



North Coast Regional Water Quality Control Board

May 9, 2022

Mr. Hugh Reimers
Krasilsa Pacific Farms LLC
7030 Faight Road
Santa Rosa, CA 95403

Certified Mail No. 7021 0950 0001 6499 7336

Mr. Hugh Reimers
c/o Jack Weaver
Welty, Weaver and Currie
3554 Round Barn Blvd., Suite 300
Santa Rosa, CA 95403

Certified Mail No. 7021 0950 0001 6499 7404

Krasilsa Pacific Farms LLC
c/o Jane Gaskell
Law Offices of Andrian & Gallenson
1100 Mendocino Avenue
Santa Rosa, CA. 95401

Certified Mail No. 7021 0950 0001 6499 7398

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R1-2022-0024, ISSUED TO MR. HUGH REIMERS AND KRASILSA PACIFIC FARMS LLC.

Dear Mr. Reimers:

Enclosed is Administrative Civil Liability (ACL) Complaint No. R1-2022-0024 (Complaint) issued by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) in the matter of Sonoma County Assessor's Parcel Numbers (APNs) 115-200-002-000, 115-210-002-000, 116-240-006-000, 117-260-002-000, 117-260-001-000, 117-270-002-000, 117-270-003-000 and 117-270-006-000 the (Property). The Complaint covers the period from July 31, 2018 through May 9, 2022, and includes allegations that you violated the Regional Water Board's Water Quality Control Plan for the North Coast Region (Basin Plan) and Clean Water Act Section 301 by filling or permitting to be filled watercourses and wetlands on the property. This Complaint proposes that, pursuant to California Water Code section 13350 and 13385, the total penalty amount is **\$3,750,852**. Attachment A to the Complaint provides the details of these violations and how the proposed penalties were calculated.

To help ensure the fairness and impartiality of this proceeding, the functions of those who will act in a prosecutorial role ("Prosecution Team") by presenting evidence for consideration by the North Coast Water Board have been separated from those who will

GREGORY A. GIUSTI , CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

provide advice to the North Coast Water Board (“Advisory Team”) prior to and during the hearing. Any members of the Advisory Team who normally supervise any members of the Prosecution Team are not acting as their supervisors in this proceeding, and vice versa. Other members of the Prosecution Team may act or have acted as advisors to the North Coast Water Board in other, unrelated matters, but they are not advising the North Coast Water Board in this proceeding. The Prosecution Team is subject to all applicable rules and regulations as any other party to this proceeding, including the prohibition on ex parte communications.

All submittals and communications to the Advisory Team shall be sent to:

Advisory Team:

Matthias St. John,
Executive Officer,
Regional Water Quality Control Board,
North Coast Region
5550 Skylane Blvd. Suite A
Santa Rosa, CA 95403
matt.st.john@waterboards.ca.gov

Nathan Jacobsen, Attorney,
Office of Chief Counsel
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812
(916) 341-5181
nathan.jacobsen@waterboards.ca.gov

Any substantive communication to the Advisory Team must also be sent to the Prosecution Team listed below.

Prosecution Team:

Joshua Curtis,
Assistant Executive Officer
joshua.curtis@waterboards.ca.gov

Brian Fuller, P.G.
Engineering Geologist
brian.fuller@waterboards.ca.gov

Jeremiah Puget
Senior Environmental Scientist
jeremiah.puget@waterboards.ca.gov

Regional Water Quality Control Board,
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

Andrew Tauriainen, Attorney,
Office of Enforcement
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812
(916) 341-5889
andrew.tauriainen@waterboards.ca.gov

You may avoid or delay a hearing on the Complaint by electing one of the following options on the attached waiver form and returning to the Regional Water Board Advisory Team, with a copy to the Prosecution Team by 5:00 p.m. on Wednesday, June 8, 2022:

- a. *By waiving the right to a hearing by providing payment to the Regional Water Board for the proposed administrative civil liability amount of \$3,750,852; or*
- b. *Subject to the agreement of the Advisory Team, by waiving a right to a hearing within 90 days and formally requesting to delay the hearing to allow time to discuss settlement or for any other reason accompanied by a letter setting forth the amount of additional time requested and the rationale. In consult with the parties, the Advisory Team will then evaluate the request to determine whether to take the hearing off calendar.*

If you have any questions about the waiver or wish to request an extension to the proposed hearing date, you should contact the Regional Water Board Advisory Team. Detailed hearing procedures and information regarding the hearing on the Complaint will be provided by the Regional Water Board Advisory Team as well.

Additionally, a Fact Sheet is enclosed, along with the Complaint and its attachments. The Fact Sheet describes the Complaint process and explains what Mr. Hugh Reimers and Krasilisa Pacific Farms LLC (the Dischargers) can expect and their obligations as the process proceeds. Also enclosed is a Subpoena Duces Tecum for documents relating to the ability to pay the proposed liability. **Please read each document carefully.**

An agenda containing the date, time, location and specific procedures of the hearing will be sent to you by the Advisory Team prior to the hearing date, which will likely be scheduled to occur on either the first or second day of the Regional Water Board's regular meeting of August 4-5, 2022. The hearing will be governed by Hearing Procedures to be issued separately by the Regional Water Board Advisory Team for use in adjudicating matters such as this one. If the Dischargers elect to pay the

proposed administrative civil liability (as discussed above), this will be considered a tentative settlement of the violations. The settlement will be considered final pending a 30-day public comment period and approval by the Regional Water Board or Executive Officer. Interested parties may comment on the proposed action during this period by submitting written comments to the Regional Water Board staff person listed below. Should the Regional Water Board receive new information or comments during this comment period, the Assistant Executive Officer may withdraw the Complaint, return payment, and issue a new Complaint. If the Regional Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

You may contact Brian Fuller of my staff by telephone at (707) 576-2806 or by email at brian.fuller@waterboards.ca.gov, or Andrew Tauriainen of the Office of Enforcement at (916) 341-5889 or by email at andrew.tauriainen@waterboards.ca.gov if you have any questions regarding this Complaint.

Sincerely,

Joshua Curtis,

Assistant Executive Officer

Enclosures:

1. Complaint No. R1-2022-0024 with Attachments:
 - A. Penalty Methodology
 - B. Hearing Waiver Form
2. Administrative Civil Liability Fact Sheet
3. Subpoena Duces Tecum, Addendum, and Affidavit in Support

Certified-Return Receipt Requested

cc: Matthias St. John, Executive Officer, RWQCB, matt.st.john@waterboards.ca.gov

Nathan Jacobsen, OCC, nathan.jacobsen@waterboards.ca.gov

Andrew Tauriainen, OE, andrew.tauriainen@waterboards.ca.gov