

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

**- NOTICE OF 30-DAY WRITTEN COMMENT PERIOD -
TENTATIVE
SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF
ADMINISTRATIVE CIVIL LIABILITY
ORDER NO. R9-2017-0056**

**IN THE MATTER OF
THE CITY OF SAN DIEGO
CONSTRUCTION STORM WATER MANAGEMENT PROGRAM**

TENTATIVE ORDER

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will be considering the adoption of Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (Stipulated Order) No. R9-2017-0056. The Stipulated Order is a settlement agreement between the City of San Diego (City) and the San Diego Water Board's Prosecution Team (together, Parties) to address liability associated with alleged violations of Order No. R9-2007-0001, *NPDES No. CAS0108758, Waste Discharge Requirements for Discharges of Urban Runoff From the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, The Incorporated Cities of San Diego County, the San Diego Unified Port District, and the San Diego County Regional Airport Authority* as described in Administrative Civil Liability Complaint No. R9-2016-0155.

To resolve the alleged violations without formal administrative proceedings, the Parties agreed to the final imposition of an administrative civil liability totaling \$3,220,664. The City will pay \$1,610,322 to the State Water Resources Control Board's Cleanup and Abatement Account, and \$1,610,332 will be suspended upon the completion of four Supplemental Environmental Projects including: (1) Los Peñasquitos Lagoon Inlet Dredging, (2) San Diego River Restoration and Arundo Removal, (3) Restoring and Protecting Our Waterways: Bioassessment Tools and Priorities for Action, and (4) Chollas Creek Restoration Opportunities Assessment. The SEPs are further detailed as an attachment to the Stipulated Order.

The Parties have prepared the Stipulated Order in accordance with the State Water Resources Control Board [Enforcement Policy](#) and the [Policy](#)

[on Supplemental Environmental Projects](#). The Parties' representatives have agreed to the terms of this Stipulated Order and warrant that he or she is authorized by his or her respective entity to execute this agreement. The Parties will present this Stipulated Order to the San Diego Water Board for its consideration and approval at a future board meeting pending comments received during the public comment period.

WRITTEN COMMENT PERIOD

The San Diego Water Board is accepting written comments on the Stipulated Order. **Written comments are due by 5:00 p.m. on May 15, 2017.** Written comments should be submitted electronically to SanDiego@waterboards.ca.gov in text searchable PDF format, with the subject heading "**R9-2017-0056 comments rstewart: 225222.**"

DOCUMENT AVAILABILITY

A copy of the Stipulated Order and all supporting documentation is available for download from the San Diego Water Board's website at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/compliance/acl_complaints.shtml

CONTACT INFORMATION

For questions regarding this notice, please contact: Ms. Rebecca Stewart, Sanitary Engineering Associate by:

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