

San Francisco Bay Regional Water Quality Control Board

Sent via certified mail and electronic mail

September 11, 2015
CIWQS Place ID 816826

Cert. Mail #7014 2870 0001 4626 3182

Point Buckler LLC/John Sweeney
c/o Miller Starr Regalia
1331 N. California Blvd., 5th Floor
Walnut Creek, California 94596
Attn: Wilson Wendt, wilson.wendt@msrlegal.com

Subject: Cleanup and Abatement Order No. R2-2015-0038 for Unauthorized Levee Construction Activities at Point Buckler Island in the Suisun Marsh, Solano County

Dear Mr. Sweeney:

Enclosed with this letter is Cleanup and Abatement Order No. R2-2015-0038 (Order) for unauthorized levee construction activities at Point Buckler Island located in the Suisun Marsh, Solano County.

As described in finding 14 of the Order, the Regional Water Board is entitled to recover reasonable costs actually incurred by staff from responsible parties to oversee cleanup of unauthorized activities and/or discharges that have adversely impacted or threaten to affect waters of the State. To assure that sufficient Regional Water Board staff resources are available to conduct the necessary reviews and approvals, we intend to include this site in this Region's Site Cleanup Program (SCP) Cost Recovery Program, more fully described in the attached Reimbursement Process for Regulatory Oversight enclosure. Pursuant to provision 8 of the Order, you are required to acknowledge in writing your intent to reimburse the State for cleanup oversight work by returning the Acknowledgment Letter (Attachment 3), or its equivalent, within 14 days of the date of the Order.

Estimate of Work to be Performed and Expected Outcome

Regional Water Board staff will be actively overseeing the investigation and cleanup of this site. Given this, Regional Water Board staff estimate that the following work will be performed for the subject site during State fiscal year 2015 - 2016, ending June 30, 2016: 1) Review work plans; investigation reports; corrective action plans; and associated correspondence from the discharger, its consultant, and/or interested parties; 2) Conduct site inspections following up on the technical reports and Order compliance; 3) Conduct meetings regarding the site on issues relevant to corrective

actions; and 4) Discuss issues related to the site and prepare written correspondence between the Regional Water Board and interested parties.

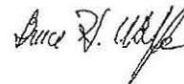
Billing Rates

Attachment 1 provides a detailed description of the billing procedure. Attachment 2 lists the billing rates for employees expected to engage in the work or services for your site/facility. We estimate that 100 hours will be required in the oversight of the site for the remainder of the State's fiscal year, which ends June 30, 2016. This is merely an estimate. The actual time needed will depend on the nature and extent of the necessary oversight. The name and classification of employees making charges will be listed on invoices. The average billing rate is approximately \$150 per hour. An estimate for any necessary work after June 30, 2016, will be provided in late spring 2016.

Contact Information

If you have any questions, please contact Agnes Farres of my staff at (510) 622-2401 or by e-mail to agnes.farres@waterboards.ca.gov.

Sincerely,



Digitally signed by Bruce H. Wolfe
DN: cn=Bruce H. Wolfe,
o=SWRCB, ou=Region 2,
email=bwolfe@waterboards.ca.
gov, c=US
Date: 2015.09.11 14:29:05 -07'00'

Bruce H. Wolfe
Executive Officer

Enclosures: Cleanup and Abatement Order No. R2-2015-0038
Attachment 1 – Reimbursement Process for Regulatory Oversight
Attachment 2 – Billing Rates
Attachment 3 – Acknowledgement Letter

Copy by email:

John Sweeney, john@spinnerisland.com
U.S. Environmental Protection Agency
Bill Lee, lee.bill@epa.gov
Corps, SF Regulatory Branch
Katerina Galacatos, Katerina.Galacatos@usace.army.mil
Jane Hicks, jane.m.hicks@usace.army.mil
California Department of Fish and Wildlife
Jim Starr, Jim.Starr@wildlife.ca.gov
San Francisco Bay Conservation and Development Commission
Maggie Weber, maggie.weber@bcdc.ca.gov

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

CLEANUP AND ABATEMENT ORDER NO. R2-2015-0038

POINT BUCKLER LLC
SOLANO COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Regional Water Board), finds that:

1. Point Buckler LLC (Discharger) owns approximately 51 acres of land at Point Buckler Island located off the western tip of Simmons Island in the Suisun Marsh, Solano County (Site). The Site was historically managed for ducks, but, over a period of decades without management, tidal circulation was naturally restored to the Site's several tidal marshes.
2. The Discharger constructed a levee at the Site without proper authorizations, certifications, and/or permits from the Regional Water Board. The Discharger's levee construction activities included construction of a levee around the perimeter of the Site resulting in the diking off of the tidal channels located on the northeast, northwest, and southwest portions of the Site. Based upon photographic evidence and reports from Bay Conservation Development Commission (BCDC) and California Department of Fish and Wildlife (CDFW) staff, the Discharger has adversely impacted tidal marsh vegetation.
3. The Site's adversely impacted tidal marshlands constitute waters of the State and United States.
4. The Regional Water Board's Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) defines the existing and potential beneficial uses for waters within the Region. The beneficial uses of any specifically identified water body generally apply to all its tributaries. The Basin Plan designates the following existing and potential beneficial uses for Suisun Bay: industrial service supply, industrial process supply, commercial and sport fishing, estuarine habitat, fish migration, preservation of rare and endangered species, fish spawning, wildlife habitat, contact and noncontact water recreation, and navigation.
5. Beneficial uses present at the Site that were adversely impacted by the Discharger's unauthorized levee construction activities include estuarine habitat, fish migration, preservation of rare and endangered species, fish spawning, and wildlife habitat.
6. The Site is potential habitat for special status species including Chinook Salmon, Delta Smelt, California Clapper Rail, and Salt Marsh Harvest Mouse. The adverse impacts from levee construction activities may include impacts that resulted because some of the work was conducted outside appropriate work windows for these protected species.
7. Suisun Marsh is identified as an impaired water body pursuant to federal Clean Water Act (CWA) section 303(d) for mercury, nutrients, organic enrichment/low dissolved

oxygen, and salinity/total dissolved solids/chlorides. The circulation of waters through tidal marsh generally provides improved dissolved oxygen conditions and maintains water chemistry balance, such as the proper range of salinity. Cutting off tidal circulation to the Site's tidal marshes has disrupted the marshes' ability to provide this natural water quality benefit.

8. On November 19, 2014, BCDC and CDFW staff inspected the Site and reported that the Discharger's unauthorized levee construction activities cut off crucial tidal flow to the interior of the Site, thereby drying out the Site's former tidal marsh areas and destroying existing and potential habitat for special status species including Chinook Salmon, Delta Smelt, California Clapper Rail, and Salt Marsh Harvest Mouse.
9. The Discharger's unauthorized levee construction activities at the Site have unreasonably affected or threaten to adversely affect water quality and beneficial uses by filling the tidal drainage channels at the Site, thereby cutting off tidal circulation to the Site's interior tidal marsh habitat and destroying existing and potential habitat for special status species including Chinook Salmon, Delta Smelt, California Clapper Rail, and Salt Marsh Harvest Mouse.
10. The Discharger's unauthorized levee construction activities at the Site are in violation of California Water Code (CWC) sections 13260 and 13264, CWA sections 401 and 402, and the Basin Plan as described below:
 - a. CWC section 13260 requires that any person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the State, shall file with the appropriate Regional Water Board a Report of Waste Discharge (ROWD). CWC section 13264 further provides that no person shall initiate any new discharge of waste, or make any material changes in any discharge, prior to the filing of the ROWD required by CWC section 13260. The Discharger has not filed a ROWD with the Regional Water Board for the levee construction activities at the Site described above, which could adversely affect the quality of waters of the State. Accordingly, the Discharger is in violation of CWC sections 13260 and 13264.
 - b. CWA section 401 specifies that any applicant required to obtain a federal license or permit to conduct any activity that may result in a discharge into navigable waters must obtain a certification from the state in which the discharge originates. Title 23 of the California Code of Regulations, section 3855, requires that "an application for water quality certification shall be filed with the regional board executive officer." The Discharger has not filed an application for a CWA section 401 Water Quality Certification for the levee construction activities that resulted in a discharge of fill to waters of the State and United States. Accordingly, the Discharger is in violation of CWA section 401.
 - c. CWA section 402 established a National Pollutant Discharge Elimination System (NPDES) permit program and specifies that a NPDES permit is required for any stormwater discharges associated with construction activity, including clearing,

grading, and excavation resulting in land disturbance of one acre or more. The Discharger has not filed a Notice of Intent to enroll for coverage under the State's NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ) for the levee construction and other land disturbance activities conducted at the Site. The levee construction and other land disturbance activities conducted by the Discharger at the Site have collectively disturbed greater than one acre of land. Accordingly, the Discharger is in violation of CWA section 402.

- d. Chapter 4, Table 4-1 of the Basin Plan prohibits the discharge of silt, sand, clay, or other earthen materials from any activity in quantities sufficient to cause deleterious bottom deposits, turbidity, or discoloration in surface waters or to unreasonably affect or threaten to affect beneficial uses. The Discharger's unauthorized levee construction activities have resulted in the discharge of earthen fill into the site's tidal channels and around the perimeter of the Site in quantities sufficient to cause deleterious bottom deposits, turbidity, or discoloration in surface waters or to unreasonably affect or threaten to affect beneficial uses. Additionally, cutting off tidal circulation into the Site's interior tidal marshes has unreasonably affected or threatened to affect water quality and beneficial uses. Accordingly, the Discharger's levee construction activities at the Site are in violation of the Basin Plan.
11. CWC section 13304 requires any person who has discharged or discharges waste into waters of the State in violation of any waste discharge requirement or other order or prohibition issued by a Regional Water Board or the State Water Resources Control Board, or 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 Regional 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.
 12. Based on the above findings, the Regional Water Board finds that the Discharger has caused or permitted waste to be discharged or deposited where it has been discharged into waters of the State and created or threatens to create a condition of pollution. As such, pursuant to CWC sections 13267 and 13304, this Order requires the Discharger to submit technical reports to enable the Regional Water Board to understand the extent, scope, and character of the discharge and its impacts and requires the Discharger to undertake corrective action to clean up the waste discharged and abate its effects.
 13. This Order is an action to enforce the laws and regulations administered by the Regional Water Board. As such, this action is categorically exempt from the California Environmental Quality Act, pursuant to section 15321(a)(2) of Title 14 of the California Code of Regulations.

14. Pursuant to CWC section 13304, the Discharger is hereby notified that the Regional Water Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Regional Water Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effect thereof, or other remedial action, required by this Order.

IT IS HEREBY ORDERED, pursuant to CWC sections 13267 and 13304, that the Discharger shall submit the required technical reports and clean up the waste discharged, abate its effects, and take other remedial actions as follows:

A. Prohibitions

1. The discharge of fill material that will degrade, or threaten to degrade, water quality, or adversely affect, or threaten to adversely affect existing or potential beneficial uses of waters of the State is prohibited.
2. Removal of tidal marsh vegetation in a manner that adversely impacts or threatens to adversely impact water quality or beneficial uses in any water of the State is prohibited.
3. This Order does not allow for the take, or incidental take, of any special status species. The Discharger shall use the appropriate protocols, as approved by CDFW and the U.S. Fish and Wildlife Service, to ensure that activities do not impact the Beneficial Use of the Preservation of Rare and Endangered Species or violate the California or federal Endangered Species Acts.

B. Provisions

1. **No later than October 16, 2015, the Discharger shall submit, acceptable to the Regional Water Board Executive Officer, the following:**
 - a. A technical report providing a description of all levee construction activities, boat dock construction, and any other discharges of fill material or structures into waters of the State. The technical report shall also describe all grading and vegetation removal activities the Discharger has conducted at the Site. This technical report shall describe the nature and extent of these activities by means such as, but not limited to, providing a map illustrating the extent of these activities, and calculations quantifying the amount of fill material placed into waters of the State, the acreage of all channel, marsh, or other wetland vegetation removed or otherwise adversely impacted at the Site, and the linear distance (in feet) of tidal channels impacted by the levee construction activities. The impact assessment shall be performed by a qualified professional with expertise in tidal marsh habitat and shall, at a minimum, include a description of the pre-disturbance tidal channel morphology, soil conditions, hydrology, and characterization of the tidal marsh habitat impacts and loss, as well as documentation (e.g., aerial photographs, photographs, reports, topographic maps or drawings) showing the condition of the Site prior to the recent levee construction activities. The results of this impact assessment shall serve as the basis for the Corrective Action Workplan described below.

- b. Description of any permits and other authorizations obtained from local, State, and federal agencies and local or regional districts for any filling, grading, vegetation removal, levee and structure construction activities, or other activities that have disturbed land or water features at the Site since the Discharger acquired it.
2. **No later than November 1, 2015, the Discharger shall submit a Corrective Action Workplan, acceptable to the Regional Water Board Executive Officer, that includes the following:**
 - a. A workplan proposal for corrective actions designed to: (a) restore tidal circulation to all of the tidal channels and interior marsh habitat that existed prior to the Discharger's levee construction activities; and (b) provide compensatory mitigation habitat to compensate for any temporal and permanent impacts to the functions and values provided by the impacted wetlands, tidal marshlands, and drainage channels impacted by the Discharger's levee construction, vegetation removal, and other Site development activities. This Corrective Action Workplan shall include success criteria and performance standards for assessing whether the corrective actions are achieving the intended water quality and habitat restoration goals, including identification and justification for the proposed targeted native plant species, soil and hydrologic conditions, and identification and description of any reference sites utilized. Performance standards shall designate the final habitat success criteria. The Corrective Action Workplan shall include an implementation time schedule acceptable to the Executive Officer.
 - b. A corrective action self-monitoring program workplan proposal, designed to monitor and evaluate the success of the implemented corrected actions. The corrective action self-monitoring program shall monitor the success of the corrective actions until the approved habitat restoration activities have been successfully achieved, but not for a period of less than five years following completion of the corrective actions and not for a period of less than three years after any irrigation of revegetation plantings has ceased.

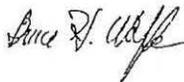
Within sixty days of approval of the Corrective Action Workplan by the Executive Officer, the Discharger shall initiate implementation of the Corrective Action Workplan in accordance with the approved implementation time schedule.

3. No later than January 31 of each year following initiation of the corrective actions and continuing until the corrective actions are successfully achieved, the Discharger shall submit annual self-monitoring program reports, acceptable to the Executive Officer, describing the progress reached toward achieving the restoration activities' approved success criteria and performance standards.
4. The Discharger shall submit with the final self-monitoring report a Notice of Completion, acceptable to the Executive Officer, demonstrating that the Corrective Action Workplan, as approved, has been successfully completed.
5. If the Discharger is delayed, interrupted, or prevented from meeting the work completion or report submittal deadlines specified in this Order, the Discharger shall

promptly notify the Executive Officer in writing with recommended revised completion or report submittal deadlines. Any extensions of the time deadlines specified in this Order must be approved in writing by the Executive Officer. The Executive Officer may consider revisions to this Order.

6. Regional Water Board staff shall be permitted reasonable access to the Site as necessary to oversee compliance with this Order.
7. The technical reports and workplan proposals required under provisions 1, 2, 3, and 4 above shall be complete, accurate, and adequate, as determined by the Executive Officer.
8. No later than 14 days from the date of this Order, the Discharger is required to acknowledge in writing its intent to reimburse the State for cleanup oversight work as described in the Reimbursement Process for Regulatory Oversight fact sheet provided to the Discharger with this Order, by filling out and returning the Acknowledgement of Receipt of Oversight Cost Reimbursement Account Letter or its equivalent, also provided with this Order.
9. As described in finding 14 above, upon receipt of a billing statement for costs incurred pursuant to CWC section 13304, the Discharger shall reimburse the Regional Water Board.
10. None of the obligations imposed by this Order on the Discharger are intended to constitute a debt, damage claim, penalty, or other civil action that should be limited or discharged in a bankruptcy proceeding. All obligations are imposed pursuant to the police powers of the State of California intended to protect the public health, safety, welfare, and environment.

Failure to comply with the provisions of this Order may result in the imposition of civil liabilities, imposed either administratively by the Regional Water Board or judicially by the Superior Court in accordance with CWC sections 13268, 13304, 13308, 13350 and/or 13385, and/or referral to the Attorney General of the State of California for injunctive relief or civil or criminal liability. Failure to submit, late or inadequate submittal of technical reports and workplan proposals, or falsifying information therein, is a misdemeanor and may subject the Discharger to additional civil liabilities. This Order does not preclude or otherwise limit in any way the Regional Water Board's ability to take appropriate enforcement action for the Discharger's violations of applicable laws, including, but not limited to, discharging without a permit and failing to comply with applicable requirements.



Digitally signed by Bruce H. Wolfe
DN: cn=Bruce H. Wolfe, o=SWRCB,
ou=Region 2,
email=bwolfe@waterboards.ca.gov, c=US
Date: 2015.09.11 14:32:03 -07'00'

Bruce H. Wolfe
Executive Officer

Date

ATTACHMENT 1

REIMBURSEMENT PROCESS FOR REGULATORY OVERSIGHT

We have identified your facility or property as requiring regulatory cleanup oversight. Pursuant to the Porter-Cologne Water Quality Control Act, reasonable costs for such oversight can be recovered by the Regional Water Quality Control Board (Regional Water Board) from the responsible party. The purpose of this enclosure is to explain the oversight billing process structure.

Introduction

The Porter-Cologne Water Quality Control Act authorizes the State Water Resources Control Board (State Water Board) to set up Cost Recovery Programs. The Budget Act of 1993 authorized the State Water Board to establish a Cost Recovery Program for the Site Cleanup Program (SCP). The program is set up so that reasonable expenses incurred by the State Water Board and Regional Water Boards in overseeing cleanup of illegal discharges, contaminated properties, and other unregulated releases adversely impacting the State's waters can be reimbursed by the responsible party. Reasonable expenses will be billed to responsible parties and collected by the Fee Coordinator at the State Water Board in the Division of Financial Assistance.

The Billing System

Each cost recovery account has a unique charge number assigned to it. Whenever any oversight work is done, the hours worked are charged to the account number on the employee's time sheet. The cost of the hours worked is calculated by the State Accounting System based on the employee's salary and benefit rate and the State Water Board overhead rate.

State Water Board and Regional Water Board administrative charges for work such as accounting, billing preparation, general program meetings and program specific training cannot be charged directly to an account. This work will be charged to administrative accounting codes. The Accounting Office totals these administrative charges for the billing period and distributes them back to all of the accounts based on the number of hours charged to each account during that billing period. These charges show as State Water Board Program Administrative Charges and Regional Water Board Program Administrative Charges on the Invoice.

The Overhead Charges are based on the number of labor hours charged to the account. The overhead charges consist of rent, utilities, travel, supplies, training, and personnel services. If there is no labor charged to the account during the billing period, there will be no overhead charges for that billing period with the exception of the last month of each fiscal year. This is due to the fact that the labor charges end June 30 for the current fiscal year. However, several kinds of overhead charges such as supply

orders and travel expenses are paid after the fiscal year ends. The State Water Board Accounting Office keeps track of these charges and distributes them back to all of the accounts based on the number of hours charged to each account for the whole fiscal year that has just ended. Therefore, the quarterly statements for the last month of the fiscal year could show no labor hours charged for the billing period, but some overhead charges could be charged to the account.

Invoices are issued quarterly, one quarter in arrears. If a balance is owed, a check is to be remitted to the State Water Board with the invoice remittance stub within 30 days after receipt of the invoice. The Accounting Office sends a report of payments to the Fee Coordinator on a quarterly basis.

Copies of the invoices are sent to the appropriate Regional Water Boards so that they are aware of the oversight work invoiced. Questions regarding the work performed should be directed toward your Regional Water Board project manager.

Daily Logs

A detailed description (daily log) of the actual work being done at each specific site is kept by each employee in the Regional Water Board who works on cleanup oversight at the property. This information is provided on the quarterly invoice using standardized work activity codes to describe the work performed. Upon request, a more detailed description of the work performed is available from the Regional Water Board staff.

Removal From The Billing System

After the cleanup is complete, the Regional Water Board will submit a closure form to the State Water Board to close the account. If a balance is due, the Fee Coordinator will send a final billing for the balance owed. The responsible party should then submit a check to the State Water Board to close the account.

Agreement

The responsible party of the property is required to acknowledge that he/she agrees to reimburse the State for appropriate cleanup oversight costs. You may wish to consult an attorney in this matter.

Regional Water Board Dispute Resolution

Based on the Regional Water Board's review and comment, the following section has been added as a San Francisco Bay Regional Water Board attachment to the SCP Cost Recovery Program's "Guide to the Billing Process" enclosure, "Reimbursement Process for Regulatory Oversight".

The Regional Water Board staff proposes to provide each responsible party (upon request) with daily logs of actual oversight work done and supporting accounting

information for the responsible party's site. If, upon the receipt of the billing statement, the responsible party disputes the amount due, the responsible party may follow the dispute resolution procedure described below. If the responsible party follows the procedure, the Regional Water Board will not initiate, except as noted, enforcement action for failure to reimburse the State Water Board. During this procedure, the responsible party is encouraged to confer with Regional Water Board staff at any time to discuss the areas in question and attempt to resolve the dispute.

1. The responsible party must notify the Regional Water Board in writing within 30 calendar days of receipt of the billing statement to indicate that it disputes the billing statement and requests a meeting with the Regional Water Board Assistant Executive Officer. This notification must indicate the specific areas of dispute and provide all appropriate support documentation. Upon completion of the meeting, the Assistant Executive Officer will provide a recommendation to the Regional Water Board Executive Officer on the dispute and recommend an amount due, based on documentation provided by both the responsible party and the Regional Water Board staff at the meeting. The Executive Officer will submit a written decision and resultant amount due to the responsible party and specify the new due date by which the resultant amount due must be paid to avoid enforcement action. This due date will be not less than ten working days from the date of the Executive Officer's written decision.
2. If, upon receipt of the Executive Officer's written decision, the responsible party still disputes the amount due and so notifies the Executive Officer by the new due date, the Executive Officer will schedule an appeal hearing of the decision before the Regional Water Board at the next appropriate monthly meeting. The Executive Officer may also consider recommending that the Regional Water Board take enforcement action for the responsible party's failure to pay the resultant amount due by the new due date if the Regional Water Board finds the responsible party's appeal without basis. Any amount due and not appealed to the Regional Water Board will be considered a violation of the Regional Water Board's order.

California Code of Regulations - Dispute Resolution

If a dispute regarding oversight charges cannot be resolved with the Regional Water Board, Section 13320 of the California Water Code provides an appeal process to Regional Water Board decisions. Regulations implementing Water Code Section 13320 are found in Title 23 of the California Code of Regulations, Section 2050.

ATTACHMENT 2

STATE WATER RESOURCES CONTROL BOARD			
SITE CLEANUP PROGRAM (SCP)			
BILLING COST EXPLANATION			
Fiscal Year 2015-2016			
Employee Salary and Benefit by Classification [1]		Salary/Benefits Range	
7500 - AEO CEA	\$	9,017	\$ 20,132
4558 - Admin Officer II	\$	6,920	\$ 8,598
5871 - Assistant Chief Counsel	\$	13,372	\$ 15,488
5393 - Associate Governmental Program Analyst (Statewide)	\$	6,588	\$ 8,246
5778 - Attorney	\$	6,997	\$ 12,190
5795 - Attorney III	\$	11,503	\$ 14,758
5780 - Attorney IV	\$	13,016	\$ 16,314
4707 - Business Serv Asst (Spec)	\$	3,736	\$ 5,717
3756 - Engineering Geologist (SWRCB)	\$	6,817	\$ 12,833
0760 - Environmental Program Manager I (Managerial) (SWRCB)	\$	14,225	\$ 16,154
0756 - Environmental Program Manager I (Supervisory) (SWRCB)	\$	12,865	\$ 15,994
0769 - Environmental Program Manager II (SWRCB)	\$	14,931	\$ 16,962
0762 - Environmental Scientist (SWRCB)	\$	4,538	\$ 8,676
3843 - Exec Officer I	\$	15,911	\$ 18,073
3842 - Exec Officer II	\$	16,299	\$ 18,514
5601 - Information Officer I (Spec)	\$	6,588	\$ 8,246
1419 - Key Data Operator	\$	3,224	\$ 4,587
1282 - Legal Secretary	\$	4,548	\$ 5,980
1441 - Office Assistant (General) (Statewide)	\$	3,105	\$ 4,272
1379 - Office Assistant (Typing) (Statewide)	\$	3,209	\$ 4,358
1138 - Office Technician (General) (Statewide)	\$	3,950	\$ 4,948
1139 - Office Technician (Typing) (Statewide)	\$	3,626	\$ 5,034
3851 - Principal Water Resources Control Engineer	\$	15,523	\$ 17,632
5373 - Public Participation Specialist	\$	6,588	\$ 8,246
3826 - Sanitary Engineering Associate (Statewide)	\$	7,245	\$ 9,068
3782 - Sanitary Engineering Technician (Statewide)	\$	4,989	\$ 7,171
3751 - Senior Engineering Geologist (Statewide)	\$	12,015	\$ 15,038
0764 - Senior Environmental Scientist (SWRCB)	\$	11,126	\$ 13,831
0765 - Senior Environmental Scientist (Spec)	\$	8,031	\$ 9,989
3224 - Senior Legal Typist	\$	3,877	\$ 5,420
3844 - Senior Water Resources Control Engineer (SWRCB)	\$	12,015	\$ 15,038
5157 - Staff Services Analyst (General)	\$	4,218	\$ 6,857
4800 - Staff Services Manager I	\$	7,590	\$ 9,449
5815 - Supervising Attorney	\$	11,508	\$ 14,626
3748 - Supervising Engineering Geologist (Statewide)	\$	12,776	\$ 15,994
3849 - Supervising Water Resources Control Engineer (SWRCB)	\$	12,776	\$ 15,994
3850 - Supervising Water Resources Control Engineer (MGR)	\$	14,129	\$ 16,051
3846 - Water Resources Control Engineer (SWRCB)	\$	6,817	\$ 12,767
Intermittent Employees:			
1120 - Seasonal Clerk		\$ 9.18/hr	\$10.35/hr
1931 - Scientific Aid		\$11.81/hr	\$14.01/hr
4871 - Student Assistant Engineering (Statewide)		\$11.78hr	\$18.16/hr

ATTACHMENT 2

Note: The State is currently in negotiations with the unions so the upper limits of these ranges may be subject to change.			
Operating Expenses and Equipment [2] (both State and Regional Board offices)			
Indirect Costs (Overhead = cost of doing business)	125%		
Billing Example			
Water Resources Control Engineer			
Salary and Benefits:	\$12,767		
Overhead (indirect costs):	\$15,959		
Total Cost per month	\$28,726		
Divided by 173 hours per month equals per hour:	\$166.05		
(Due to the various classifications that expend SCP resources an average of \$ 150.00 per hour can be used for projection purposes			
[1] The name and classification of employees performing oversight work will be listed on the invoice you receive.			
[2] The examples are estimates based on recent billings. Actual charges may be slightly higher or lower.			

ATTACHMENT 3

**ACKNOWLEDGMENT OF RECEIPT OF
OVERSIGHT COST REIMBURSEMENT ACCOUNT LETTER**

I, John Sweeney, acting within the authority vested in me as an authorized representative of the property located at Point Buckler Island in Solano County, acknowledge that I have received and read a copy of the attached *REIMBURSEMENT PROCESS FOR REGULATORY OVERSIGHT* and the transmittal letter, dated September 10, 2015, concerning cost reimbursement for Regional Water Board staff costs involved with oversight of cleanup and abatement efforts at Point Buckler Island in Solano County.

I understand the reimbursement process and billing procedures as explained in the letter. I also understand that signing this form does not constitute any admission of liability. Billings for payment of oversight costs should be mailed to the following individual and address:

BILLING CONTACT _____

BILLING ADDRESS _____

TELEPHONE NO. _____

RESPONSIBLE PARTY'S SIGNATURE _____

(Signature)

(Title)

DATE: _____