

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260  
Phone: (760) 346-7491

Public Notice No. 7-17-25  
October 13, 2017

**NOTICE OF PUBLIC HEARING  
FOR  
PROPOSED BOARD RESOLUTION R7-2017-0032  
DELEGATING AUTHORITY TO THE EXECUTIVE OFFICER  
TO APPROVE MANDATORY MINIMUM PENALTY SETTLEMENTS  
ON BEHALF OF THE  
COLORADO RIVER BASIN REGIONAL WATER QUALITY CONTROL BOARD**

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board or Board) will hold a Public Hearing to consider approval of Resolution R7-2017-0032. The Resolution would delegate additional authority to the Colorado River Basin Water Board Executive Officer to approve Mandatory Minimum Penalty settlements on behalf of the Board, provided the total amount of liability is below specific thresholds, as discussed below. The Colorado River Basin Water Board intends to consider adopting the Proposed Board Resolution during a Public Hearing that will commence at the time and place indicated:

**Date:** November 9, 2017  
**Time:** 9:00 a.m.  
**Location:** California Regional Water Quality Control Board  
Colorado River Basin Region Board Room  
73720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

California Water Code sec. 13385 et seq., requires the Colorado River Basin Water Board to assess:

- a \$3,000 mandatory minimum penalty (MMP) per violation, for certain violations of effluent limits of National Pollutant Discharge Elimination System (NPDES) Permits;
- a MMP of up to \$10,000 for failure to submit a monthly monitoring report required by an NPDES Permit;
- a MMP of \$5,000/year for failure to file a Notice of Intent to obtain coverage under Storm Water Permit for industrial discharges; and
- and MMPs of up to \$1,000 for failure to file certain notices with the Board, including a Notice of Non-applicability for a discharge of storm water.

Colorado River Basin Water Board staff propose to use an Expedited Payment Letter (EPL) process to offer settlement terms to entities who have accrued MMPs. During the Public Hearing, the Board will consider whether to clarify its existing delegation of authority to its Executive Officer to expressly allow the Executive Officer to approve, on behalf of the Board, settlements of MMPs that result from the EPL process, in amounts not to exceed the following thresholds:

1. \$3,000 to \$15,000, or
2. \$3,000 to \$30,000, or
3. \$3,000 to \$51,000

Additionally, the Board will consider whether to allow the Executive Officer to approve settlements of the MMPs that may include Compliance Projects for small Economically Disadvantaged Communities and Supplemental Environmental Projects.

Interested persons requiring a hard copy of the tentative order should contact Mary Castaneda at (760) 776-8945. Also, a copy of the draft Resolution can be downloaded from: [https://www.waterboards.ca.gov/coloradoriver/public\\_notices](https://www.waterboards.ca.gov/coloradoriver/public_notices) .

The Colorado River Basin Water Board will accept written comments regarding the draft Resolution during the twenty-day public comment period, which begins **October 16, 2017** and ends **November 6, 2017**. Persons wishing to submit written comments on the draft Resolution are requested to do so as soon as possible, but no later than **November 6, 2017**. Written comments should be emailed to [Jose.Angel@waterboards.ca.gov](mailto:Jose.Angel@waterboards.ca.gov) or mailed to:

Jose L. Angel  
California Regional Water Quality Control Board  
Colorado River Basin Region  
73720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

Written comments may also be faxed to the Colorado River Basin Water Board office at (760) 341-6820. Interested persons are invited to attend and express their views orally on this matter at the Public Hearing. The Colorado River Basin Water Board requests that those persons wishing to speak at the hearing provide a copy of their oral comments in writing before or during the hearing to assure accuracy of the record.

Disabled persons requiring special accommodations to participate in this public hearing should contact Hilda Vasquez at (760) 776-8950 no later than ten (10) days before the scheduled public hearing. Please bring the foregoing to the attention of anyone you believe may be interested in this matter.

If you have any questions regarding this matter, please contact Jose L. Angel at (760) 776-8932.