

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

Public Notice 7-21-06
July 29, 2021
NPDES Nos. CA0104248 and CA7000004

NOTICE OF PUBLIC HEARING

PROPOSED SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY ORDER R7-2021-0006

IMPERIAL IRRIGATION DISTRICT, OWNER/OPERATOR
EI CENTRO GENERATING STATION
AND
GRASS CARP HATCHERY
IMPERIAL COUNTY

NOTICE IS HEREBY GIVEN THAT the California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) is releasing for public comment a proposed resolution of discharge limit violations subject to mandatory minimum penalties pursuant to California Water Code (Water Code) section 13385, subdivisions (h) and (i).

On July 22, 2021, the Assistant Executive Officer of the Colorado River Basin Water Board signed proposed Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order No. R7-2021-0006 (Stipulated Order) to Imperial Irrigation District (Discharger), Owner/Operator of the El Centro Generating Station and Grass Carp Hatchery, to resolve effluent limit violations of Waste Discharge Requirements (WDR) Orders R7-2009-0020, R7-2014-0005 (NPDES No. CA0104248), R7-2010-0023 and R7-2016-0003 (NPDES No. CA7000004) without a formal enforcement proceeding.

The Discharger and Colorado River Basin Water Board Prosecution Team (collectively, Parties) have entered into a tentative settlement to resolve the violations alleged in the proposed Stipulated Order. As a result, the Parties have agreed to settle the matter and intend to recommend to the Colorado River Basin Water Board at the September Board Meeting, that it adopt the proposed Stipulated Order under Water Code section 13323 and Government Code section 11415.60. The Prosecution Team believes that the resolution of the alleged violations is fair and reasonable and fulfills the Prosecution Team's enforcement objectives, that no further action is warranted concerning the specific violations, and that the proposed Stipulated Order is in the public's best interest.

Accordingly, to resolve the alleged violations by consent and without further administrative proceedings, the Parties have agreed to the final imposition of an administrative civil liability against the Discharger in the amount of **\$549,000**. The Parties have further agreed that **\$549,000** will be suspended pending the Discharger's completion of a Supplemental Environmental Project (SEP). Additional details concerning this proposed settlement are described in the proposed Stipulated Order. **The settlement is contingent on Colorado River Basin Water Board approval.**

If no significant comments are received in opposition to the settlement within the 30-day comment period and no new material facts become available to the Colorado River Basin Water Board, the proposed Stipulated Order will be presented to the Board and its Executive Officer for approval.

DOCUMENT AVAILABILTY

Additional information and relevant documents related to this matter may be reviewed online at https://www.waterboards.ca.gov/coloradriver/public_notices/.

If you need a hard copy of the proposed Stipulated Order mailed to you, please contact CJ Jasieniecki by phone at (760) 346-7494 or e-mail at CJ.Jasieniecki@waterboards.ca.gov.

SUBMISSION OF WRITTEN COMMENTS

The Colorado River Basin Water Board will accept written comments regarding the proposed Stipulated Order during a 30-day public comment period, which begins **July 29, 2021** and ends **August 30, 2021**. Persons wishing to submit written comments on the proposed Stipulated Order are requested to do so as soon as possible, but no later than **5:00 p.m., August 30, 2021**.

The Colorado River Basin Water Board intends to consider adopting the proposed Stipulated Order during a Public Hearing at the following date and time, by **video and teleconference only**:

Date:	September 14, 2021
Time:	9:00 a.m.
Location:	Virtual meeting via Zoom video and Teleconference

As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, the public meeting will occur solely via remote presence. Links for the meeting, including a phone call option, will be posted on the Colorado River Basin Water Board's website at: [Colorado River Basin Water Board Home Page](#).

Comments should be mailed to the attention of Maribel Pizano at the address shown below, emailed to Maribel.Pizano@waterboards.ca.gov, or faxed to the office at (760) 341-6820.

California Regional Water Quality Control Board
Colorado River Basin Region
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Written comments submitted after August 30, 2021, 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.

ACCESSIBILITY AND LANGUAGE NEEDS

Any person who is disabled and requires special accommodations or interpreter services to participate in this meeting, please contact Hilda Vasquez at (760) 776-8950 or via email Hilda.Vasquez@waterboards.ca.gov at least 10 working days prior to the meeting.

Please bring the foregoing to the attention of any persons known to you whom would be interested in this matter.

ADDITIONAL INFORMATION

If you have questions concerning this matter, please contact Maribel Pizano at Maribel.Pizano@waterboards.ca.gov.