

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ATTACHMENT A
DECLARATION OF PAMELA C. CREEDON

IN SUPPORT OF AN RESOLUTION
INSTRUCTING THE CALIFORNIA ATTORNEY GENERAL'S OFFICE TO FILE AN
ACKNOWLEDGEMENT OF SATISFACTION OF JUDGEMENT FOR *LAKE BERRYESSA
RESORT IMPROVEMENT DISTRICT V. CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD, CENTRAL VALLEY REGION, AND PEOPLE OF THE STATE OF
CALIFORNIA EX REL. ATTORNEY GENERAL EDMUND G. BROWN AND REGIONAL
WATER QUALITY CONTROL BOARD, CENTRAL VALLEY REGION V. LAKE BERRYESSA
RESORT IMPROVEMENT DISTRICT, ET AL.* (SACRAMENTO COUNTY SUP. CT.
CONSOLIDATED CASE NOS. 06CS00256 AND 06AS01602)

LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT
NAPA COUNTY

I, Pamela C. Creedon, declare:

1. I was Executive Officer of the Central Valley Water Board, and was acting as head of the Board's Prosecution Team, during the prosecution of Administrative Civil Liability (ACL) Order R5-2011-0538 and the issuance of ACL Complaint R5-2012-0522.
2. The Central Valley Water Board issued ACL Order R5-2005-0072, ACL Order R5-2011-0538, and ACL Complaint R5-2012-0522 to Lake Berryessa Resort Improvement District pursuant to Water Code sections 13350 and 13385 due to unauthorized discharges of partially treated wastewater and sewage at Lake Berryessa Resort Improvement District's facilities.
3. In resolving the alleged violations described in ACL Order R5-2005-0072, ACL Order R5-2011-0538, and ACL Complaint R5-2012-0522, the Central Valley Water Board placed a priority on having Lake Berryessa Resort Improvement District upgrade its facilities, rather than imposing punitive fines. In prioritizing facility upgrades over the payment of civil liabilities, the Central Valley Water Board was recognizing that Lake Berryessa Resort Improvement District is a disadvantaged community that pays very high water and wastewater fees.
4. During the 2012-13 discussions involving the settlement of the alleged violations in ACL Complaint R5-2012-0522, it is my understanding that the Board's Prosecution Team made representations to Lake Berryessa Resort Improvement District that that ACL Complaint R5-2012-0522 would be withdrawn and liability owed by Lake Berryessa Resort Improvement District pursuant to a 2007 Stipulated Judgment entered into between the Board and Lake Berryessa Resort Improvement District would be permanently suspended, provided that Lake Berryessa Resort Improvement District committed to making significant upgrades to its facilities.
5. Lake Berryessa Resort Improvement District completed all upgrades requested by the Board following the issuance of ACL Order R5-2005-0072, ACL Order R5-2011-0538, and ACL Complaint R5-2012-0522 as of July 1, 2015, but additional work is required to bring all of the Lake Berryessa Resort Improvement District's facilities into compliance with applicable regulatory requirements.

6. In late 2016, it was brought to my attention that the outstanding liability owed by Lake Berryessa Resort Improvement District pursuant to the 2007 Stipulated Judgment was never addressed, and that Lake Berryessa Resort Improvement District was continuing to make payments pursuant to the 2007 Stipulated Judgment.
7. The issuance of the proposed Resolution instructing the California Attorney General's Office to file an Acknowledgement of Satisfaction of Judgement for *Lake Berryessa Resort Improvement District v. California Regional Water Quality Control Board, Central Valley Region*, and *People of the State of California ex rel. Attorney General Edmund G. Brown and Regional Water Quality Control Board, Central Valley Region v. Lake Berryessa Resort Improvement District, Et Al.* (Sacramento County Sup. Ct. Consolidated Case Nos. 06CS00256 and 06AS01602) represents the best interests of water quality, the Central Valley Water Board, and the Lake Berryessa Resort Improvement District.
8. The Central Valley Water Board may, at its election and with my recommendation, adopt further measures in support of Lake Berryessa Resort Improvement District's efforts to upgrade its facilities. These may include the adoption of a resolution or resolutions supporting Lake Berryessa Resort Improvement District's requests for funding from the State Water Board's Water Pollution Cleanup and Abatement Account.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

to be signed by

Pamela C. Creedon
Executive Officer
Central Valley Regional Water Quality Control Board

Date