

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**SAN DIEGO REGION**

**NOTICE OF WRITTEN COMMENT PERIOD FOR  
TENTATIVE  
SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF  
ADMINISTRATIVE CIVIL LIABILITY  
ORDER NO. R9-2021-0008**

**IN THE MATTER OF CITY OF LAGUNA BEACH  
NOVEMBER 2019 SANITARY SEWER OVERFLOW  
TO ALISO CREEK AND PACIFIC OCEAN, CA**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is considering the adoption of Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (Stipulated Order) No. R9-2021-0008. The Stipulated Order is a settlement agreement between the City of Laguna Beach (City), and the San Diego Water Board's Prosecution Team to address liability associated with the unauthorized discharge of approximately 1,270,000 gallons of untreated sewage into Aliso Creek and an additional 430,000 gallons of untreated sewage to the Pacific Ocean, from November 27-29, 2019.

To resolve the alleged violations without formal administrative proceedings, the City has agreed to the final imposition of an administrative civil liability in the amount of \$1,534,058, calculated in accordance with the State Water Resources Control Board [2017 Enforcement Policy](#) and its penalty calculation methodology. A portion of that liability will be permanently suspended upon successful completion of an Enhanced Compliance Action that increases bypass capabilities along the North Coast Interceptor, thereby preventing similar sanitary sewer overflows from occurring in the future.

**Document Availability**

The Stipulated Order and related documents are available online at:

[https://www.waterboards.ca.gov/sandiego/board\\_decisions/tentative\\_orders/](https://www.waterboards.ca.gov/sandiego/board_decisions/tentative_orders/)

To receive copies of the supporting materials referenced in the Stipulated Order please email Ms. Chiara Clemente with the contact information listed below.

**Written Comment Period**

The San Diego Water Board is accepting written comments on the Stipulated Order. **Written comments must be received no later than 5:00 p.m. on March 12, 2021 to be considered by the San Diego Water Board.** Written comments received after this

deadline will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

Interested persons may submit written comments by e-mail to the attention of Chiara Clemente at [SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov). Please indicate in the subject line of all written comments "**Comment – Stipulated Order No. R9-2021-0008; CW631920:CClemente**".

The early submission of written comments is encouraged. The Prosecution Team will prepare written responses to all significant written comments timely received, and the comments and responses will be provided to the San Diego Water Board to consider whether to accept or deny the Stipulated Order as part of a regularly scheduled Board Meeting. For San Diego Water Board meeting agendas please refer to [https://www.waterboards.ca.gov/sandiego/board\\_info/agendas/](https://www.waterboards.ca.gov/sandiego/board_info/agendas/).

### **Contact Information**

Please contact Chiara Clemente, Senior Environmental Scientist at:

Email (preferable): [chiara.clemente@waterboards.ca.gov](mailto:chiara.clemente@waterboards.ca.gov)

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