

**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. R9-2020-0111**

**IN THE MATTER OF CAPEXCO  
OUTPOST AT POWAY GROUNDWATER EXTRACTION PROJECT  
DISCHARGE TO POWAY CREEK**

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. R9-2020-0111. The Stipulated Order is a settlement agreement between CAPEXCO and the San Diego Water Board's Prosecution Team to address mandatory minimum penalties associated with alleged late reporting violations of Order No. R9-2015-0013, *General Waste Discharge Requirements for Groundwater Extraction Discharges to Surface Waters Within the San Diego Region*.

To resolve the alleged violations without formal administrative proceedings, CAPEXCO has agreed to the final imposition of an administrative civil liability in the amount of \$21,000, the mandatory minimum penalty amount required by Water Code section 13385.

**Document Availability**

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

[https://www.waterboards.ca.gov/sandiego/water\\_issues/programs/compliance/acl\\_complaints.html](https://www.waterboards.ca.gov/sandiego/water_issues/programs/compliance/acl_complaints.html)

**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 August 12, 2020.**

Interested persons may submit written comments on the Stipulated Order during the public comment period by e-mail to the attention of Keith Yaeger ([SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov)). Please indicate in the subject line of all written comments "Comment – Stipulated Order No. R9-2020-0111; 855514:KYaeger". All comments timely received will be provided to the San Diego Water Board, or its

delegate, to consider whether to accept or deny the Stipulated Order. The San Diego Water Board may refuse to accept written comments received after the deadline.

### **Contact Information**

Please contact Keith Yaeger, Environmental Scientist by:

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