

ATTACHMENT A

February 2016 Notice of Violation





EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Central Valley Regional Water Quality Control Board

22 February 2016

Cynthia Betschart  
Victor Produce, Inc  
14588 Atwater Jordan Rd  
Livingston, CA 95334-

Certified Mail Number  
7013 1710 0002 3644 4920

### NOTICE OF VIOLATION

#### FAILURE TO SUBMIT FARM EVALUATION FAILURE TO RESPOND MAY RESULT IN FINES OF UP TO \$1,000 PER DAY

You are receiving this letter because, based on information available to the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board or board), you are a member of the East San Joaquin Water Quality Coalition (Coalition) who has failed to submit Farm Evaluations for your 2013 and 2014 farm activities.

In becoming a Member of the Coalition, you became subject to the legal requirements described in the "Waste Discharge Requirements for Growers within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group" (Order R5-2012-0116-R3 or "Order"). According to the Coalition's records, you have failed to meet your obligation to submit a Farm Evaluation to the Coalition for the 2013 and 2014 growing seasons. Failure to submit these Farm Evaluations by the required 1 May 2014<sup>4</sup> and 1 March 2015 due dates may subject you to fines.

The requirement to submit a Farm Evaluation is part of the Order's Monitoring and Reporting Program (MRP), which was issued pursuant to California Water Code section 13267. If you fail to submit the required Farm Evaluations by **31 March 2016**, the Central Valley Water Board may impose penalties of up to \$1,000 per day pursuant to Water Code section 13261. As of the date of this Notice of Violation, you are 662 days and 358 days late, respectively, in submitting your 2013 and 2014 Farm Evaluations.

<sup>4</sup> For Members in High Vulnerability Areas – see Section V11.B.2 of the Order. The 2013 Farm Evaluation was due 5/1/2014 and the 2014 Farm Evaluation was due 3/1/2015. According to the Coalition, you have not submitted either evaluation.

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2012-0116-r3.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2012-0116-r3.pdf)

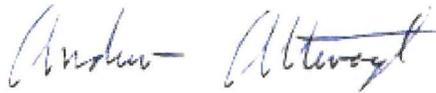
These are separate violations under the Water Code, so the combined maximum penalty is therefore **one million and twenty thousand dollars (\$1,020,000)**.

In order to avoid further potential fines, the Central Valley Water Board urges you to promptly complete the Board-approved Farm Evaluation form (enclosed) for both the 2013 and 2014 growing season and submit it to the Coalition. You can mail the Farm Evaluation to, or drop it off in person at, the address below:

East San Joaquin Water Quality Coalition  
1201 L Street  
Modesto, CA 95354

If you have any further questions, please contact Scott Perrou at (916) 464-4633 or via email at [Scott.Perrou@waterboards.ca.gov](mailto:Scott.Perrou@waterboards.ca.gov).

**Para obtener más información en español por favor contáctenos al teléfono Scott Perrou a (916) 464-4633 o vía email a: [Scott.Perrou@waterboards.ca.gov](mailto:Scott.Perrou@waterboards.ca.gov).**



ANDREW ALTEVOGT  
Assistant Executive Officer, Central Valley Water Board

Enclosure: East San Joaquin Water Quality Coalition Farm Evaluation Form

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.



1. Article Addressed to:

Cynthia Betschart  
 Victor Produce, Inc  
 14588 Atwater Jordan Rd  
 Livingston, CA 95334-

N

2. Article Number  
 (Transfer from service label)

7013 1710 0002 3644 4920

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

G. BACA

C. Date of Delivery

2/25/16

D. Is delivery address different from Item 1?

- Yes
- No

If YES, enter delivery address below:



3. Service Type

- Certified Mail®
- Priority Mail Express™
- Registered
- Return Receipt for Merchandise
- Insured Mail
- Collect on Delivery

4. Restricted Delivery? (Extra Fee)

- Yes

Domestic Return Receipt

