



Media Release

Central Coast Regional Water Quality Control Board

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FOR IMMEDIATE RELEASE
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CENTRAL COAST WATER BOARD ISSUES CLEANUP AND ABATEMENT ORDER TO ENSURE SAFE DRINKING WATER FOR THE COMMUNITY OF SAN LUCAS IN THE SALINAS VALLEY

SAN LUIS OBISPO – The Central Coast Regional Water Quality Control Board (Central Coast Water Board) has issued a Cleanup and Abatement Order (Order) to ensure safe drinking water for the community of San Lucas.

The protection of groundwater used for drinking water is among the highest priorities for the Central Coast Water Board. For at least two years, residents of the community of San Lucas, and students and teachers at the San Lucas Elementary School have been using bottled water because the local drinking water well is polluted by nitrate from fertilizers.

Nitrate interferes with the oxygen carrying capacity of the blood, causing a condition known as blue baby syndrome. Excessive levels of nitrate in drinking water can cause serious illness and sometimes death in infants. Infants six months of age and younger, and pregnant and nursing women should avoid consumption of water high in nitrate.

The Order requires the landowner and farm operator of Las Colinas Ranch to provide uninterrupted interim and long-term replacement water service to the community of San Lucas. The landowner and farm operator are working together with the San Lucas County Water District and Monterey County, and have proactively agreed to assist the community by providing replacement water. In addition, they are also actively collaborating with local resource and housing agencies and officials to find a long term solution to the local drinking water issues.

The Order is unusual in that it requires the landowner and farm operator to do what they have already agreed to do, and acknowledges their proactive efforts. “Normally in cases of this importance, where a community water supply is polluted, our Order would include much more extensive and costly requirements,” said Assistant Executive Officer Michael Thomas. “However, the land owner and farm operator have been proactive, and they are willing to work with us and the community, so we are not pursuing more extensive requirements or other

enforcement actions.”

The farm operator is also making efforts to reduce nitrogen loading to groundwater through improved farming practices as part of their enrollment in the Water Board’s Agricultural Order.

The Central Coast Water Board is committed to working with individuals, rural communities, farm labor camps, other affected parties, and farmers to ensure that drinking water quality is protected. The Water Board welcomes information from these parties that will help prioritize the protection of public health.

For more information about the Agricultural Order, including information about nitrate in groundwater, go to the Central Coast Water Board’s website at:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/index.shtml

The Central Coast Regional Water Quality Control Board is a California state agency tasked with preservation and enhancement of water quality.

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Central Coast Regional Water Quality Control Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906

CLEANUP AND ABATEMENT ORDER NO. R3-2013-0031

Issued to

Wendell J. Naraghi, Sharon Naraghi, and Margaret Naraghi Quattrin
and Mission Ranches Company, LLC,
56395 Cattlemen Road, Las Colinas Ranch, San Lucas
Monterey County

This Cleanup and Abatement Order No. R3-2013-0031 (Order) is issued to Wendell J. Naraghi, Sharon Naraghi, and Margaret Naraghi Quattrin, and Mission Ranches Company, LLC, based on provisions of California Water Code section 13304, which authorize the Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board or Water Board) to issue a Cleanup and Abatement Order.

The Central Coast Water Board finds that:

BACKGROUND

- Parties Responsible for the Discharge of Waste:** Wendell J. Naraghi, Sharon Naraghi, and Margaret Naraghi Quattrin are the landowners of approximately 1,401 acres of agricultural land used for commercial crop production, located immediately south of the community of San Lucas at 56395 Cattlemen Road, San Lucas, as shown on **Figure 1**. The property is located approximately 10 miles south of King City, east of Highway 101, and on the floodplain of the Salinas River. The agricultural property is known as Naraghi Farms Property (hereafter "Las Colinas Ranch") and is split into four parcels, as follows: Ranch 33 (417.79-acres), Ranch 1 (300.97-acres), Ranch 34 (464.02-acres), and Ranch 35 (219.06-acres). The 2011 Ranch Map for Monterey County [Monterey County Office of the Agricultural Commissioner] designates the agricultural property location, within sections 21S09E08, 21S09E09, 21S09E16 and 21S09E17 Mount Diablo Base and Meridian. Mission Ranches Company, LLC operates and manages all farming operations on the Las Colinas Ranch. Wendell J. Naraghi, Sharon Naraghi, and Margaret Naraghi Quattrin, and Mission Ranches Company, LLC are hereafter jointly referred to as "Dischargers."
- From at least 1974 until 2006, the Las Colinas Ranch was operated as irrigated vineyards. In 1986, H. Naraghi Farms, Inc. purchased the Las Colinas Ranch property and continued operating a portion of the property as irrigated vineyards. In the Fall of 2006, the Dischargers began the initial land use conversion process of approximately 320-acres of

JEFFREY S. YOUNG, CHAIR | KENNETH A. HARRIS JR., INTERIM EXECUTIVE OFFICER

Las Colinas Ranch irrigated vineyard to row crops. In 2007, an additional 620 acres were converted to row crops. The remaining 260 acres were converted to row crops in 2012, for the total conversion of approximately 1,200 irrigated vegetable row crop acres. Mission Ranches Company, LLC has managed and operated all farming operations that converted vineyards to row crops on the Las Colinas Ranch. Available data indicates that the Dischargers caused or allowed nitrate-containing wastes to be discharged to groundwater underlying the Las Colinas Ranch.

3. The Las Colinas Ranch has a total of eleven (11) wells, constructed in 1974, ten (10) wells for the irrigation system and one (1) for ranch office and other domestic uses. All of the wells have been actively used for irrigation since the time of their construction in 1974. Currently, six irrigation wells are in use; LCW 1, 2, 3, 4, 5 and 8, and the remaining four (4) irrigation wells are maintained as standby wells. LCW 8 was utilized as a standby well from 2006-2011, at which time it was brought into production. LCW 7 serves the maintenance yard, ranch office and a residence. The water is treated at the residence with a reverse osmosis system. The irrigation system is managed so that the water is first pumped into three large reservoirs built in the late 1970s and then distributed by drip or sprinkler system to the crops for Ranches 1, 34 and 35. For Ranch 33 approximately 50% of the irrigation water is first pumped to the reservoirs and then distributed by drip or sprinkler system to the crops, and 50% is pumped directly to the crops for irrigation.
4. Based on the findings set forth herein, this Order requires the Dischargers to provide uninterrupted interim and long-term replacement water service to the community of San Lucas.
5. The Central Coast Water Board adopted the Water Quality Control Plan for the Central Coast Basin (Basin Plan). The Basin Plan designates beneficial uses and water quality objectives to protect those uses. The present and potential beneficial uses of groundwater underlying and downgradient of the Las Colinas Ranch include domestic and municipal water supply (MUN), agricultural water supply, and industrial water supply. The Las Colinas Ranch is located within the Upper Valley Aquifer of the Salinas Groundwater Sub-Area.
6. The Basin Plan contains numeric water quality objectives¹ for chemical compounds to protect groundwater designated for MUN. The numeric objectives are derived from primary maximum contaminant levels (MCLs)² established by the Department of Public Health in Title 22 of the California Code of Regulations. The California Maximum Contaminant Level for nitrate is 10 mg/L as nitrogen. The Basin Plan's water quality objective for nitrate (measured as N or nitrogen) within the Salinas River Upper Valley is 5 milligrams per liter (mg/L) as nitrogen.

¹ "Water quality objectives" are defined in Water Code section 13050(h) as "the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area."

² MCLs, maximum contaminant levels, are public health-protective drinking water standards to be met by public water systems. MCLs take into account not only chemicals' health risks but also factors such as their detectability and treatability, as well as the costs of treatment. Primary MCLs can be found in Title 22 California Code of Regulations (CCR) sections 64431 - 64444. MCLs have been adopted as water quality objectives in the Basin Plan, and, apply to the receiving waters with the beneficial use of MUN.

7. The U.S. Environmental Protection Agency (U.S. EPA) has established a maximum contaminant level of 45 mg/L nitrate as nitrate (10 mg/L nitrate as nitrogen). Excessive concentrations of nitrate or nitrite in drinking water can be hazardous to health, especially for infants and pregnant women.
8. Consistent with the declaration in Assembly Bill 685, approved by the Governor on September 25, 2012 and to be codified at Water Code section 106.3, that every human being has the right to safe, clean, affordable and accessible water, protecting drinking water sources by controlling nitrate loading to groundwater is among the highest priorities for the Central Coast Water Board. Nitrate pollution of drinking water supplies is a critical problem throughout the Central Coast Region. There is substantial evidence that fertilizer from irrigated agriculture is the largest primary source of nitrate pollution in drinking water wells.

BASIS FOR ISSUANCE OF ORDER

9. **Affected Persons:** San Lucas is a community of approximately 450 residents located near the upper end of the Salinas Valley, near King City and San Ardo. The community is supplied by a well (SLCWD Well #2), owned and operated by the San Lucas County Water District and located in agricultural land (within the Las Colinas Ranch) about 1.2 miles south of town, and on the floodplain of the Salinas River.
10. **Discharge of Nitrate Waste:** Nitrate concentrations of groundwater produced by SLCWD Well #2 began rising rapidly shortly after the Dischargers changed the land use on the Las Colinas Ranch from vineyard to vegetable row-crop production. Water in the well met drinking water standards from the time it was drilled in 1981 until 2007, when the nitrate concentrations in the well water began rising rapidly.³ The rapid rise in nitrate concentrations in groundwater was likely caused by the combination of changing farming practices and the site-specific hydrogeologic conditions. The change to row-crop farming was accompanied by increases in associated fertilizer use and irrigation requirements (increases in pumping of high-capacity irrigation wells along the river levee south of SLCWD Well #2). Additionally, the hydrogeological conditions at SLCWD Well #2 favor rapid movement because the well is very shallow (screened at a depth of only 35-70 feet), the depth to water near SLCWD Well #2 is quite shallow, only 8-12 feet below ground surface, and the geologic materials above the well screen are predominantly sandy. If not controlled, nitrate concentrations will continue to increase and further exceed drinking water standards.
11. The Dischargers caused or permitted nitrate-containing wastes to be discharged to groundwater underlying the Las Colinas Ranch. The following reports detail the presence of nitrate in groundwater at, and possibly beyond, the Las Colinas Ranch property:
 - *Draft Feasibility Study for Source Water Evaluation, San Lucas Water District, San Lucas, California*, prepared by Springer & Associates, Inc., dated March 10, 2008.
 - *Hydrogeologic Characterization and Test Well Feasibility Analysis for San Lucas County Water District, Monterey County*, prepared by Pueblo Water Resources, Inc., dated September 2010.

³ G. Yates, Burke, M., and M. Feeney. 6 June 2011. *Nitrate Concentrations in Groundwater near San Lucas*. Technical Memorandum prepared for Nick Nichols, Monterey County Redevelopment and Housing Office, Salinas, CA

- G. Yates, Burke, M., and M. Feeney. 6 June 2011. *Nitrate Concentrations in Groundwater near San Lucas*. Technical Memorandum prepared for Nick Nichols, Monterey County Redevelopment and Housing Office, Salinas, CA
 - Excel chart containing nitrate data (January through September 2011) from the San Lucas Community District's Domestic Supply Well, provided by Cheryl Sandoval, R.E.H.S, Supervisor-Drinking Water Protection Services, Environmental Health Bureau, Monterey County Health Department, received via e-mail on September 15, 2011.
 - October 6, 2011 memorandum titled *San Lucas Well Replacement Project*, prepared by Marti Noel, Assistant Director, Monterey County Resources Management Agency, Redevelopment and Housing Office.
 - Harter, Thomas, et al., January 2012, *Addressing Nitrate in California's Drinking Water; With a Focus on the Tulare Lake Basin and Salinas Valley Groundwater*, Report for the State Water Resources Control Board Report to the Legislature, Implementation of Senate Bill X2 1
 - Moran, Jean E. et al., March 2011, California GAMA Special Study: Nitrate Fate and Transport in the Salinas Valley, LLNL-TR-484186
12. On January 12, 2011, routine water quality testing performed by the San Lucas County Water District detected a nitrate concentration of 47 mg/L as nitrate in a sample from SLCWD Well #2. Additional samples were collected on March 3rd, March 11th, and April 13, 2011, showing nitrate concentrations of 58, 62, and 56 mg/L as nitrate, respectively. On March 15, 2011, the County Health Department issued a "bottled water order" for the community of San Lucas. This order will most likely remain in place until a replacement water supply for the San Lucas community has been developed. The County's order requires the customers of San Lucas County Water District to purchase bottled water for drinking and cooking while continuing to pay their monthly water service fees.
 13. On May 23, 2011, Monterey County, Department of Public Health issued Compliance Order No. 11-006 directing the San Lucas Water District to comply with State regulations and domestic water permit conditions by supplying specified documents and information.
 14. The maximum nitrate concentration detected to date in groundwater beneath the property (at well SLCWD Well #2) is 99 mg/L as nitrate on August 17, 2011, and on June 8, 2012, the nitrate concentration at well LCW #7 was 180 mg/L as nitrate. The presence of nitrate in concentrations exceeding water quality standards constitutes conditions of pollution and nuisance.
 15. On May 15, 2012, Central Coast Water Board issued a Notice of Violation and Water Code Section 13260 and 13267 Order for Information letter. The Notice of Violation was issued for discharging waste into water of the state and causing a condition of pollution in violation of the Central Coast Water Board's Basin Plan and without formal authorization via issuance of Waste Discharge Requirements by the Central Coast Water Board. The letter directed the Discharger to submit a complete Report of Waste Discharge (ROWD) and any associated technical reporting information. The Water Board required the information contained in the ROWD to further assess and confirm the farming operation's risk to water quality and to determine if it is most appropriate to enroll the farming operation in the Irrigation Agricultural Program or issue individual waste discharge requirements.
 16. On June 14, 2012, at the request of Mr. Wendell Naraghi, Central Coast Water Board staff met with representatives from Naraghi Farms and Mission Ranches Company, LLC and

discussed the May 15, 2012 NOV letter and the pollution associated with the San Lucas community's drinking water supply. The meeting objective was to establish a collaborative working relationship with the Central Coast Water Board to meet the water needs for the community of San Lucas and to obtain clarification on the information required in the May 15, 2012 letter. As a result of the meeting, the Dischargers voluntarily agreed to meet with the San Lucas County Water District to discuss options and begin providing alternative safe drinking water to the community of San Lucas.

17. On June 29, 2012, Mission Ranches Company, LLC submitted a status update letter on behalf of the Dischargers. The status update outlined the Dischargers voluntary commitment to collaborate with Monterey County, SLCWD, and the Central Coast Water Board to provide the community of San Lucas with interim and long-term alternative drinking water (bottled water service and a replacement well). The Discharger's voluntary commitment is also outlined in SLCWD Board's resolution dated June 26, 2012 and herein.
18. The Dischargers are actively collaborating with Monterey County Resource Management Agency, Monterey County, Community Housing Improvement Systems and Planning Association, Inc. (CHISPA), and the SLCWD to identify and develop a new and permanent potable water source for the San Lucas community. On February 25, 2013, the Dischargers provided notification that Monterey County has applied for ~~obtained~~ grant funding approval from the California Department of Public Health's (CDPH) Safe Drinking Water State Revolving Fund to implement feasibility analysis, select a Preferred Project, and do the engineering & environmental reviews for implementing a permanent long-term solution to Water District's contaminated public water supply. Monterey County anticipates an 18-month process to complete the Feasibility Study. The County has already put together a team to begin the process for hiring a consultant to prepare the Feasibility Study. On March 26, 2013, the Greater Monterey County Regional Integrated Water Management Group applied ~~The County will also apply~~ for additional grant funds that include assistance for the "San Lucas Water District Public Water Supply Replacement Project."

AUTHORITY - LEGAL REQUIREMENTS

19. Section 13304(a) of the Water Code provides that:

"Any person ... who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the water board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts. A cleanup and abatement order issued by the state board or a water board may require the provision of, or payment for, uninterrupted replacement water service, which may include wellhead treatment, to each affected public water supplier or private well owner. Upon failure of any person to comply with the cleanup and abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant."

(f) Replacement water provided pursuant to subdivision (a) shall meet all applicable federal, state, and local drinking water standards, and shall have comparable quality to that pumped by the public water system or private well owner prior to the discharge of waste.

(g)(1) Any public water supplier or private well owner receiving replacement water by reason of an order issued pursuant to subdivision (a), or any person or entity who is ordered to provide replacement water pursuant to subdivision (a), may request nonbinding mediation of all replacement water claims.

(2) If so requested, the public water suppliers receiving the replacement water and the persons or entities ordered to provide the replacement water, within 30 days of the submittal of a water replacement plan, shall engage in at least one confidential settlement discussion before a mutually acceptable mediator.

(3) Any agreement between parties regarding replacement water claims resulting from participation in the nonbinding mediation process shall be consistent with the requirements of any cleanup and abatement order.

(4) A regional board or the state board is not required to participate in any nonbinding mediation requested pursuant to paragraph (1).

(5) The party or parties requesting the mediation shall pay for the costs of the mediation.

(h) As part of any cleanup and abatement order that requires the provision of replacement water, a regional board or the state board shall request a water replacement plan from the discharger in cases where replacement water is to be provided for more than 30 days. The water replacement plan is subject to the approval of the regional board or the state board prior to its implementation.

(i) A “water replacement plan” means a plan pursuant to which the discharger will provide replacement water in accordance with a cleanup and abatement order.

20. Section 13304(c)(1) of the California Water Code provides that:

“ . . . the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), are liable to that government agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial actions. . . .”

21. Section 13050(l) of the California Water Code defines pollution as an alteration of the water quality to a degree that unreasonably affects either beneficial uses or facilities that serve these beneficial uses. Section 13050(m) defines nuisance as “anything which meets all of the following requirements: (1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons ... (3) Occurs during, or as a result of, the treatment or disposal of wastes.”

DISCHARGER LIABILITY

22. Nitrate discharged at the site constitutes “waste” as defined in Water Code section 13050(d).

23. As described in this Order, the discharge of waste has resulted in the groundwater exceeding the water quality objectives for nitrate in the vicinity of the supply well for the community. Exceedance of the water quality objectives constitutes pollution as defined in Water Code section 13050.
24. As described in Findings of this Order, the Dischargers are subject to an order pursuant to Water Code section 13304 because the Dischargers have caused or permitted waste to be discharged or deposited where it has discharged to waters of the state and has created, and continues to threaten to create, a condition of pollution or nuisance. The condition of pollution is a priority violation and issuance or adoption of a cleanup or abatement order pursuant to Water Code Section 13304 is appropriate and consistent with policies of the Regional Board.
25. The Dischargers may be liable, pursuant to California Water Code Section 13304, to the Central Coast Water Board for all reasonable costs actually incurred by the Central Coast Water Board to investigate unauthorized discharges of waste, or to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, pursuant to this order. The Dischargers may be required to reimburse the Central Coast Water Board for all reasonable costs associated with site investigation, oversight and cleanup. Failure to pay any invoice for the Central Coast Water Board's investigation or oversight costs within the time stated in the invoice (or within thirty days after the date of invoice, if the invoice does not set forth a due date) shall be considered a violation of this order. If the site is enrolled in a State Board-managed reimbursement program, reimbursement shall be made pursuant to this order and according to the procedures established in that program.
26. As described in this order, existing data and information about the Las Colinas Ranch indicates that waste has been discharged or is being discharged from the Las Colinas Ranch described above, which is owned or operated or formerly owned or operated by the Dischargers named in this order.
27. **Basis for Requiring Replacement Water:** This Order requires the Dischargers to provide uninterrupted replacement water supply to the affected residents as authorized by Water Code section 13304(a). This Order requires that the quality of the interim uninterrupted replacement water supply meet federal, state, and local drinking water standards and have comparable quality to that provided prior to the discharge of waste. This level is equal to the federal and state drinking water standards and is lower than the existing nitrate concentration. This requirement is appropriate pursuant to Section 13304. First, alternative water would not be required if the Dischargers had not discharged nitrate. Since the nitrate discharge has caused conditions of pollution and nuisance and has adversely affected groundwater beneficial uses, the Dischargers are required to abate potential and actual effects of the discharge.
28. **California Environmental Quality Act (CEQA) Compliance:** This enforcement action is being taken for the protection of the environment and as such is exempt from the provisions of CEQA (Public Resources Code Section 21000, et seq.) in accordance with Sections 15307 and 15308, Chapter 3, Title 14, California Code of Regulations. The issuance of this order is also an enforcement action taken by a regulatory agency and is exempt from the provisions of the CEQA (Public Resources Code, Section 21000, et seq.), pursuant to Section 15321(a)(2), Title 14, CCR.

29. Any person affected by this action of the Water Board may petition the State Water Resources Control Board (State Board) to review the action in accordance with Section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to Section 13304 of the California Water Code, the Dischargers must abate the effects of the discharge of waste at and near the Las Colinas Ranch. Compliance with this requirement must be achieved in accordance with the following approach and conditions:

1. The Dischargers will provide interim and long-term uninterrupted replacement water to all affected persons serviced by SLCWD Well #2, as follows:
 - a. **INTERIM REPLACEMENT WATER** - Effective immediately, the Dischargers must continue to supply⁴ (at their expense) interim uninterrupted⁵ replacement water (e.g., bottled water service or an equivalent) to all affected persons serviced by SLCWD Well #2. The Dischargers may stop supplying interim uninterrupted water service upon the Central Coast Water Board Executive Officer's concurrence that a viable long-term replacement water alternative for providing uninterrupted replacement water to all affected persons of the community of San Lucas is successfully implemented.
 - b. **LONG-TERM REPLACEMENT WATER** – By **June 24, 2013**, the Dischargers, in collaboration with Monterey County, CHISPA, and the Water District, may submit for Executive Officer concurrence, a Water Replacement Plan proposal that clarifies and outlines their mutual collaborative commitment to identify and develop a new potable water source for the District. The Replacement Water Plan proposal must clearly define ~~each collaborating party's~~ the Dischargers' role and contribution to the final solution, include an implementation schedule and a proposed schedule for providing progress reports. ~~The parties must enter into a Memorandum of Understanding ("MOU"), which clearly outlines each party's respective benefits and responsibilities.~~
 - c. Following Executive Officer concurrence with the Replacement Water Plan proposal, the Dischargers must provide quarterly status updates until a new potable water source is identified and implemented.

⁴ The Discharger is presently complying with this directive by agreeing to contribute up to \$1,200 per week to the San Lucas County Water District to pay for bottled drinking water to distribute to San Lucas residents. Voluntary funding began the week of July 1, 2012. ~~Monterey County provides and will continue to provide bottled water to the school district.~~

⁵ The term "uninterrupted" does not mean Dischargers must assume any control over the operation of the existing water system. The Dischargers will not be held responsible for a shut-down of the existing water system due to its operation, repair or maintenance.

- d. In the event that the Replacement Water Plan is not implemented by the collaborating parties, the Dischargers must implement an approved and viable long-term replacement water alternative independently and according to a schedule approved by the Executive Officer.
2. Interim and long-term replacement water shall comply with California Water Code Section 13304(f), which states: *"Replacement water provided pursuant to subdivision (a) shall meet all applicable federal, state, and local drinking water standards, and shall have comparable quality to that pumped by the public water system or private well owner prior to the discharge of waste."*

The Replacement Water Plan, if submitted, shall include a statement by the Dischargers, or an authorized representative of the Dischargers, certifying under penalty of perjury in conformance with the laws of the State of California that the work plan and/or report is true, complete, and accurate. Hydrogeological reports and plans shall be prepared or directly supervised by, and signed and stamped by a registered geologist and/or an appropriately licensed engineer.

This order in no way limits the authority of this Water Board to institute additional enforcement actions or to require additional investigation and cleanup at the facility consistent with California Water Code. This order may be revised by the Executive Officer.

Failure to comply with the provisions of this order may subject the Dischargers to further enforcement action, including but not limited to, assessment of monetary civil liability section 13350 of the California Water Code.

ORDERED BY _____



cn=Harvey C. Packard, o=Central Coast
Regional Water Quality Control Board, ou,
email=hpackard@waterboards.ca.gov, c=US
2013.04.18 14:57:08 -0700'

**for Michael J. Thomas
Assistant Executive Officer**

Revised April 18, 2013

Date

NARAGHI FARMS PROPERTY SITE LOCATION MAP

Figure 1

