

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

ORDER NO. R9-2003-0244

**ASSESSMENT OF CIVIL LIABILITY
AGAINST
STANDARD PACIFIC HOMES
SUNBOW UNIT 12
CHULA VISTA, CALIFORNIA
FOR VIOLATIONS OF ORDER NO. 99-08-DWQ**

The San Diego Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), having held a public hearing on June 11, 2003, to hear evidence and comments on the allegations contained in Complaint No. R9-2003-0151, dated April 16, 2003, and on the recommendation for administrative assessment of Civil Liability pursuant to California Water Code section 13385 in the amount of \$30,000 finds as follows:

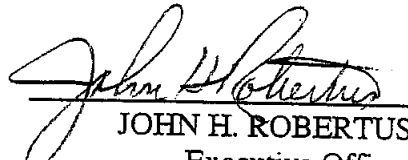
1. On October 5, 2001, Standard Pacific homes filed a Notice of Intent (NOI) to comply with the terms of Order No. 99-08-DWQ, *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated With Construction Activity*.
2. On February 14, 2003, Standard Pacific Homes discharged potable water, debris, and sediment into the storm water conveyance system and Telegraph Canyon Creek, a tributary to Sweetwater River, in violation of Discharge Prohibition A.2 of Order No. 99-08-DWQ.
3. On February 25, 2003, Standard Pacific Homes discharge sediment laden storm water into the storm water conveyance system and Telegraph Canyon Creek, a tributary to Sweetwater River, in violation of Discharge Prohibition A.2 of Order No. 99-08-DWQ.
4. On February 25, 2003, Standard Pacific Homes failed to adequately implement its Storm Water Pollution Prevention Plan by implementing best management practices that failed to prohibit sediment from entering the storm water conveyance system and Telegraph Canyon Creek, a tributary to Sweetwater River, during a rain event in violation of Special Provisions for Construction Activities C.2 of Order No. 99-08-DWQ.
5. Consideration of the factors addressed in Technical Analysis, Proposed Administrative Civil Liability Contained in Complaint No. R9-2003-0151, Standard Pacific Homes, Noncompliance with Order No. 99-08-DWQ, National

Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated With Construction Activity (Technical Analysis) supports the assessment of civil liability in the amount of \$30,000 based on \$10,000 for the February 14, 2003 discharge, \$10,000 for the February 25, 2003 discharge, and \$10,000 for the failure to implement an adequate Storm Water Pollution Prevention Plan on February 25, 2003, and is hereby incorporated into this Order.

6. The Regional Board incurred costs totaling \$3,840, which includes investigation, preparation of enforcement documents, and communication with the discharger.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that pursuant to section 13385 of the California Water Code, civil liability is imposed on Standard Pacific Homes in the amount of thirty thousand dollars (\$30,000) and that the rationale for the assessment contained in the Technical Analysis for Complaint No. R9-2003-0151 is hereby incorporated into this Order.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order imposing civil liability assessed by the California Regional Water Quality Control Board, San Diego Region, on June 11, 2003.


JOHN H. ROBERTUS
Executive Officer

