspection, conducted in January, was to determine the potential for waste discharges to surface waters, the results of which were inconclusive. This latter inspection was conducted to determine if Heritage Ranch LLC should have acquired regulatory coverage prior to the December 2012 revision to the ILRP.

Regarding whether or not this matter should proceed to a hearing, the subject Complaint is among the first of its kind to be considered by the Central Valley Water Board. Thus, the Prosecution Team, while very appreciative of your good faith in offering to settle the violation, believes that resolution of the matter is most appropriately accomplished through a public hearing before the Central Valley Water Board.

If your client wishes to complete the forms necessary to come into compliance with the aforementioned directive, your client should follow instructions to join the Coalition for the Eastern San Joaquin Watershed at the top of the webpage located here:

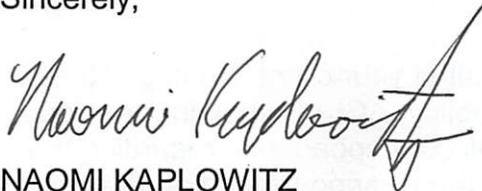
http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml#esjwa

In the alternative, Heritage Ranch LLC should follow instructions to obtain individual coverage by following the instructions located here:

http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_individual_reg_coverage/index.shtml

If you have any questions, please contact Brett Stevens at (916) 464-4642, or via email at brett.stevens@waterboards.ca.gov.

Sincerely,



NAOMI KAPLOWITZ
Attorney, Office of Enforcement
State Water Resources Control Board

Cc: (Via email only):

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