



Central Valley Regional Water Quality Control Board

14 April 2023

Dan Murphey
Black Pine Communities
8880 Cal Center Dr Suite 200
Sacramento, CA 95826

By email:
dmurphey@blackpinecommunities.com

REVISED OFFER TO SETTLE ADMINISTRATIVE CIVIL LIABILITY, BLACKPINE COMMUNITIES, THE GROVE, PLACER COUNTY, WDID 5S31C394400

This letter presents a revised offer from the Central Valley Regional Water Quality Control Board (Central Valley Water Board) Prosecution Team to settle claims for administrative civil liability arising out of alleged violations by BlackPine Communities (Discharger) of the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order 2009-0009 DWQ* (General Permit) at The Grove construction project located at 3342 Humphrey Road (Project). This revised settlement offer reflects information received from the Discharger on 3 January 2023 following our 7 December 2022 settlement meeting. Hereafter, this letter will be referred to as the "Settlement Offer."

This Settlement Offer provides the Discharger with an opportunity to resolve the alleged violations through payment of **thirty-five thousand seven hundred sixty-five dollars (\$35,765)**. This amount was agreed upon in an email from the Discharger on 10 March 2023.

Please read this letter carefully and respond no later than 28 April 2023.

Responding to the Settlement Offer

To formally accept this Settlement Offer, please sign and submit the *Acceptance of Settlement Offer and Waiver of Right to Hearing (Acceptance and Waiver)* no later than **28 April 2023** to the following address:

Central Valley Regional Water Quality Control Board
Attention: Michael Fischer, Enforcement Section
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

An email confirming acceptance of this Settlement Offer and submittal of the Waiver shall also be emailed by **28 April 2023** to:

Michael Fischer (Michael.Fischer@waterboards.ca.gov) and,
Brett Stevens (Brett.Stevens@waterboards.ca.gov).

Important! – Upon receipt of the *Acceptance and Waiver*, this settlement will be publicly noticed for a 30-day comment period as required by federal regulations. If no substantive comments are received within the 30 days, the Prosecution Team will ask the Central Valley Water Board's Executive Officer to formally endorse the *Acceptance and Waiver* as an order of the Central Valley Water Board. The Executive Officer may choose to endorse the *Acceptance and Waiver*, or may choose to allow the Central Valley Water Board to decide whether to endorse the document. If the *Acceptance and Waiver* is endorsed, an invoice will then be mailed to the Discharger requiring payment of the administrative civil liability within 30 days of the date of the invoice.

If, however, substantive comments are received in opposition to this settlement and/or the Executive Officer or Central Valley Water Board decline to accept the settlement, then the Settlement Offer may be withdrawn. In this case, the Discharger will be notified and the Discharger's waiver pursuant to the *Acceptance and Waiver* will also be treated as withdrawn. The unresolved violation(s) will be addressed in a formal enforcement action. An administrative civil liability complaint may be issued, and the matter may be set for a hearing.

If you have any questions about this settlement offer, please contact Michael Fischer at (916) 464-4663 or at michael.fischer@waterboards.ca.gov.

Original signed on 4/14/2023 by

John J. Baum
Assistant Executive Officer

Enclosures: Offer to Settle Administrative Civil Liability
Acceptance of Settlement Offer and Waiver of Right to a Hearing
Penalty Calculation Methodology

cc: Mike Paris, Black Pine Communities
Kristine Karlson, U.S. EPA, Region IX, San Francisco
Daniel S. Kippen, Office of Enforcement, State Water Board, Sacramento
Bayley Toft-Dupuy, Office of Chief Counsel, State Water Board, Sacramento
Patrick Pulupa, Executive Officer, Central Valley Water Board, Rancho Cordova

ORDER NO. R5-2023-0507
ACCEPTANCE OF SETTLEMENT OFFER AND WAIVER OF RIGHT TO A HEARING
FOR
BLACKPINE COMMUNITIES
THE GROVE
PLACER COUNTY

By signing below and returning this Acceptance of Settlement Offer and Waiver of Right to Hearing (Acceptance and Waiver) to the Central Valley Regional Water Quality Control Board (Central Valley Water Board), BlackPine Communities (Discharger) hereby accepts the Settlement Offer described in the letter dated 14 April 2023 and titled Offer to Settle Administrative Civil Liability, BlackPine Communities, The Grove Project, Placer County, WDID 5S31C394400 and waives the right to a hearing before the Central Valley Water Board to dispute the alleged violations described in the Settlement Offer and its enclosures.

The Discharger agrees that the Settlement Offer shall serve as a complaint pursuant to Article 2.5 of the Water Code and that no separate complaint is required for the Central Valley Water Board to assert jurisdiction over the alleged violations. The Discharger agrees to perform the following:

- Pay an administrative civil liability in the sum of thirty-five thousand, seven-hundred, eighty-five dollars (\$35,765) by cashier's check or certified check made payable to the "State Water Resources Control Board Cleanup and Abatement Account". This payment shall be deemed payment in full of any civil liability pursuant to Water Code section 13385 that might otherwise be assessed for violations described in the Settlement Offer and its enclosures.
- Fully comply with the conditions of the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order 2009-0009 DWQ (General Permit) at The Grove construction project.

The Discharger understands that by signing this Acceptance and Waiver, the Discharger has waived its right to contest the allegations in the Settlement Offer and the civil liability amount for the alleged violation(s). The Discharger understands that this Acceptance and Waiver does not address or resolve any liability for any violation not specifically identified in the Settlement Offer and its enclosures.

Upon execution by the Discharger, the Acceptance and Waiver shall be returned to the following address:

Central Valley Regional Water Quality Control Board
Attention: Kari Holmes, Supervisor, Enforcement Section
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

The Discharger understands that federal regulations require the Prosecution Team to publish notice of and provide at least 30 days for public comment on any proposed resolution of an enforcement action for violations of an NPDES permit. Accordingly, this *Acceptance and Waiver*, prior to being formally endorsed by the Central Valley Water Board, or its Executive Officer (acting as head of the Advisory Team), will be published as required by law for public comment.

If no comments are received within the notice period that cause the Prosecution Team to reconsider the Settlement Offer, then the Prosecution Team will present this *Acceptance and Waiver* to the Central Valley Water Board's Executive Officer for formal endorsement on behalf of the Central Valley Water Board. The Executive Officer may decline to endorse the *Acceptance and Waiver*, and instead choose to have the Central Valley Water Board decide whether to endorse the *Acceptance and Waiver*.

The Discharger understands that if significant comments are received in opposition to the settlement, then the offer may be withdrawn by the Prosecution Team. If the Settlement Offer is withdrawn, then the Discharger will be notified and the Discharger's waiver pursuant to the *Acceptance and Waiver* will also be treated as withdrawn. The unresolved violation(s) will be addressed in a formal enforcement action. An administrative civil liability complaint may be issued, and the matter may be set for a hearing.

The Discharger understands that once this *Acceptance and Waiver* is formally endorsed by the Central Valley Water Board or its Executive Officer, then the Discharger will be required to remit full payment of the above-referenced amount. Once payment is made in full, the Discharger is absolved of any future liability related to the violations specifically referenced in Attachment A – Penalty Calculation Methodology.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Discharger in the making and giving of this *Acceptance and Waiver*.

BLACKPINE COMMUNITIES

By: Original signed by: Michael Paris

Title: Operating Manager / President

Date: 26 April 2023

IT IS SO ORDERED, pursuant to California Water Code section 13385.

By: PATRICK PULUPA, Executive Officer

**Attachment A - PENALTY CALCULATION METHODOLOGY
FOR
BLACKPINE COMMUNITIES
GROVE PROJECT
PLACER COUNTY**

The State Water Board's *Water Quality Enforcement Policy* (Enforcement Policy) establishes a methodology for determining administrative civil liability by addressing the factors that are required to be considered under California Water Code section 13385(e). Each factor of the ten-step approach is discussed below, as is the basis for assessing the corresponding score.

The [Enforcement Policy](#) can be found at:

(https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/040417_9_final_adopted_policy.pdf).

Background

On 5 October 2021, staff from the Central Valley Regional Water Quality Control Board (Board) conducted an inspection of the BlackPine Communities (Discharger) Grove project (Project). The Project received coverage under the State Water Resources Control Board's *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, Order 2009-009-DWQ*, as amended by Orders 2010-0014-DWQ and 2012-0006-DWQ (Construction General Permit) on 9 July 2021 and is categorized as a Risk Level 2 project. Generally speaking, one of the main purposes of the Construction General Permit is to minimize the amount of pollutant discharge with storm water runoff from a construction project, especially during rain events. During the 5 October 2021 inspection, Board staff observed that the Project was in its mass grading phase and had concerns with the amount of disturbed soil going into the rainy season. Because the Storm Water Pollution Prevention Plan (SWPPP) was not available for review during the inspection, Board staff requested that the Discharger submit updated erosion and sediment control drawings showing the BMPs that will be implemented through the winter.

9 November 2021, Board staff conducted a follow-up rain event inspection of the Project. During the inspection, Board staff observed that the majority of the project area did not have required erosion and sediment control best management practices (BMPs) installed resulting in a discharge of turbid storm water from the Project site. Turbidity measured by Board staff at two discharge locations measured 592 and 1,000+ Nephelometric Turbidity Units (NTU). The Numeric Action Level contained in section V.B.2 of the Construction General Permit is 250 NTU. The implementation of BMPs observed during the inspection did not meet the best available technology economically achievable (BAT) for toxic pollutants and non-conventional pollutants and best conventional pollutant control technology (BCT) for conventional pollutants, also referred as the BAT/BCT standard required by the Construction General Permit.

Following the 9 November 2021 inspection, the Central Valley Water Board issued a Notice of Violation (NOV). The NOV required BlackPine Communities to upload all inspection reports conducted by the Project's QSP from 18 October 2021 Through 29 October 2021 storm events as well as the Numeric Action Level Exceedance Report for the 9 November 2021 storm event. Review of the inspection reports and accompanying photos showed that

the Project did not have BMPs that met the BAT/BCT requirement between 5 October 2021 through 9 November 2021.

Violation 1 – Failure to minimize or prevent pollutants in storm water discharges in violation of the Construction General Permit

Dischargers are required to minimize or prevent pollutants in storm water using controls, structures and management practices that achieve BAT/BCT standard.

There were eight days of precipitation between 18 October 2021 and 9 November 2021. The Prosecution Team alleges that storm water discharged from the Project on two days as documented by the Project’s Qualified SWPPP Practitioner (QSP) where storm water discharge was observed from the southeast corner of the Project. During these two days of discharge, the BMPs installed did not meet the BAT/BCT standard, in violation of the General Permit. Attachment D, section A.1.b, Effluent Standards, in the General Permit states: *Dischargers shall minimize or prevent pollutants in storm water discharges and authorized non-storm water discharges through the use of controls, structures, and management practices that achieve BAT for toxic and non-conventional pollutants and BCT for conventional pollutants.*

PENALTY FACTOR	VALUE	DISCUSSION
Step 1, Factor 1: The Degree of Toxicity of the Discharge (physical, chemical, biological, or thermal characteristics of the discharge)	2	High levels of turbidity in storm water discharges can cloud the receiving water (which reduces the amount of sunlight reaching aquatic plants), clog fish gills, smother aquatic habitat and spawning areas, and impede navigation. Sediment can also transport other materials such as nutrients, metals, and oils and grease, which can also negatively impact aquatic life and aquatic habitat. Here, a score of 2 is appropriate because the discharged material poses a moderate risk or threat to potential receptors (i.e., the chemical and/or physical characteristics of the discharged material have some level of toxicity or pose a moderate level of threat to potential receptors).
Step 1, Factor 2: Actual Harm or Potential Harm to Beneficial Uses (harm or potential for harm to beneficial uses)	1	Discharges from the Project flow to Secret Ravine, which flows to Dry Creek, and eventually to the Sacramento River. The Sacramento River Watershed is designated by the State Water Board as a high receiving water risk watershed. The beneficial uses of the Sacramento River include wildlife habitat, including cold water aquatic habitat, migration, and spawning. Photographs and turbidity samples collected during the 09 November 2021 inspection by Board staff, show turbid discharges from the Project. Due to the dilution expected

PENALTY FACTOR	VALUE	DISCUSSION
		between the discharge locations and water bodies with beneficial uses, the discharge was expected to have a below moderate impact to beneficial uses, likely to cause harm in the short term but not appreciable harm in the long term. Therefore, a score of 1 is appropriate.
Step 1, Factor 3: Susceptibility to cleanup or abatement	1	The sediment from the turbid discharge was deposited over a long distance and cleanup or abatement of 50% or more of the material would not be possible. Therefore, a score of 1 is appropriate.
Step 1, Final Score: Potential for Harm	4	The Potential for Harm score is the sum of Factors 1 through 3 for Step 1, shown above. The total Potential for Harm score is $2+1+1 = 4$.
Step 2: Per Gallon and per Day Factor for Discharge Violations	0.05	The "Deviation from Requirement" is moderate because the Discharger did not implement or maintain required erosion control BMPs on all disturbed soil areas during rain events. The Discharger only had erosion control BMPs installed on slopes, along with perimeter sediment control BMPs, rendering the permit's BAT/BCT effluent standard partially compromised, resulting in a discharge from the Project with a turbidity almost four times the NAL. The Potential for Harm from step one of 4 and the Moderate Deviation was used to determine both the per gallon and per day factors of 0.05 from Tables 1 and 2 of the Enforcement Policy.
Step 2: Volume Discharged	n/a	The Prosecution Team chose not to calculate the discharge volume at this time. The Prosecution Team reserves the right to include the volume discharged in the penalty calculation should this matter proceed to hearing.
Step 2: Adjustment for High Volume Discharges	n/a	The Prosecution Team chose not to calculate the discharge volume at this time. The Prosecution Team reserves the right to assess penalties for the volume discharged should this matter proceed to hearing.
Step 2: Days of Discharge	2	Two days of discharge are documented by the Project's QSP between 18 October 2021 and 9 November 2021. During this period, these discharges occurred when BMPs did not meet the Construction General Permit's BAT/BCT standard.
Step 2: Initial Liability for Violation #1	\$1,000	The liability is calculated as per day factor multiplied by the number of days multiplied by the maximum liability per day ($0.15 \times 4 \text{ days} \times \$10,000/\text{day} = \$6,000$).

PENALTY FACTOR	VALUE	DISCUSSION
Step 3: Per Day Assessments for Non-Discharge Violations	n/a	This step does not apply to this violation as it is a discharge violation.
Step 4: Adjustments for Discharger Conduct: Culpability	1.2	The Discharger has retained the services of a Qualified SWPPP Developer and Practitioner who is responsible for advising the Discharger on what BMPs are required to be installed. Board staff inspected the Project on 5 October 2021 and requested the erosion and sediment control drawings showing what erosion control BMPs would be installed prior to the October 2021 storm events. The Discharger was issued a Notice of Violation in November 2021 for not impeding erosion control BMPs on Active Areas and having storm water discharges without having BMPs that meet the BAT/BCT requirement. The Discharger should be fully aware of the Construction General Permit's requirements and the consequence of not having BMPs installed that meet the BAT/BCT requirement during rain events. Therefore, an adjustment factor of 1.2 is appropriate.
Step 4: Adjustments for Discharger Conduct: History of Violations	1.0	The Central Valley Water Board has not previously issued any Administrative Civil Liability Orders to BlackPine Communities; therefore, a neutral History of Violations adjustment factor of 1.0 is appropriate.
Step 4: Adjustments for Discharger Conduct: Cleanup and Cooperation	1.1	Following the 13 December 2021 inspection, the Discharger exhibited the level of cleanup and installation of BMPs expected. According to an email from the Project's QSD, erosion control BMPs were installed on 6 December 2021. The Discharger did come back into compliance at the time of inspection, however delayed installing required BMPs for approximately two months following notification of required BMPs during a 5 October 2021 Board Staff inspection. Therefore, a cleanup and cooperation adjustment factor of 1.1 is appropriate.
Steps 1-4: Total Base Liability for Violation #1	\$1,320	The base liability is calculated as the initial liability multiplied by each of the above three factors ($\$1,000 \times 1.2 \times 1.0 \times 1.1 = \$1,320$).

Violation 2 – Failure to implement erosion control BMPs on active areas in Violation of the Construction General Permit

During the site inspection on 9 November 2021, Water Board Staff observed that the Risk Level 2 Project had large areas of disturbed soil without erosion control BMPs during a storm event. Attachment D, section D.3, Sediment Control, in the General Permit states: *Risk Level 2 dischargers shall implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction.* Board Staff alleges that the Discharger was in violation of this requirement for a period of six days.

PENALTY FACTOR	VALUE	DISCUSSION
Step 1: Actual Harm or Potential for Harm for Discharge Violations	n/a	This step is not applicable because the violation is not a discharge violation.
Step 2: Per Gallon and Per Day Assessments for Discharge Violations	n/a	This step is not applicable because the violation is not a discharge violation.
Step 3, Non-Discharge Violations: Potential for Harm	Moderate	The failure to install appropriate erosion controls led to the discharge of turbid, sediment laden water. Discharges of sediment can cloud the receiving water (which reduces the amount of sunlight reaching aquatic plants), clog fish gills, smother aquatic habitat and spawning areas, and impede navigation. Sediment can also transport other materials such as nutrients, metals, and oils and grease, which can also negatively impact aquatic life and aquatic habitat. Therefore, a “Moderate” potential for harm factor is appropriate.
Step 3, Non-Discharge Violations: Deviation from Requirement	Moderate	The “Deviation from Requirement” is moderate because the Discharger did not implement required erosion control BMPs prior to a forecasted storm events on disturbed soil areas of the Project, only on slopes, rendering the permit requirement partially compromised. Therefore, a Moderate deviation from requirement factor is appropriate.
Step 3, Non-Discharge Violations: Per day factor	0.35	The value of 0.35 was determined from Table 3 in the Enforcement Policy. The middle value was chosen at this time.
Step 3, Non-Discharge Violations: Days of Violation	6	The Discharger is required to implement erosion control BMPs on all disturbed soil areas prior to all rain events. The Prosecution Team alleges that the Discharger was in violation of the erosion control BMP

PENALTY FACTOR	VALUE	DISCUSSION
		requirement on all days with greater than 0.1 inches of precipitation. During the period between 5 October 2021 and when the Discharger installed erosion control BMPs on 6 December 2021, there were six days of rainfall with greater than 0.1 inches of rain.
Step 3: Initial Liability for Violation #2	\$21,000	The liability is calculated as per day factor multiplied by the number of days multiplied by the maximum liability per day (0.35 x 6 days x \$10,000/day = \$21,000).
Step 4: Adjustments for Discharger Conduct Culpability	1.2	The Discharger has retained the services of a Qualified SWPPP Developer and Practitioner who is responsible for advising the Discharger on what BMPs are required to be installed. Board staff inspected the Project on 5 October 2021 and requested the erosion and sediment control drawings showing what erosion control BMPs would be installed prior to the October 2021 storm events. The Discharger was issued a Notice of Violation in November 2021 for not impeding erosion control BMPs on Active Areas and having storm water discharges without having BMPs that meet the BAT/BCT requirement. The Discharger should be fully aware of the Construction General Permit's requirements and the consequence of not having BMPs installed that meet the BAT/BCT requirement during rain events. Therefore, a culpability adjustment factor of 1.2 is appropriate.
Step 4: Adjustments for Discharger Conduct History of Violations	1.0	The Central Valley Water Board has not previously issued any Administrative Civil Liability Orders to BlackPine Communities; therefore, a History of Violations adjustment factor of 1.0 is appropriate.
Step 4: Adjustments for Discharger Conduct Cleanup and Cooperation	1.1	Following the 13 December 2021 inspection, the Discharger exhibited the level of cleanup and installation of BMPs expected. According to an email from the Project's QSD, erosion control BMPs were installed on 6 December 2021. The Discharger did come back into compliance at the time of inspection, however delayed installing required BMPs for approximately two months following notification of required BMPs during a 5 October 2021 Board Staff inspection. Therefore, a cleanup and cooperation adjustment factor of 1.1 is appropriate.
Total Base Liability for Violation #2	\$27,720	The base liability is calculated as the initial liability multiplied by each of the above three factors (\$21,000 x 1.2 x 1.0 x 1.1 = \$27,720).

Other Factor Considerations

Total Base Liability for all violations is \$29,040 (\$1,320 + \$27,720 = \$29,040). The Enforcement Policy states that five other factors must be considered before obtaining the final liability amount.

OTHER FACTORS	VALUE	CONSIDERATIONS
Step 6: Ability to Pay and Continue in Business	No adjustment	Board staff does not have information suggesting that the Discharger cannot pay the proposed penalty and continue in business.
Step 7: Economic Benefit	\$118	Board staff estimated the economic benefit for each violation. The cost of installing BMPs which would have avoided the violations were estimated at \$18,141. Since these BMPs were installed following the violations, this cost was considered a delayed cost. The economic benefit of delaying these costs was estimated using the EPA's BEN model. Calculations showing the estimated Economic Benefit are included as Attachment A.
Step 8: Other Factors as Justice May Require	\$6,725	The costs of investigation and enforcement are "other factors as justice may require" and are added to the liability amount. The Board has incurred approximately \$7,121 in staff costs associated with the investigation and enforcement of the alleged violations. The estimated staff costs used in Step 8 are included as Attachment B.
Step 9: Maximum Liability	Over \$80,000	Based on California Water Code section 13385, the maximum liability is \$10,000 per day per violation and \$10 per gallon. The maximum penalty of \$100,000 is calculated using only days of violation (8 days x \$10,000 per day) and does not include gallons discharged as the Prosecution Team has not estimated the discharge volume. The Prosecution Team reserves the right to include the volume discharged in the penalty calculation should this matter proceed to hearing. In addition, the Prosecution Team reserves the right to assess penalties for other violations observed during the 25 October 2021 storm event that were not included in this settlement if this matter proceeds to hearing.
Step 9: Minimum Liability	\$130	Based on California Water Code section 13385, civil liability must be at least the economic benefit of non-compliance. Per the Enforcement Policy, the minimum liability is to be the economic benefit plus 10%.
Step 10: Final Liability	\$35,765	The final liability amount is the total base liability plus any adjustment for the ability to pay, economic benefit, and other factors. The final liability must be more than the

OTHER FACTORS	VALUE	CONSIDERATIONS
		minimum liability but cannot exceed the maximum liability. The Final Liability is \$58,205 (\$29,040 + \$6,725 = \$35,765).

- Attachments:
- A. Economic Benefit Calculation
 - B. Staff Cost Estimate

Economic Benefit Analysis									
The Grove									
Compliance Action	One-Time Non-Depreciable Expenditure				Non-Compliance Date	Compliance Date	Penalty Payment Date	Discount Rate	Benefit of Non-Compliance
	Amount	Basis	Date	Delayed?					
Hydromulch with Tackifier	\$ 17,641	CCI	10/6/2021	Y	10/18/2021	12/6/2021	12/25/2022	7.50%	115
Mobilization of BMP Installer	\$ 500	CCI	10/6/2021	Y	10/18/2021	12/6/2021	12/25/2022	7.50%	3
Income Tax Schedule: Corporation								Total Benefit: \$ 118	
USEPA BEN Model Version: Version 2022.0.0 (June 2022)									
Analyst: Jennifer McGovern, Valaree St. Mary									
Date/Time of Analysis: 9/28/22 12:07									
Assumptions:									
<ul style="list-style-type: none"> ○ Cost estimates and compliance actions provided by Regional Board Staff ○ Failure to implement construction BMPs which included hydromulch with tackifier and mobilization of BMP installer was delayed, not avoided ○ Approximately 9 acres were disturbed according to Regional Board Staff ○ BMP installation adjusted using the construction cost index (CCI) ○ Non-compliance and compliance dates for each compliance action provided by Regional Board Staff ○ The penalty payment date is assumed to be 3 months from the date of analysis ○ The discharger is assumed to operate as a for-profit entity 									

Table 1. Staff Cost Summary

	Quantity	Unit Cost	Total Cost
Inspections	3	\$ 236.33	\$ 708.98
Inspection Reports	3	\$ 313.50	\$ 940.49
Notice of Violations	1	\$ 390.67	\$ 390.67
ACL Prep	1	\$ 4,685.79	\$ 4,685.79
Total Staff Costs		\$ 6,725.93	

Table 2. Staff Cost Calculation

Inspection	Hours ¹	Ave Cost/Hour ²	Cost
Water Resource Control Engineer	2	\$ 118.16	\$ 236.33
Senior Environmental Scientist	0	\$ 154.34	\$ -
Supervising Water Resources Control Engineer	0	\$ 179.32	\$ -
Assistant Executive Officer	0	\$ 185.26	\$ -
Cost per Inspection			\$ 236.33
Inspection Report	Hours	Ave Cost/Hour	Cost
Water Resource Control Engineer	2	\$ 118.16	\$ 236.33
Senior Environmental Scientist	0.5	\$ 154.34	\$ 77.17
Supervising Water Resources Control Engineer	0	\$ 179.32	\$ -
Assistant Executive Officer	0	\$ 185.26	\$ -
Cost per Inspection Report			\$ 313.50
Notice of Violation	Hours	Ave Cost/Hour	Cost
Water Resource Control Engineer	2	\$ 118.16	\$ 236.33
Senior Environmental Scientist	1	\$ 154.34	\$ 154.34
Supervising Water Resources Control Engineer	0	\$ 179.32	\$ -
Assistant Executive Officer	0	\$ 185.26	\$ -
Cost per Notice of Violation			\$ 390.67
ACL Preparation	Hours	Ave Cost/Hour	Cost
Water Resource Control Engineer	20	\$ 118.16	\$ 2,363.27
Senior Environmental Scientist	8	\$ 154.34	\$ 1,234.72
Supervising Water Resources Control Engineer	4	\$ 179.32	\$ 717.28
Assistant Executive Officer	2	\$ 185.26	\$ 370.52
Cost per Notice of Violation			\$ 4,685.79

Notes:

- 1 Inspection Time includes in-office pre-inspection research and drive time.
- 2 Hourly costs from SWRCB Office of Enforcement Fiscal Year 2020-2021 Billing Costs Summary, mid range salary used.