
State Water Resources Control Board

JUN 06 2017

Mr. Reginald Hindley
3300 Clay Street, #5
San Francisco, CA 94118

Dear Mr. Hindley:

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT FOR FAILURE TO FULFILL OBLIGATIONS UNDER STATE WATER RESOURCES CONTROL BOARD ORDER WR 2015-0026-DWR

On December 18, 2015, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), issued an Administrative Civil Liability (ACL) Complaint to Reginald Hindley alleging failure to fulfill obligations under State Water Board Order WR 2015-0026-DWR¹. The ACL Complaint was received on December 24, 2015. After receipt of the Complaint, on January 13, 2016, Mr. Hindley submitted: (a) water use and supply information for Parcel Number 173-750-047-000 to the State Water Board, fulfilling the substantive requirements of Order WR 2015-0026-DWR; and (b) a request for the State Water Board to hold a Public Hearing to determine whether to adopt an order imposing administrative civil liability for failure to provide the information required under Order WR 2015-0026-DWR.

Mr. Hindley provided the water use and supply information within 20 days of issuance of the ACL Complaint, but did not sign and submit the Conditional Settlement Offer, which would have closed the ACL Complaint with no fine issued. The central condition of the Conditional Settlement Offer was submittal of water use and supply information to the State Water Board, and Mr. Hindley fulfilled that obligation subsequent to receiving the ACL Complaint. Under similar circumstances the State Water Board has accepted submission of the information as de facto acceptance of the Settlement Offer even without a signature formally accepting the Conditional Settlement Offer because the information submittal fulfilled the primary obligations of Order WR 2015-0026-DWR. (See State Water Board Orders WR 2016-0020-DWR, WR 2016-0021-DWR, WR 2016-0022-DWR, and WR 2016-0023-DWR.)

Due to the hearing request, the State Water Board cannot issue Mr. Hindley an order approving settlement in the matter of violation of Order WR 2015-0026-DWR. In this instance, due to the unique circumstances of this case, the Division withdraws the ACL Complaint.

¹ State Water Resources Control Board [Order WR 2015-0026-DWR](#): *Order for Additional Information in the Matter of Diversion of Water from the Dutch Bill Creek, Green Valley Creek, portions of Mark West Creek, and Mill Creek Watersheds as defined in California Code of Regulations, Title 23, Section 876(c)(1) – Issued August 24, 2015.*

If you have questions regarding the ACL Complaint or this withdrawal letter, please contact Mr. Daniel Schultz (916) 323-9392 or by email at Daniel.Schultz@waterboards.ca.gov.

Sincerely,

ORIGINAL SIGNED BY:

John O'Hagan, Assistant Deputy Director
Division of Water Rights

cc: Mr. Reginald Hindley
718 Orchard Street
Santa Rosa, CA 95404

ec: Michael Buckman, Senior
Hearings Unit
Division of Water Rights

David Rose
Office of Chief Counsel
State Water Resources Control Board