



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

January 25, 2015

Kevin Hinman
Cruiser Haven, Inc.
Delta Waterways LLC
P.O. Box 622
Knightsen, CA 94548

Kevin Hinman
7000 Holland Tract Rd.
Brentwood, CA 94513
Holland.riverside@gmail.com
Hollandstime@gmail.com

Dear Mr. Hinman:

SUBJECT: **ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2016-0501, CRUISER HAVEN, INC., DELTA WATERWAYS LLC, HOLLAND RIVERSIDE MARINA, CONTRA COSTA COUNTY**

As the registered agent for Cruiser Haven, Inc. and Delta Waterways LLC, you are hereby served with administrative Subpoenas for Records and Documents on behalf of Cruiser Haven, Inc. and Delta Waterways LLC, respectively, concerning the above-referenced administrative proceeding between the Central Valley Regional Water Quality Control Board, Cruiser Haven, Inc., and Delta Waterways LLC.

Please find enclosed two Subpoenas for Records and Documents pursuant to California Water Code sections 1075 and 1080 and California Government Code section 11450.05 *et seq.* and a Declaration of Kailyn Ellison supporting the Subpoenas for Records and Documents in the Matter of Cruiser Haven, Inc. and Delta Waterways LLC.

Production of the financial documents requested in Nos. 1-13 are required only if the Dischargers are claiming inability to pay as a defense to the Complaint. If both of the Dischargers are willing to stipulate to their ability to pay, then the Prosecution Team will withdraw the Subpoenas for Records and Documents as to Nos. 1-13 and you will no longer be obligated to produce the financial documents described therein.

If the Dischargers are claiming inability to pay as a defense or are raising ability to pay as a contested issue, then produce the documents and records described in the enclosed Subpoenas for Records and Documents **no later than February 24, 2016**. Regardless of whether the Subpoenas for Records and Documents are withdrawn with respect to the financial documents requested in Nos. 1-13, responses **are** required to Nos. 14-15 **no later than February 24, 2016**. All documents submitted must be sent to: Kailyn Ellison, Attorney, Office of Enforcement, State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-0100.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

Please note that if you delay the submission of documents or evidence related to your ability to pay the proposed liability amount, the Prosecution Team will seek to bar the admission of such evidence at a hearing before the Central Valley Regional Water Quality Control Board.

In addition, this letter puts Cruiser Haven, Inc. and Delta Waterways LLC and any of their employees, agents, or other representatives on notice to preserve all evidence which might be relevant to this proceeding. Any person who destroys or conceals any such evidence, or agrees with or facilitates any other person to do so, will be subject to all legal remedies for such conduct.

Relevant evidence includes, but is not limited to, documents which describe or relate to the subject matter of the Subpoenas for Records and Documents.

Any questions regarding this correspondence or any of the matters in the Subpoenas for Records and Documents may be directed to the undersigned at Kailyn.Ellison@waterboards.ca.gov or (916) 445-9557.

Sincerely,



Kailyn Ellison
Attorney for the Prosecution Team
Office of Enforcement
State Water Resources Control Board