



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

28 August 2014

David L. & Linda M. Davis Trust
David L. & Linda M. Davis, Trustees
21877 Avenue 5
Madera, CA 93637

CERTIFIED MAIL
7013 2250 0000 3465 0455

SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY, ORDER R5-2014-0548, FOR DAVID L. & LINDA M. DAVIS TRUST

Enclosed is a proposed settlement agreement (Stipulated Order) between the Assistant Executive Officer of the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) on behalf of the Central Valley Water Board Prosecution Team (Prosecution Team), and David L. and Linda M. Davis Trust (Davis Trust).

This Stipulated Order was prepared in response to a memorandum that the Central Valley Water Board's Advisory Team issued to the Prosecution Team tentatively rejecting the 12 June 2014 proposed settlement of Administrative Civil Liability Complaint R5-2014-0501 (Complaint). The Prosecution Team has revised the penalty methodology for the enclosed Stipulated Order in response to the Advisory Team's comments to better explain how the proposed settlement adequately addresses the Central Valley Water Board's regulatory interests.

In a 7 August 2014 phone conference with the Prosecution Team, Davis Trust indicated that you would accept the proposed settlement agreement and the new penalty methodology that was used to calculate the final liability amount of \$9,152. You may execute the enclosed agreement by signing and dating it where indicated and returning it to:

Attn: Brett Stevens
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

The signed agreement must be received by board staff within 15 days of your date of receipt of this letter. If you do not submit the signed agreement, the Prosecution Team will consider other enforcement options, including reissuing an Administrative Civil Liability Complaint.

Davis Trust understands that this Stipulated Order will be noticed for a 30-day public review and comment period prior to consideration by the Central Valley Water Board, or its delegee. If significant new information is received that reasonably affects the propriety of presenting this Stipulated Order to the Central Valley Water Board, or its delegee, for adoption, the Assistant Executive Officer may unilaterally declare this Stipulated Order void and decide not to present it to the Central Valley Water Board, or its delegee.

Within 30 days of adoption of this Stipulated Order, Davis Trust shall remit **five hundred and fifty-two dollars (\$552)** in the form of a check made payable to the *State Water Resources Control Board Cleanup and Abatement Account*. This amount reflects the Final Liability Amount of \$9,152 less the amount of \$8,600, which was previously submitted. Board staff will notify you when the Stipulated Order has been adopted.

If you have any questions regarding the enclosed settlement agreement, please contact Brett Stevens at (916) 464-4642, or via e-mail at bstevens@waterboards.ca.gov.

[Original signed by]

JOE KARKOSKI, Chief
Irrigated Lands Regulatory Program

Enclosure: Settlement Agreement R5-2014-0548

cc via email: Naomi Kaplowitz, Office of Enforcement, SWRCB, Sacramento
Andrew Tauriainen, Office of Enforcement, SWRCB, Sacramento