

ITEM: 8

SUBJECT: Jaime and Ramona Rodriguez Trust (Rodriguez Trust), Sacramento County

BOARD ACTION: *Consideration of an Administrative Civil Liability Order for violations of California Water Code (CWC) section 13267*

This summary was prepared by the Prosecution Team.

BACKGROUND: Rodriguez Trust has failed to respond to a CWC section 13267 Order issued to determine whether Rodriguez Trust, an owner of agricultural land, is discharging waste to waters of the state, requiring regulatory coverage. The Executive Officer issued an Administrative Civil Liability (ACL) Complaint, pursuant to California Water Code (CWC) sections 13268 (a) and (b)(1).The Complaint proposed that civil liability in the amount of \$3,000 be imposed.

ISSUES: The technical report required by the CWC section 13267 Order is 361 days overdue. Staff made numerous phone calls to Rodriguez Trust to make sure they were aware of the requirements under the CWC section 13267 Order and the consequences of not meeting those requirements, including the proposed civil liability.

RECOMMENDATION: Prosecution staff recommends that the Central Valley Water Board adopt a \$3,000 Administrative Civil Liability Order for violations of CWC section 13267.

Mgmt. Review _____

Legal Review EGW

13 August 2009 Central Valley Water Board Meeting

11020 Sun Center Dr. #200

Rancho Cordova, CA 95670