

**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 7-19-20  
May 1, 2019

**NOTICE OF PUBLIC HEARING**

**PROPOSED RESOLUTION OF VIOLATIONS  
CONDITIONAL SETTLEMENT OFFER NO. R7-2019-0023**

**CITY OF IMPERIAL, OWNER/OPERATOR  
CITY OF IMPERIAL WATER POLLUTION CONTROL PLANT  
IMPERIAL COUNTY**

On March 27, 2019, the Assistant Executive Officer for the Colorado River Basin Regional Water Quality Control Board (Regional Water Board) sent the City of Imperial Conditional Settlement Offer No. R7-2019-0023 to resolve effluent limitation violations of Waste Discharge Requirements Order No. R7-2015-0030 (NPDES No. CA0104400) at its Water Pollution Control Plant subject mandatory minimum penalties under California Water Code section 13385, subdivisions (h) and (i). The Conditional Settlement Offer resolved effluent limitation violations from February 6, 2013 through March 31, 2018 for \$66,000 in mandatory minimum penalties. On April 19, 2019, the City submitted an Acceptance of the Conditional Resolution and Waiver of Right to Hearing Offer No. R7-2019-0023 (Conditional Settlement) to the Regional Water Board Prosecution Team.

The Parties have agreed to settle the matter and intend to recommend to the Colorado River Basin Water Board at the June 13, 2019 meeting that it adopt the Conditional Settlement Offer (Gov. Code, § 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, and that this Conditional Settlement Offer 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 Water Code set forth in the Conditional Settlement Offer, the Parties have agreed to the imposition of \$66,000 in mandatory minimum penalties against the City pursuant to Government Code section 11415.60. Additional details concerning this proposed settlement are described in the Conditional Settlement Offer R7-2019-0023. The settlement is contingent on Colorado River Basin Water Board approval. Copies of Conditional Settlement Offer No. R7-2019-0023, are available on the Colorado River Basin Water Board's website at: [http://www.waterboards.ca.gov/coloradoriver/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/coloradoriver/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](mailto:Mary.Castaneda@waterboards.ca.gov).

The Colorado River Basin Water Board will consider adopting the Conditional Settlement Offer during a Public Hearing that will commence at the time and place indicated:

Date: June 13, 2019  
Time: 9:30 a.m.  
Location: Hi-Desert Water District  
55439 Twentynine Palms Highway  
Yucca Valley, CA 92284

The Colorado River Basin Water Board will accept written comments regarding this proposed Stipulated Settlement Agreement and Order during a thirty (30) day public comment period, which begins May 1, 2019, and ends June 1, 2019. Persons wishing to submit written comments on the proposed Stipulated Settlement Agreement and Order are requested to do so as soon as possible, but no later than **June 1, 2019**. Written comments may be emailed to Prosecution Staff member, Maribel Jernegan at [Maribel.Jernegan@waterboards.ca.gov](mailto:Maribel.Jernegan@waterboards.ca.gov), or mailed to her attention at:

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

Written comments may also be faxed to the Colorado River Basin Water Board at (760) 341-6820.

Written comments submitted after June 1, 2019 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 Maribel Jernegan at (760) 776-8941.

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.