

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

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

Public Notice 7-18-28
August 10, 2018

NOTICE OF PUBLIC HEARING

**PROPOSED SETTLEMENT AGREEMENT AND
STIPULATIONS FOR ADOPTION OF ORDER R7-2018-0016 (STIPULATED ORDER)**

**COACHELLA VALLEY WATER DISTRICT
Palm Desert – Riverside County**

On August 10, 2017, in response to the June 3-4, 2017 unauthorized discharge of 2.419 million gallons of untreated wastewater to the Whitewater River Storm Water Channel, the Assistant Executive Officer of the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) issued Investigative Order R7-2017-0030 pursuant to California Water Code (CWC) section 13267 to the Coachella Valley Water District (Discharger) regarding violations of the Clean Water Act, Section 301; CWC section 13376; the Colorado River Basin Water Board's Water Quality Control Plan (Basin Plan) and Prohibition C1 of State Water Board Order 2006-0003-DWQ.

The Colorado River Basin Water Board's Prosecution Staff subsequently met with the Discharger (collectively, the Parties) to engage in settlement negotiations. As a result of those negotiations, the Parties proposed a settlement agreement for adoption before the Colorado River Basin Water Board at its May 14, 2018 meeting in Calexico, Ca. At that meeting, the Colorado River Basin Water Board did not adopt the order as proposed and, instead, directed the Parties to resume settlement negotiations.

The Parties subsequently met again to engage in settlement negotiations. As a result, the Parties have agreed to settle the matter and intend to recommend to the Colorado River Basin Water Board that it adopt the proposed Stipulated Order at the September 20, 2018 meeting pursuant to Government Code section 11415.60. The Prosecution Staff believes that the resolution of the alleged violations is fair and reasonable and fulfills the Prosecution Staff's enforcement objectives, that no further action is warranted concerning the specific violations described in the proposed Stipulated Order, and that the Stipulated Order is in the best interest of the people of the state of California.

Accordingly, to resolve by consent and without further administrative proceedings all of the alleged violations of the California Water Code set forth in the Complaint, the Parties have agreed to the final imposition of \$33,808 in liability against the Discharger pursuant to Government Code section 11415.60. Prosecution Staff calculated liability in accordance with the Water Quality Enforcement Policy as described in Attachment A of the proposed Stipulated Order. Additional details concerning this proposed settlement are described in the proposed Stipulated Order. The settlement is contingent on Colorado River Basin Water Board approval. Copies of the proposed Stipulated Order are available on the Colorado River Basin Water Board's website at: http://www.waterboards.ca.gov/coloradriver/board_decisions/tentative_orders/

These documents are also available by request at the office of the Colorado River Basin Water Board. You may also request a mailed copy of these documents by contacting Mary Castaneda at 760-776-8945 or mary.castaneda@waterboards.ca.gov.

The Colorado River Basin Water Board will consider adopting the proposed Stipulated Order during a Public Hearing that will commence at the time and place indicated:

Date: September 20, 2018
Time: 1:00 p.m.
Location: California Regional Water Quality Control Board
Colorado River Basin Water Board Room
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

The Colorado River Basin Water Board will accept written comments regarding this proposed Stipulated Order during a thirty (30) day public comment period, which begins August 10, 2018, and ends September 10, 2018. Persons wishing to submit written comments on the proposed Stipulated Order are requested to do so as soon as possible, but no later than **September 10, 2018**. Written comments may be emailed to Prosecution Staff member Doug Wylie at doug.wylie@waterboards.ca.gov, or mailed to his attention at the Colorado River Basin Water Board address shown above. Written comments may also be faxed to the Colorado River Basin Water Board at (760) 341-6820.

Written comments submitted after September 10, 2018 will not be accepted into the record, unless allowed by the Chair of the Colorado River Basin Water Board. Comments received by this date will be considered in preparation of staff recommendations to the Colorado River Basin Water Board. Also, an opportunity for oral comments will be provided at the hearing, although time limits may be imposed by the Board. Please note that all exhibits, charts, graphs, and other testimony timely presented as evidence must be left with the Colorado River Basin Water Board as part of the administrative record. If you have any questions regarding these documents or this matter, please contact Doug Wylie, at (760) 776-8960.

Please bring this information to the attention of anyone you know to be interested in this issue.

Any person who is disabled and requires special accommodations to participate in this Public Hearing, please contact Hilda Vasquez at (760) 776-8950 no later than ten (10) days before the scheduled Public Hearing.