

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER WR 2024-0054-DWR

ADMINISTRATIVE CIVIL LIABILITY ORDER

In the Matter of Allegations of Violations of Information Order 2024-0003-DWR

David Ross

Assessor Parcel Number: 004-007-250-000

The Assistant Deputy Director of the Division of Water Rights (Division), through authority delegated by the State Water Resources Control Board (State Water Board), hereby issues this Order for Administrative Civil Liability to David Ross (Respondent).

THE STATE WATER BOARD, OR ITS DELEGEE, FINDS AS FOLLOWS:

1. The Respondent is the owner of record for Lake County Assessor Parcel Number (APN) 004-007-250-000 (Property).
2. On November 18, 2024, the Assistant Deputy Director of the Division issued an Administrative Civil Liability Complaint (Complaint) to the Respondent pursuant to Water Code section 1055, under delegated authority. The Complaint alleges that the Respondent is subject to liability under Water Code section 1846, subdivision (a)(2), for failing to respond to Information Order 2024-0010-DWR, issued to the Respondent on July 3, 2024, pursuant to the Emergency Information Order Regulations for the Clear Lake Watershed (Emergency Regulations).¹ Considering the factors set forth in Water Code section 1055.3, the Complaint proposes a total administrative civil liability of **\$4,000** for the alleged violation.
3. The Division served the Complaint to the Respondent via Federal Express pursuant to Water Code section 1055, subdivision (b). The Complaint was delivered to the Respondent on November 19, 2024. The Complaint and accompanying materials informed the Respondent of the right to request a formal hearing no later than 20 days from the date of receipt of the Complaint. The Respondent did not request a hearing, and the time to do so has passed.

¹ The State Water Board adopted the Emergency Regulations on December 6, 2023 (Board Resolution 2023-0044). The Office of Administrative Law approved the Emergency Regulations, effective January 22, 2024. The Emergency Regulations are codified at 23 Cal. Code Regs, sections 1050–1052.

4. Pursuant to California Water Code section 1055, subdivision (b), the State Water Board may adopt an order setting administrative civil liability based on the allegations set forth in the Complaint without a hearing if the Respondent does not submit a written request for a hearing within 20 days after delivery of the Complaint.
5. Water Code section 7 authorizes the State Water Board to delegate authority to the Deputy Director of Water Rights. State Water Board Resolution No. 2012-0029 (Resolution) delegates some of the State Water Board's authority to the Deputy Director of Water Rights. Section 4.9.2 of the Resolution authorizes the Deputy Director to issue an order imposing Administrative Civil Liability when a Complaint has been issued and no hearing has been requested in the period provided by California Water Code section 1055. Section 4.9.2 of the Resolution allows this authority to be redelegated to the Assistant Deputy Director of Water Rights. The Deputy Director has redelegated this authority to the Assistant Deputy Director of Water Rights.
6. The Assistant Deputy Director is therefore authorized to issue this Order to the Respondent based on the allegations set forth in the Complaint.

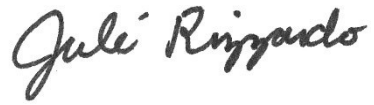
IT IS HEREBY ORDERED THAT:

1. All of the allegations set forth in the Complaint, including those regarding consideration of the factors set forth in Water Code section 1055.3, are fully incorporated and adopted as findings herein.
2. The Respondent shall remit, within 30 days of the date of this Order, a check or money order payment of the full liability amount of **\$4,000** to:

State Water Resources Control Board
Division of Water Rights
Enforcement Section
P.O. Box 2000
Sacramento, CA 95812-2000

3. Fulfillment of the Respondent's obligations under this Order constitutes full and final satisfaction of its liability for the alleged violations specifically identified in the Complaint. The State Water Board reserves the right to take further enforcement action for any additional or future violations.
4. If the Respondent fails to remit payment of the full liability amount within 30 days of this Order, the State Water Board may seek recovery of the liability imposed under Water Code section 1055.4, or refer this matter to the Office of Attorney General for further enforcement action.

STATE WATER RESOURCES CONTROL BOARD

A handwritten signature in black ink that reads "Julie Rizzardo". The script is cursive and fluid, with the first name "Julie" and last name "Rizzardo" clearly distinguishable.

*Julé Rizzardo, Assistant Deputy Director
Division of Water Rights*

Dated: December 26, 2024

State Water Resources Control Board

JAN 22 2025

Cristian Hernandez
David Ross

RE: RESCISSION OF ADMINISTRATIVE CIVIL LIABILITY ORDER

WR 2024-0054-DWR

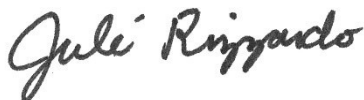
Dear Mr. Hernandez and Mr. Ross:

This letter follows communications between the State Water Resource Control Board (State Water Board), Division of Water Rights, the Division's counsel with the State Water Board's Office of Enforcement, Cristian Hernandez, and the Emerald Law Group, regarding Administrative Civil Liability Order WR 2024-0054-DWR, issued on December 26, 2024.

Division of Water Rights staff have reviewed the information recently submitted by the Emerald Law Group on behalf of Mr. Hernandez pursuant to Information Order 2024-0010-DWR, and deem the information to be complete. Therefore, pursuant to authority delegated to me by the State Water Board and the Director of the Division of Water Rights, I hereby rescind Order WR 2024-0054-DWR.

Thank you for your cooperation in this matter. If you have any questions or concerns, please contact Andrew Tauriainen with the Office of Enforcement:
Andrew.Tauriainen@waterboards.ca.gov or 916-341-5889.

Sincerely,



Jule Rizzardo, Assistant Deputy Director
Division of Water Rights
State Water Resources Control Board

ec: Please See Next Page

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

Cristian Hernandez
David Ross

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ec: **Division of Water Rights**

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Office of Enforcement

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