

ADVISORY TEAM SUMMARY REPORT  
August 10, 2016

- ITEM: 10
- SUBJECT: Administrative Assessment of Civil Liability: Consideration of Tentative Order No. R9-2016-0064 Assessing Administrative Civil Liability Against San Altos-Lemon Grove, LLC for violations of State Water Resources Control Board Order No. 2009-0009-DWQ, as amended. (Beatrice Griffey)
- PURPOSE: Consider adoption of Tentative Order No. R9-2016-0064.
- DISCUSSION: The San Diego Water Board Prosecution Team issued Administrative Civil Liability Complaint Order No. R9-2015-0110 against San Altos-Lemon Grove, LLC on October 19, 2015 for alleged violations of the Construction General Storm Water Permit at its Valencia Hills Construction Project. The Complaint alleged 136 violations and proposed assessment of penalties in the amount of \$848,374.
- On March 9, 2016, the San Diego Water Board conducted an evidentiary hearing on this matter and closed the public hearing. The San Diego Water Board deliberated on the evidence presented at the hearing and in the record on March 9, May 11, and July 19, 2016 in closed session.
- On July 20, 2016 the San Diego Water Board released Tentative Order No. R9-2016-0064 assessing administrative civil liability in the amount of \$603,232 against San Altos-Lemon Grove, LLC and resolving the allegations in ACL Complaint No. R9-2015-0110. The Tentative Order was available to the public for written comment through noon on August 1, 2016.
- San Altos-Lemon Grove, LLC, the San Diego Water Board Prosecution Team and interested persons may make oral comments on the Tentative Order at the August 10, 2016 meeting. No new evidence will be allowed.
- RECOMMENDATION: The Advisory Team recommends adoption of Tentative Order No. R9-2016-0064.

SUPPORTING  
DOCUMENTS:

1. Notice of Opportunity to Comment on Tentative Order No.R9-2016-0064 Assessing Administrative Civil Liability Against San Altos-Lemon Grove, LLC
2. Tentative Order No. R9-2016-0064 Assessing Administrative Civil Liability Against San Altos-Lemon Grove, LLC in the Matter of Valencia Hills Construction Project
  - a. Attachment 1, Penalty Methodology Decisions
  - b. Table No. 1. Total Assessed Liability
  - c. Table No. 2, Penalty Calculator
  - d. Attachment 2, Evidence Excluded and Transcripts Excerpts Stricken From Record