

**California Regional Water Quality Control Board**  
**San Diego Region**

Item No. 6  
Supporting Document 3  
March 12, 2008

**NOTICE OF PROPOSED SETTLEMENT OF ADMINISTRATIVE CIVIL LIABILITY  
AGAINST THE CITIES OF VISTA AND CARLSBAD  
FOR VIOLATIONS ALLEGED IN COMPLAINT NO. R9-2007-0099**

**OPPORTUNITY FOR PUBLIC COMMENT**

**WRITTEN COMMENTS DUE MARCH 5, 2008**

**PUBLIC HEARING ON MARCH 12, 2008**

On March 12, 2008, the Regional Water Board will consider an offer by the Cities of Vista and Carlsbad to settle proposed civil liability for violations alleged in Complaint No. R9-2007-0099. The Complaint recommends imposition of civil liability in the amount of \$1,095,000 on the City of Vista and the City of Carlsbad for the discharge of 7.3 million gallons of untreated sewage from March 31 to April 3, 2007 from a 24-inch sewer main at the Buena Vista Pump Station to Buena Vista Lagoon, a water of the United States.

The settlement includes payment of \$200,000 to the State Water Resources Control Board, funding a \$500,000 Supplemental Project, and suspension of \$395,000 liability when the Cities undertake specified actions.

If the Regional Water Board accepts the proposed settlement, the Regional Water Board will consider tentative Order R9-2008-0004 in settlement of the complaint during its regular meeting scheduled for March 12, 2008. The tentative Order is available for public review on-line, at the following URL:

[http://www.waterboards.ca.gov/sandiego/units/compliance%20unit/acl\\_complaints.html](http://www.waterboards.ca.gov/sandiego/units/compliance%20unit/acl_complaints.html)

Interested persons will be given 30 days from February 5, 2008, to submit written comments on the proposed settlement. Written comments on this matter received after 5:00 P.M. on March 5, 2008 will not be considered by the Regional Board.

Written material should be submitted to the Regional Board's office located at 9174 Sky Park Court, Suite 100, San Diego, California 92123. If the submitted written material is more than 5 pages or contains foldouts, maps, etc., 20 copies must be submitted for distribution to the Regional Board members and staff, and for distribution to the public at the Regional Water Board meeting. E-mail comments on this matter will be accepted and provided to the Regional Board as long as the total submittal (including attachments) does not exceed five printed pages in length and they are received by March 5, 2008. E-mail comments on the proposed settlement should clearly indicate their relation to the proposed Vista-Carlsbad settlement and should be sent to: [EBecker@waterboards.ca.gov](mailto:EBecker@waterboards.ca.gov).

The Regional Board's March 12, 2008 meeting will be at the Regional Board office located at 9174 Sky Park Court, San Diego, California. The meeting will begin at 9:00

a.m. Oral comments for this item may be made during the meeting upon receipt of a request to speak at the meeting. If you have any questions regarding this matter, please contact Mr. Eric Becker at (858) 492-1785, or at [Ebecker@waterboards.ca.gov](mailto:Ebecker@waterboards.ca.gov). You also may visit the Regional Board website for more information on this project at [www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)



Michael P. McCann  
ASSISTANT EXECUTIVE OFFICER

Feb. 4, 2008  
Date