

## Exhibit C

### SUMMARY OF THE SETTLEMENT OFFER NO. R9-2017-0070

**Enforcement of Mandatory Minimum Penalty for NPDES Effluent Limit Violation  
Water Code sections 13385(f), (h), and (i)**

You have until July 24, 2017 to act or face more penalties.

Questions: Contact Joann Lim at (619) 521-3362

This is a plain language summary of the attached Settlement Offer No. R9-2017-0070 to participate in an Expedited Payment Program to address alleged violation of Order No. R9-2010-0087, *Waste Discharge Requirements for the San Elijo Joint Powers Authority, San Elijo Water Reclamation Facility Discharge to the Pacific Ocean via the San Elijo Ocean Outfall*.

The San Elijo Joint Powers Authority, San Elijo Water Reclamation Facility has exceeded effluent limitations established in Order No. R9-2017-0070. The violation is subject to a mandatory minimum penalty of \$3,000 pursuant to Water Code section 13385(f), (h), and (i). Consequently, the San Diego Water Board will assess a monetary liability for \$3,000 for this serious violation. However, instead of pursuing a formal enforcement complaint with penalties higher than the mandatory minimum, the San Diego Water Board is offering the opportunity to participate in an Expedited Payment Program to resolve the violation.

**The San Elijo Joint Powers Authority has three response options:**

1. **Accept the conditional Settlement Offer** by agreeing to pay a settlement of \$3,000. This is the fastest and most certain way to get closure on this enforcement action. If chosen, sign and submit the Acceptance and Waiver Form, attached to the Settlement Offer letter, by 5 p.m. on July 24, 2017. The form provides submittal instructions.
2. **Contest the violation** by submitting in writing the basis of the challenge with supporting evidence. For example, submit evidence that the alleged violation is inaccurate or meets the criteria for exceptions to mandatory minimum penalties described in Water Code section 13385(j). If chosen, submit challenge by 5 p.m. on July 24, 2017.

The challenge will be reviewed, and if San Diego Water Board staff agrees, the San Elijo Joint Powers Authority will be notified in writing that the enforcement action has been terminated. However, if San Diego Water Board staff does not agree, they will prepare a formal enforcement complaint at a higher dollar amount than the settlement offer of \$3,000. To avoid the latter, contact Joann Lim (see contact information above) as soon as possible to discuss the validity of the challenge.

3. **Reject the conditional Settlement Offer** by not responding or submitting the rejection in writing by 5 p.m. on July 24, 2017. In either case, San Diego Water Board staff will prepare a formal enforcement complaint at a higher dollar amount than the settlement offer. The date of submittal or failure to submit the Acceptance and Waiver form will affect the recommended penalty amount.