

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**ADVISORY TEAM SUMMARY REPORT  
MAY 13, 2026**

**ITEM NO. 5**

**SUBJECT**

Consideration of Administrative Civil Liability Order (ACLO) No. R9-2026-0063 against Baldwin & Sons, Inc., et al., Portola Center South Construction Site, pursuant to Peremptory Writ of Administrative Mandate. (Wayne Chiu, Alex Sauerwein)

**DISCUSSION**

This item is to consider issuance of ACLO No. R9-2026-0063 following direction from the Superior Court of California, Orange County (the Court) on December 22, 2025.

The San Diego Water Board received oral comments from the Parties at a hearing on April 8, 2026. After receiving oral comments, the Board closed the hearing and adjourned to closed session to consider evidence and deliberate on a decision. The Board provided direction to the Advisory Team to draft a tentative ACLO that would be considered on May 8, 2026.

Issuance of Tentative ACLO No. R9-2026-0063 will impose administrative civil liability in the amount of \$2,978,402 upon Baldwin & Sons, Inc.; Sunranch Capital Partners, LLC; Sunrise Pacific Construction, Inc.; SRC-PH Investments, LLC; Baldwin & Sons, LLC; Shawn M. Baldwin; Randall G. Bone, and Jose Capati (collectively, the Dischargers) for violations of State Water Resources Control Board Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction Storm Water Permit), the Water Quality Control Plan for the San Diego Basin, and Clean Water Act section 301.

Consistent with the Court's ruling, SRC-PH Investments, LLC would only be liable for violations through November 12, 2015.

**PUBLIC NOTICE**

San Diego Water Board staff notified the Parties of this action on April 23, 2026. The Tentative Order was released for public review on the San Diego Water Board's meeting agenda webpage on April 29, 2026. The 10-day public notification period has been satisfied.

**SUPPORTING DOCUMENTS**

1. Tentative ACLO No. R9-2026-0063
2. Tentative ACLO No. R9-2026-0063, Attachment 1, Liability Methodology Decisions (includes Table 1: Total Assessed Liability, and Table 2: Liability Calculator)
3. Tentative ACLO No. R9-2026-0063, Attachment 2, Photo Comparison