

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

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Palm Desert, CA 92260
(760) 346-7491

Public Notice 7-19-37
April 30, 2019

NOTICE OF PUBLIC HEARING

**PROPOSED SETTLEMENT AGREEMENT AND
STIPULATIONS FOR ADOPTION OF ORDER R7-2019-0040
PALM SPRINGS AERIAL TRAMWAY, VALLEY STATION
Palm Springs – Riverside County**

Between June 15, 2010 and December 31, 2017, Mt. San Jacinto Winter Park Authority, also known as Palm Springs Aerial Tramway (Discharger), consistently failed to submit timely Monthly Monitoring Reports, which resulted in a total of 2080 days of late report. The Discharger also failed to submit 6 Monitoring Reports during the previously stated timeframe. Late and non-submittal of monitoring reports are a violation of Waste Discharge Requirements R7-2009-0026.

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, 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 adopts the proposed Settlement Agreement Order R7-2019-0040 (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 alleged in the Investigative Order except as provided in the Stipulated Settlement Agreement, and that this Stipulation 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 \$84,707 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 outlined in Attachment A of Board Order R7-2019-0040. Additional details concerning this proposed settlement are described in the proposed Stipulated Settlement Agreement and Order. The settlement is contingent on Colorado River Basin Water Board approval. Copies of the proposed Stipulated Settlement Agreement and Order, Board Order R7-2019-0040, 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 Settlement Agreement and Order 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 April 30, 2019, and ends May 30, 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 **May 30, 2019**. 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 May 30, 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 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.