

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ADMINISTRATIVE CIVIL LIABILITY ORDER R2-2022-1001

**IN THE MATTER OF
CITY OF SAN MATEO
UNAUTHORIZED DISCHARGE TO SAN MATEO CREEK
SANTA CLARA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board), by and through its Executive Officer, finds that:

1. On December 15, 2021, the Assistant Executive Officer of the Regional Water Board issued Administrative Civil Liability Complaint No. R2-2021-1023 (Complaint) to the City of San Mateo (Discharger). The Complaint alleged an unauthorized discharge of 7,720 gallons of potable water mixed with construction pollutants to San Mateo Creek, in violation of Clean Water Act section 301 (33 U.S.C. §1311) and Water Code section 13376, and proposed an administrative civil liability of \$73,700. The Complaint, including all facts and allegations set forth in the Complaint and Exhibit A to the Complaint, is attached hereto as Attachment 1 and fully incorporated herein by reference.
2. The Complaint was noticed for 30 days for comments. One person submitted comments in support of the Complaint.
3. The Complaint gave the Discharger an option of waiving its right to a hearing and paying the proposed civil liability in full.
4. On January 4, 2022, the Discharger waived its right to a hearing and agreed to pay the total proposed liability of \$73,700. A copy of the signed waiver form is attached hereto as Attachment 2 and fully incorporated herein by reference.
5. Therefore, pursuant to Water Code section 13323, this Order is being issued to impose civil liability in the amount of \$73,700.
6. This is an action to enforce the laws and regulations administered by the Regional Water Board. The Regional Water Board finds that issuance of this Order is exempt from the provisions of the California Environmental Quality Act, Public Resources Code section 21000 et seq., in accordance with California Code of Regulations., title 14, section 15321, subdivision (a)(2).

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Discharger is subject to administrative civil liability in the amount of \$73,700 for the violation set forth in the Complaint.
2. The Discharger shall pay this sum no later than 30 days following the issuance of this Order. The Discharger shall submit a check payable to the "State Water Pollution Cleanup and Abatement Account" with reference to the Order number above and mailed it to the following address:

State Water Resources Control Board Accounting Office
Attn: ACL Payment
P.O. Box 1888
Sacramento, CA 95812-1888

 Digitally signed by
Michael Montgomery
Date: 2022.01.26
16:46:17 -08'00'


Michael Montgomery
Executive Officer
California Regional Water Quality Control Board

Date

San Francisco Bay Region Attachments:

1. Administrative Civil Liability Complaint No. R2-2021-1023
2. January 4, 2022, Waiver Form for ACL Complaint No. R2-2021-1023