

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

NOTICE OF PENDING ENFORCEMENT ACTION
JOHN D. SWEENEY AND POINT BUCKLER CLUB, LLC

The California Regional Water Quality Control Board, San Francisco Bay Region (Water Board) Prosecution Team issued a Complaint for Administrative Civil Liability (ACL) and Tentative Cleanup and Abatement Order (CAO) on May 17, 2016. The Complaint alleges that John D. Sweeney and Point Buckler Club, LLC (Dischargers) are responsible for violating the San Francisco Bay Basin Water Quality Control Plan Discharge Prohibition No. 9 and Clean Water Act section 301 for unauthorized discharge of fill to waters of the State and United States and Clean Water Act section 401, for failure to obtain a Water Quality Certification. The Complaint proposes that the Discharger pay \$4,600,000. The Tentative CAO alleges that the Dischargers are legally responsible for abating the effects on beneficial uses resulting from unauthorized activities.

The Complaint, Tentative CAO, and related documents, including the procedure for Water Board hearings (with deadlines for submitting comments), are available at:

http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml

http://www.waterboards.ca.gov/sanfranciscobay/board_decisions/tentative_orders.shtml

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/hot_topics/PointBuckler.shtml

The Prosecution Team may amend and re-notice its Complaint or modify the CAO in response to comments from the Dischargers or the public.

The Water Board will hold a hearing on August 10, 2016, to consider adoption of the ACL, issuance of the CAO as proposed or modified, and/or referral of the matter to the Attorney General, unless the Dischargers waive their right to a hearing within 90 days. The 90-day hearing requirement may be waived to pay the penalty as proposed, extend deadlines, or pursue settlement and/or a supplemental environmental project.

For additional information and updates, please contact prosecutorial staff Benjamin Martin at 510-622-2116 or Benjamin.Martin@waterboards.ca.gov or check the Water Board website link cited above for documents and future developments associated with this matter.

Dated: May 17, 2016