

**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. R9-2017-0008**

**IN THE MATTER OF KB HOME / KB HOME COASTAL  
UNAUTHORIZED DISCHARGE OF FILL TO EPHEMERAL STREAMS  
SETTLER'S POINT PROJECT  
LAKESIDE, CA**

**TENTATIVE ORDER**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), or its delegate, is considering the adoption of Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (Stipulated Order) No. R9-2017-0008 to address liability associated with alleged violations in Administrative Civil Liability Complaint No. R9-2016-0092. The Stipulated Order is a settlement agreement between KB Home and KB Home Coastal (collectively, Discharger) and the San Diego Water Board's Prosecution Staff (together, Parties) to address liability associated with the discharge of fill material to ephemeral tributaries to Los Coches Creek during construction activity related to a residential housing project in Lakeside, CA.

To resolve the alleged violations without formal administrative proceedings, the Parties agreed to the final imposition of an administrative civil liability totaling \$316,456. KB will pay \$174,024 to the State Water Resources Control the Waste Discharge Permit Fund. The remaining \$142,432 in administrative civil liability will be satisfied through the payment of that amount to the San Diego River Park Foundation (Foundation) for its implementation of a Supplemental Environmental Project (SEP). The SEP is 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 will present this Stipulated Order to the San Diego Water Board or its delegate for consideration and approval, after review of any 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 July 14, 2017.** Written comments should be submitted electronically to [SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov) in text searchable PDF format, with the subject heading "**R9-2017-0008 comments cmeans: 826199**"

**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](http://www.waterboards.ca.gov/sandiego/water_issues/programs/compliance/acl_complaints.shtml)

**CONTACT INFORMATION**

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