

From: [Hagan, Catherine@Waterboards](mailto:Hagan.Catherine@Waterboards)
To: [Clemente, Chiara@Waterboards](mailto:Clemente.Chiara@Waterboards); [Gibson, David@Waterboards](mailto:Gibson.David@Waterboards); [Jayne, Deborah@Waterboards](mailto:Jayne.Deborah@Waterboards)
Cc: [Humphreys, Sharon](mailto:Humphreys.Sharon); [Helgason, Brad \(Brad.Helgason@sandag.org\)](mailto:Helgason.Brad); [Terry Martin \(tmartin@mctciv.com\)](mailto:Terry.Martin); [Stewart, Rebecca@Waterboards](mailto:Stewart.Rebecca@Waterboards); [Ellison, Kailyn@Waterboards](mailto:Ellison.Kailyn@Waterboards); [Haas, Jeremy@Waterboards](mailto:Haas.Jeremy@Waterboards); [Smith, James@Waterboards](mailto:Smith.James@Waterboards); [Nunez, Adriana@Waterboards](mailto:Nunez.Adriana@Waterboards)
Subject: RE: R9-2015-0166 Advisory Team Determination
Date: Monday, December 28, 2015 3:43:29 PM
Attachments: [image003.png](#)

To the Prosecution Team and SANDAG,

The Advisory Team has considered the parties' joint request to suspend the hearing on Administrative Civil Liability (ACL) Complaint R9-2015-0166 issued to SANDAG, currently scheduled for February 10, 2016. Based on the parties' representations, the ACL has been removed from the February 10 Board calendar and the procedural schedule is suspended until a settlement agreement is proposed or the parties notify the Board that they are unable to reach a settlement agreement for Executive Officer consideration. Please let me know if you have questions.

Sincerely,

Catherine George Hagan
Senior Staff Counsel
Office of Chief Counsel
State Water Resources Control Board
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San Diego, CA 92108
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From: Clemente, Chiara@Waterboards
Sent: Monday, December 21, 2015 3:15 PM
To: Hagan, Catherine@Waterboards; Gibson, David@Waterboards; Jayne, Deborah@Waterboards
Cc: Humphreys, Sharon; Helgason, Brad (Brad.Helgason@sandag.org); Terry Martin (tmartin@mctciv.com); Stewart, Rebecca@Waterboards; Ellison, Kailyn@Waterboards; Haas, Jeremy@Waterboards; Smith, James@Waterboards
Subject: FW: R9-2015-0166 Waiver Form

To the Advisory Team:

Sandag (named party in the subject complaint) has submitted the statement below, and attached waiver, indicating their desire to propose a SEP rather than contest the penalty amount. The Prosecution Team is supportive of their request, and willing to work with the discharger to develop a settlement proposal for the purposes of a SEP, as described below.

Jointly, we ask that you suspend the hearing from the February 10 Board agenda so that we may prepare a settlement for public review. If uncontested, it is our understanding that such a matter

would be subject to review and approval by the Executive Officer through delegated authorities granted in Resolution R9-2014-0046.

Thank you,
Chiara

Chiara Clemente

Enforcement Coordinator
San Diego Regional Water Quality Control Board
619-521-3371

[save_water](#)



From: Humphreys, Sharon [<mailto:Sharon.Humphreys@sandag.org>]
Sent: Monday, December 21, 2015 2:08 PM
To: Haas, Jeremy@Waterboards
Cc: Clemente, Chiara@Waterboards; Linthicum, Jim; Helgason, Brad; Terry Martin; Stewart, Rebecca@Waterboards; Ellison, Kailyn@Waterboards; Smith, James@Waterboards; Haggerty, John
Subject: R9-2015-0166 Waiver Form

Dear Water Board Personnel,

SANDAG will not challenge the penalty assessment documented in the R9-2015-0155 NOV and is requesting settlement discussions for the purpose of proposing a Supplemental Environmental Project (SEP).

The proposed SEP would consist of removal of invasive exotic species within the rail corridor between the CP Rose crossovers and the I-805 crossing of the railroad. SANDAG intends to consult the Rose Creek Watershed Opportunities Assessment to determine the type of exotic invasive species recommended for removal and the identified locations of the exotic invasive species. SANDAG will also coordinate with biological personnel currently serving on the project to further identify appropriate species for removal within the railroad corridor. This plan is contingent upon NCTD review and approval but early indications are that they would accept the proposed SEP.

Thank you,

Sharon Humphreys on behalf of Jim Linthicum

Sharon Humphreys, PE, QSD/P, CFM, ENV SP
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