

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

In the matter of:

**CITY OF SAN JUAN BAUTISTA  
WASTEWATER TREATMENT AND  
RECLAMATION PLANT;  
MANDATORY MINIMUM PENALTIES  
FOR EFFLUENT LIMITATION  
VIOLATIONS**

**SETTLEMENT AGREEMENT AND  
STIPULATION FOR ENTRY OF  
ADMINISTRATIVE CIVIL LIABILITY  
ORDER**

**ORDER NO. R3-2022-0031**

**SECTION I: INTRODUCTION**

1. This Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (Stipulated Order or Order) is entered into by and between the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) Prosecution Team (Prosecution Team) and the City of San Juan Bautista (City) (collectively known as the Parties) and is presented to the Central Coast Water Board, or its delegee, for adoption as an order by settlement, pursuant to California Water Code (Water Code) section 13323 and Government Code section 11415.60.

**SECTION II: RECITALS**

1. The City owns and operates the San Juan Bautista Wastewater Treatment and Reclamation Plant (Facility) located at 1120 Third Street, San Juan Bautista, San Benito County. The Facility currently provides collection, wastewater treatment, reclamation, and disposal of domestic and commercial wastewater for the City's residents and domestic wastewater for three vegetable processing plants outside of the City. The Facility also receives up to 10,000 gallons of waste per month from septage haulers. The treatment consists of a comminutor, an aerated pond that serves as a sequencing batch reactor, flow equalization, a multi-celled pond that provides sludge storage and denitrification, coagulation, sand filtration, ultraviolet disinfection, and chlorine disinfection. The City is permitted to discharge treated wastewater at Discharge Point 001 (Latitude 36° 50' 58.11" North and Longitude 121° 32' 41.90" West) to an unnamed, intermittently flowing drainage channel adjacent to the Facility, which flows to San Juan Creek, a tributary to the San Benito River, which is a water of the United States.
2. The Central Coast Water Board regulates the Facility pursuant to Order No. R3-2009-0019, National Pollutant Discharge Elimination System (NPDES) Permit CA0047902. Prior to May 9, 2009, the Central Coast Water Board regulated the Facility via Order No. R3-2003-0087, NPDES Permit CA0047902. Order Nos.

R3-2009-0019 and R3-2003-0087 contain effluent limitations that can subject the City to mandatory minimum penalties (MMPs).

3. The Facility has a history of regularly discharging waste that exceeds effluent limitations and the Water Code requires the Water Boards to assess MMPs for effluent limitation violations. State Water Resources Control Board (State Water Board) and Central Coast Water Board Enforcement staff have tried to resolve MMPs for violations accrued since 2007, for several years. However, the attempts to resolve the MMPs for effluent limitation violations have not been successful. This Order resolves alleged violations that accrued between March 31, 2007 and March 31, 2022, and incorporates historic alleged violations previously included in settlement offers (refer to Section II, paragraphs 4, 5, and 6) that were not settled with the City.
4. On July 1, 2008, the Director of the State Water Board Office of Enforcement issued the City an Offer to Participate in Expedited Payment Program (EPP) SWB-2008-3-0015, which included a notice of violation (NOV) notifying the City of four serious effluent violations and one non-serious effluent violation subject to a MMP of \$3,000 per violation.
5. On July 1, 2015, the Director of the State Water Board Office of Enforcement issued the City an amended Offer to Participate in EPP SWB-2008-3-0015, which included a NOV notifying the City of 29 serious effluent violations and eight non-serious effluent violations subject to a MMP of \$3,000 per violation. Amended EPP No. SWB-2008-3-0015 acknowledged the dismissal of one violation<sup>1</sup> due to a sampling deficiency and removed that violation from further consideration for an MMP, but incorporated the remaining four violations identified in the July 1, 2008 EPP.
6. The State Water Board was unable to settle the EPP due to a lack of response from the City. Therefore, the alleged violations included in the State Water Board issued EPP were not resolved and the City continued to accrue effluent limitation violations. In 2018, Central Coast Water Board enforcement staff re-engaged with new City staff to address the outstanding violations. The Central Coast Water Board Prosecution Team invited the City to enter into confidential settlement negotiations to resolve all alleged violations subject to MMPs, including some additional alleged violations from 2007. Since 2018, the Parties have been engaged in confidential settlement negotiations with two different City managers.
7. Between March 31, 2007 and March 31, 2022, the Central Coast Water Board alleges that the City incurred **\$981,000** in MMPs for serious effluent limit violations and non-serious effluent limit violations subject to individual penalties

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<sup>1</sup> California Integrated Water Quality System (CIWQS) Violation ID No. 212149. This violation was included in the July 1, 2008 EPP but later dismissed and not included in the July 1, 2015 EPP.

of \$3,000 each. Each alleged violation is documented in Attachment A and incorporated herein by reference.

8. Due to the consistent accrual of MMPs and continued non-compliance with Order No. R3-2009-0019, the United States Environmental Protection Agency (U.S. EPA) issued an Administrative Order on Consent No. CWA-309(a)-20-007 (AOC) on August 20, 2020, to bring the City back into compliance with Order No. R3-2009-0019. The AOC also requires the City to correct conditions of non-compliance identified in U.S. EPA's October 17, 2019 inspection report, which include violations of sections 301(a) and 402 of the Clean Water Act. The AOC establishes a timeline for the City to submit and complete a proposed compliance plan. The City has determined that it will address non-compliance issues associated with Order No. R3-2009-0019 and comply with the AOC by implementing the following:
  - a. Regionalization with the City of Hollister's Domestic Water Reclamation Facility, constituting two main components:
    - i. Force Main – Construction of a force main to convey screened raw sewage to the City of Hollister's Domestic Water Reclamation Facility for advanced treatment, disposal to land, and water recycling for beneficial reuse.
    - ii. San Juan Bautista Facility Modifications and Pumping Systems – Decommission the City's Facility, conversion of treatment ponds at the City's Facility to emergency storage ponds for containment in case of a spill or other emergency, and installation of three pumping systems at the City's Facility: 1) Primary Pump Station to convey wastewater to the City of Hollister's Domestic Water Reclamation Facility, 2) Storage Pump Station to divert wastewater to emergency storage ponds, and 3) portable drain pumps to return wastewater from the emergency storage ponds to the Primary Pump Station.
  - b. Off-Site Salinity Controls: The City will install off-site salinity controls to reduce the wastewater salinity concentrations being sent to the City of Hollister's Domestic Water Reclamation Facility. Anticipated controls include implementing an industrial pre-treatment program for agricultural processing facilities, blending well water (very hard water) with San Benito County Water District's treated surface water (moderately hard water), and implementing a buy-back program for self-regenerating water softeners.
9. The AOC requires the City to complete the Regionalization with the City of Hollister's Domestic Water Reclamation Facility by June 26, 2024.<sup>2</sup> This

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<sup>2</sup> The AOC issued by U.S. EPA on August 20, 2020, specified a completion date of December 1, 2023, for the Regionalization with the City of Hollister's Domestic Water

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City of San Juan Bautista

Stipulated Order incorporates the Regionalization with the City of Hollister's Domestic Water Reclamation Facility project components, which will henceforth be referred to as the San Juan Bautista to Hollister Sanitary Sewer Force Main Compliance Project or CP. Upon completion of the entire CP, the City will no longer operate a wastewater treatment plant and will no longer require an NPDES permit to authorize the discharge of its treated wastewater.

10. The City is subject to effluent limitations pursuant to Order No. R3-2009-0019 and the predecessor permit, Order No. R3-2003-0087. Between March 31, 2007 and March 31, 2022, the City incurred MMPs for alleged violations of the following effluent limitations contained in Order Nos. R3-2009-0019 and R3-2003-0087<sup>3</sup> as follows:

- a. The median most probable number (MPN) of total coliform organisms in effluent shall not exceed 23 MPN/100 milliliter (mL), based on the results of not less than five consecutive samples.
- b. In no more than 20 percent of samples within any 30-day period shall total coliform organisms exceed 2.2 MPN/100mL.
- c. The MPN of total coliform organisms shall not exceed 2,300 MPN/100 mL in any single sample; and
- d. The effluent limitations identified in Table 1, below.

**Table 1. Effluent Limitations for Discharge Point 001**

<b>Parameter</b>	<b>Units</b>	<b>Average Monthly</b>	<b>Average Weekly</b>	<b>Maximum Daily</b>
Biochemical Oxygen Demand 5-	milligram per liter (mg/L)	20	45	60

Reclamation Facility project. On August 19, 2022, the City requested an extension from U.S. EPA to complete the Regionalization with the City of Hollister's Domestic Water Reclamation Facility project by June 26, 2024, and to extend some of the remaining project milestones. On September 6, 2022, U.S. EPA approved the extension request changing the Regionalization with the City of Hollister's Domestic Water Reclamation Facility project completion date to June 26, 2024, and some of the remaining project milestone dates specified by the AOC. This Order incorporates a final CP Completion Date that is consistent with the AOC compliance deadline at the time of this Order's adoption.

<sup>3</sup> Note, only effluent limitations for which the City has incurred MMPs are included in Section II, Paragraph 9. Order Nos. R3-2009-0019 and R3-2003-0087 both contain additional numeric effluent limits that did not trigger MMPs and are therefore not discussed in this Stipulated Administrative Civil Liability Order.

Parameter	Units	Average Monthly	Average Weekly	Maximum Daily
day @ 20°C (BOD <sub>5</sub> )				
Total Suspended Solids (TSS)	mg/L	20	45	60
Un-ionized Ammonia	mg/L	-- <sup>[1]</sup>	--	0.025
Total Dissolved Solids (TDS)	mg/L	1,400	--	--
Sodium	mg/L	250	--	--
Chloride	mg/L	200	--	--

<sup>[1]</sup> "--" indicates there is no effluent limit.

11. Water Code section 13385, subdivisions (h) and (i) require assessment of MMPs and state, in part, the following:

Water Code section 13385, subdivision (h)(1) states:

*Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each serious violation.*

Water Code section 13385, subdivision (h)(2) states:

*For the purposes of this section, a "serious violation" means any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to section 123.45 of title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to section 123.45 of title 40 of the Code of Federal Regulations, by 40 percent or more.*

Water Code section 13385, subdivision (i)(1) states, in part:

*Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each violation whenever the person does any of the following four or more times in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations:*

- A) *Violates a waste discharge requirement effluent limitation.*
- B) *Fails to file a report pursuant to section 13260.*
- C) *Files an incomplete report pursuant to section 13260.*
- D) *Violates a toxicity effluent limitation contained in the applicable waste discharge requirements where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.*

12. According to the results reported in the City's self-monitoring reports, and Central Coast Water Board staff's review of those reports, the City incurred 97 serious violations, as summarized in Attachment A. For Group I pollutants, these violations are defined as serious when measured concentrations exceed the limit by 40 percent or more. For Group II pollutants, these violations are defined as serious when measured concentrations of Group II pollutants exceed the limit prescribed by 20 percent or more. These violations are subject to mandatory penalties under Water Code section 13385, subdivisions (h). The City has incurred 97 serious MMPs for a total of **\$291,000** in MMPs.

13. According to the City's self-monitoring reports and the Central Coast Water Board staff's review of those reports, the City also incurred 230 non-serious violations, as summarized in Attachment A. These non-serious violations are subject to mandatory penalties under Water Code section 13385, subdivision (i)(1) because these violations were preceded by three or more similar violations of applicable numeric effluent limitations within a 180-day period. The City has incurred 230 non-serious MMPs for a total of **\$690,000** in MMPs.

14. The total amount of the MMPs for the alleged serious and non-serious effluent violations is **\$981,000**.

15. Water Code section 13385, subdivision(k) states:

*(1) In lieu of assessing all or a portion of the mandatory minimum penalties pursuant to subdivisions (h) and (i) against a publicly owned treatment works serving a small community, the state board or the regional board may elect to require the publicly owned treatment works to spend an equivalent amount towards the completion of a compliance project proposed by the publicly owned treatment works, if the state board or the regional board finds all of the following:*

*(A) The compliance project is designed to correct the violations within five years.*

*(B) The compliance project is in accordance with the enforcement policy of the state board, excluding any provision in the policy that is inconsistent with this section.*

*(C) The publicly owned treatment works has prepared a financing plan to complete the compliance project.*

(2) For the purposes of this subdivision, “a publicly owned treatment works serving a small community” means a publicly owned treatment works serving a population of 20,000 persons or fewer or a rural county, with a financial hardship as determined by the state board after considering such factors as median income of the residents, rate of unemployment, or low population density in the service area of the publicly owned treatment works.

16. Per the State Water Board’s Water Quality Enforcement Policy (Enforcement Policy)<sup>4</sup> a Compliance Project (CP) is: “a project designed to address problems related to the violation and bring the discharger back into compliance in a timely manner.”
17. The City has raised the doctrine of laches, which is an equitable defense that “bars certain claims or proceedings based on a combination of unreasonable delay in pursuing the claims and prejudice based on that delay.” (*Malaga County Water District v. State Water Resources Control Board* (2020) 58 Cal.App.5th 447, 462 [272 Cal.Rptr.3d 548, 556, 58 Cal.App.5th 447, 462].) In *Malaga County Water District*, the court held that the relevant statute of limitations for MMPs assessed per Water Code section 13385, to be the three-year period referenced in the California Code of Civil Procedure section 338, subdivision (i), and that after three years, “an unreasonable delay is established as a matter of law and prejudice is presumed.” (*Id.* at 463.) A delay of more than three years in the imposition of MMPs then shifts the burden to the Prosecution Team to show that the delay in assessing the liability is not unreasonable and that the City has not been prejudiced by the delay. (*Ibid.*)
18. The City has asserted that the defense of laches applies in this matter. Specifically, the City asserts that it has been prejudiced by the delay in the imposition of the MMPs. The City asserts the delay was caused, in part, by several key staff turnovers at the City when the offers to settle the MMPs were issued by the State Water Board in 2008 and again in 2015. While violations subject to MMPs are self-reported, staff turnover at the City hindered the ability of the City to respond to the alleged violations and prepare a response. However, beginning in 2018, the Parties have been engaged in active settlement negotiations and the Central Coast Water Board Prosecution Team has provided prompt notice of additional violations to the City.
19. The Parties have engaged in confidential settlement negotiations and agree to settle the matter without administrative or civil litigation by presenting this Stipulated Order to the Central Coast Water Board, or its delegee, for adoption as an order by settlement, pursuant to Water Code section 13323 and Government Code section 11415.60. To resolve the violations by consent and

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<sup>4</sup> State Water Board, 2017 Water Quality Enforcement Policy, effective October 5, 2017, [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2017/040417\\_9\\_final%20adopted%20policy.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/040417_9_final%20adopted%20policy.pdf)

without further administrative proceedings, the Parties have agreed to the imposition of administrative civil liabilities in the amount of **\$870,000** in MMPs against the City. For purposes of settlement only, the Parties have agreed that the doctrine of laches bars imposition of **\$111,000** in liability associated with the 37 oldest violations. The Parties have agreed to resolve **\$696,000** of the liability through the completion of a CP.

20. The Prosecution Team has determined that the resolution of the alleged violations is fair and reasonable and fulfills all of its enforcement objectives, that no further action is warranted concerning the violations alleged herein, and that this Stipulated Order is in the public's best interest.

### **SECTION III:        STIPULATIONS**

The Parties incorporate the foregoing Recitals and stipulate to the following:

1. **Jurisdiction**: The Parties agree that the Central Coast Water Board has subject matter jurisdiction over the matters alleged in this action and personal jurisdiction of the Parties to this Stipulation.
2. **Administrative Civil Liability**: The City hereby agrees to the imposition of **\$870,000** in administrative civil liability, to resolve the violations specifically alleged in Attachment A to this Order, as follows:

- a. The City must submit payment by check or other authorized method of payment<sup>5</sup> for **\$174,000** in administrative civil liability no later than 30 days after the adoption of this Stipulated Order. The check must be made payable to the "State Water Pollution Cleanup and Abatement Account," reference "Order No. R3-2022-0031 CAA Payment," and be submitted to:

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

The City must provide a copy of the check or payment confirmation via e-mail to the Central Coast Water Board attention:

[Tamara.Anderson@waterboards.ca.gov](mailto:Tamara.Anderson@waterboards.ca.gov).

- b. The Parties agree the remaining **\$696,000** (CP Amount) of the administrative civil liability will be suspended pending completion of a CP. The CP Amount will become due and payable if the initial monetary assessment described in Section III, paragraph 2.a. is not paid as required.

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<sup>5</sup> For more information see the State Water Board's website at the following address:  
[https://www.waterboards.ca.gov/make\\_a\\_payment/](https://www.waterboards.ca.gov/make_a_payment/)

3. **Laches:** For purposes of settlement, the City has raised laches as a defense to Violations 1-37 contained in Attachment A and the Prosecution Team agrees that, given the totality of the circumstances, laches may bar the imposition of \$111,000 in liability for those oldest 37 violations. These violations occurred between March 1, 2007 and March 31, 2015, and are identified in Attachment A as violations 1-37. All of these violations are at least six years old. The Prosecution Team stipulates that, given the specific circumstances of this case, there is insufficient evidence to overcome the presumption that the delay is unreasonable and has caused prejudice.
4. **City's Small Community With Financial Hardship Status:** Water Code section 13385(k)(2) defines a publicly owned treatment works (POTW) serving a small community for the purposes of administrative civil liability imposed for MMPs, as "a [POTW] serving a population of 20,000 persons or fewer, or a rural county, with a financial hardship." The statute further provides that the State Water Board should make a determination on whether the discharger has a financial hardship after considering such factors as median income of the residents, rate of unemployment, or low population density in the service area of the POTW. As described in the Enforcement Policy a POTW serving a small community is one that serves a population of 10,000 or fewer people or lies completely within one or more rural counties. The Enforcement Policy further describes "financial hardship" as a community served by the POTW that satisfies one of the following conditions: (1) the median household income for the community is less than 80 percent of the California median household income; (2) the community has an unemployment rate of 10 percent or greater; or (3) twenty percent of the population is below the poverty level. According to review of census data conducted by the State Water Board in 2008 and 2018, the City qualified as a small community with a financial hardship as defined by the Enforcement Policy, and Water Code section 13385 (k), because: (1) the City had a population of 2,104; and (2) the City had an unemployment rate greater than 10 percent. Census data, which was updated in December 2019, indicated that the City's unemployment numbers were no longer in excess of 10 percent. Therefore, as of December 2019, the Central Coast Water Board no longer considers the City a small community with a financial hardship. For purposes of settlement, the Prosecution Team agrees that the City was a small community with a financial hardship status when it incurred MMPs for Violations 1-269 contained in Attachment A.
5. **Compliance Project:** In accordance with the Enforcement Policy and Water Code section 13385, the Parties agree that the CP Amount will be suspended pending completion of the CP as detailed below. The City understands that the completed CP is a material condition of this settlement of liability between the City and the Central Coast Water Board Prosecution Team. The amount associated with the CP shall be treated as a suspended administrative civil liability at the time of CP completion for purposes of this Order. The Central Coast Water Board is entitled to recover any portion of the CP Amount not expended in accordance with this Order. Additionally, a detailed CP description,

including milestones, budgets, and performance measures, is attached hereto as Attachment B, and incorporated herein by reference.

- a. **CP Description:** The City proposes to implement the San Juan Bautista to Hollister Sanitary Sewer Force Main CP, a project that is part of the AOC between the U.S. EPA and the City (refer to Section II, paragraph 8) For this CP, the City has a signed memorandum of understanding with the City of Hollister and prepared the following documents: Preliminary Engineering Report, Preliminary Design Report, 100 Percent Submittal Drawings for the Construction of the San Juan Bautista to Hollister Sanitary Sewer Force Main CP, environmental review pursuant to the California Environmental Quality Act and National Environmental Policy Act, Feasibility Study, sewer rate study report and implementation of new rates, and construction cost estimates. The City plans to solicit bids for the construction phase of the CP by February of 2023, and commence project construction by June 2023. The CP is designed to correct the violations identified in Attachment A within five years of adoption of this Order, because the City will complete the CP and cease its direct discharge of treated wastewater to waters of the United States. Attachment B identifies CP project milestones, estimated costs, and completion dates. The City proposes to use the CP Amount to fund the Primary Pump Station fiberglass wet well and electrical and instrumentation components of the San Juan Bautista Facility Modifications and Pumping Systems portion of the CP. Attachment B includes detailed tasks and associated completion dates for the portion of the CP funded by the CP Amount. In addition to the requirement for the City to complete the CP by this Order, the City is also required to complete the CP per the AOC described in Section II, paragraph 8. The City's estimated budget for the CP is \$18,166,200. The suspended liability amount associated with the successful completion of this CP is **\$696,000** (CP Amount).
- b. **Small Community With Financial Hardship Status:** Typically, assessment of a discharger's status as a small community with a financial hardship occurs at the date any administrative civil liability is assessed. Here, the Parties have been engaged in settlement negotiations since 2018, and the City's status changed over the course of settlement negotiations. Given the equitable considerations, and the Central Coast Water Board Prosecution Team's strong interest in the water quality benefits associated with the proposed CP, the Parties have agreed to allow for the portion of the MMPs incurred while the City was a small community with a financial hardship to be directed to a CP in furtherance of the intent of Water Code section 13385, subdivision (k). Violations that occurred prior to December 2019, except as discussed in Section III, Paragraph 3, will be directed towards the CP. Therefore, the suspended liabilities associated with Violations 38 through 269 contained in Attachment A, will be directed towards the CP, also referred to as the CP Amount.

- c. **Compliance with Applicable Law and Policy:** The Prosecution Team has determined that the CP meets the criteria of the Enforcement Policy and Water Code section 13385, subdivision (k)(1). The Parties agree to the following:
- i. The Central Coast Water Board will not authorize the City to direct suspended liabilities associated with future MMPs towards the San Juan Bautista to Hollister Sanitary Sewer Force Main CP; and;
  - ii. The City has a plan to fund the CP described in Attachment B. The plan is informed by the City's October 13, 2021 sewer rate study report, which includes implementing new sewer rates and applying for grants and loans to fund the entire CP. The City also agrees that it will secure additional funding outside of the CP Amount to complete the CP. Failure to secure adequate financing for the CP, does not excuse compliance with this Order. The CP Amount shall not be paid for with grant funds, but additional portions of the San Juan Bautista to Hollister Sanitary Sewer Force Main CP may be paid for with grant funds. The CP Amount and the additional portions of the San Juan Bautista to Hollister Sanitary Sewer Force Main CP may be funded by loans.
- d. **CP Completion Date:** The City agrees that it bears ultimate responsibility for completing the CP in accordance with the schedule set forth in Attachment B, including expenditure of the full CP Amount and the completion of the CP no later than June 26, 2024. This date will be referred to as the CP Completion Date.
- e. **CP Extensions:** The CP completion milestones articulated in Attachment B to this Order reflect schedules that incorporate reasonable assumptions regarding funding, equipment delivery and quality, weather, permitting, and other related issues. The schedule does not account for delays reasonably outside the City's control, or for unforeseen obstacles that might cause delays for the City. If the City faces circumstances not reasonably within its control that will interfere with the City's ability to complete the CP as articulated in Attachment B to this Order, the City may request an extension in writing pursuant to this Paragraph. Should an extension be needed, the City must notify the Central Coast Water Board's Executive Officer in writing at least 30 days prior to the deadline. The written notice must specifically refer to this Paragraph and describe the anticipated length of time the delay may persist, the cause or causes of the delay, the measures taken or to be taken by the City to prevent or minimize the delay, the schedule by which the measures will be implemented, and the anticipated date of compliance to implement the CP as described in Attachment B. If additional time is requested by the City, the Central Coast Water Board Executive Officer and the City may meet and confer to discuss the City's request. Any approval of an extension

request by the Executive Officer will be sent to the City in writing, which will not be unreasonably withheld or delayed. In accordance with Water Code section 13385(k), the CP must be completed within five years of the adoption of this Order.

- f. **Publicity:** Whenever the City, or its agents or subcontractors, publicize one or more elements of the CP, they must state in a prominent manner that the project is being undertaken as part of the settlement of an enforcement action by the Central Coast Water Board against the City.
- g. **CP Inspections:** The City must allow Central Coast Water Board staff to inspect the CP, including the location where the CP is being implemented and any documents associated with the CP implementation, at any time during normal business hours without notice.
- h. **No Benefit to Central Coast Water Board Functions, Members, or Staff:** The CP provides no direct fiscal benefit to the Central Coast Water Board's functions, its members, its staff, or any family member of staff.
- i. **Reporting Requirements:** The City must submit the following reports during CP implementation to the designated Central Coast Water Board contact identified in Section III, paragraph 7, below:
  - i. **Quarterly Reports:** Quarterly Reports must be submitted by the due dates specified in Table B.7 in Attachment B. The Quarterly Reports must describe the tasks completed for the quarter being reported, a summary of general expenditures related to each completed task, and whether the City is in compliance with the completion dates in Tables B.4 and B.6 in Attachment B, and if not, the cause(s) of the delay(s) and the anticipated date of compliance with this Stipulated Order. For any milestones or project tasks with completion dates in Tables B.4 and B.6 in Attachment B during the quarter being reported, provide signed certification on City letterhead of milestone completion and any attachments or supporting documentation to demonstrate milestone completion. The Quarterly Reports may also include descriptions and photos of activities completed during the quarter being reported, results of any activities completed during the quarter being reported, approved invoices, accounting of expenditures relative to proposed budget in Attachment B, and an analysis of the CP's progress.
  - ii. **Certification of CP Completion:** No later than 30 days after the CP Completion Date, the City must submit a final report that documents CP completion and provides a certified statement of CP completion (Certification of CP Completion), signed under penalty of perjury, that documents the following:

- 1) Detailed expenditures for the CP project expenses funded by the CP Amount;
  - 2) That all applicable environmental laws and regulations were followed in implementing the CP, including, but not limited to, the California Environmental Quality Act (CEQA), Porter-Cologne Act, and the Clean Water Act, and;
  - 3) Completion of the CP in accordance with the terms of this Stipulated Order.
  - 4) CP expenditures include work undertaken to complete the CP, and may include the work and associated costs to complete and submit the CP Quarterly Reports and Certification of Completion and external payments to outside vendors. The expenditures may not include the normal, routine work undertaken by the City's staff. In preparing certification documenting the City's expenditures, the City may rely on normal organizational project tracking systems that capture employee time expenditures and external payments to outside vendors. Documentation of CP completion may include photographs, invoices, receipts, certifications, and other materials reasonably necessary for the Central Coast Water Board to evaluate CP completion and the costs incurred. The City must provide the designated Central Coast Water Board contact with any additional information reasonably necessary to verify the CP expenditures and CP completion.
- j. **CP Oversight:** Central Coast Water Board staff will review the Quarterly Reports and Certification of Completion completed by the City to ensure that the CP was completed in accordance with this Stipulated Order. The City is responsible for any charged costs up to \$15,000 for any reasonable and necessary Central Coast Water Board staff oversight, which are not included in the CP Amount.
- k. **Third Party Audit:** If the Central Coast Water Board obtains information reasonably indicating that the City has not expended money in the amounts claimed, or has not adequately completed any of the work in the CP, the Central Coast Water Board may require, and the City must submit, at its sole cost, a report prepared by an independent third party(ies) acceptable to the Central Coast Water Board, stating that in its professional opinion, the City has or has not expended money in the amounts claimed. In the event of such an audit, the City agrees that the third-party auditor will be provided with access to all documents that the auditor requests. Such information must be provided to the designated Central Coast Water Board contact within three months of the date on

which the Central Coast Water Board requires an audit. The audit need not address any costs incurred by the Central Coast Water Board for oversight.

- l. **Central Coast Water Board Acceptance of Completed CP:** Upon the City's satisfaction of its obligations under this Stipulated Order, the completion of the CP and any audits, the designated Central Coast Water Board contact will request the Central Coast Water Board, or its delegee, to issue a "Satisfaction of Order." The issuance of the Satisfaction of Order will terminate any further obligations under this Stipulated Order and permanently suspend the CP Amount.
  - m. **Failure to Expend the CP Amount on the Approved CP:** If the City is unable to demonstrate to the reasonable satisfaction of the Central Coast Water Board or its delegee that the entire CP Amount has been spent on the completed CP, the City must pay the difference between the CP Amount and the amount demonstrated was actually spent on the CP (the Difference) as an administrative civil liability. The Central Coast Water Board or its delegee will issue a NOV that will require the City to pay the Difference to the State Water Pollution Cleanup and Abatement Account within 30 days of the NOV's issuance date. The City must submit payment consistent with the payment method described in Section III, Paragraph 2a. Payment of the Difference will satisfy the City's remaining obligations to implement the CP.
  - n. **Failure to Complete the CP:** In the event that the CP is not fully implemented as described herein or the City is not able to demonstrate, through the submission of the Certification of CP Completion, that the full CP Amount has been spent in accordance with this Order, the Central Coast Water Board or its delegate will issue a "Notice of Failure to Complete CP." The amount of suspended liability owed shall be determined via a Motion for Payment of Suspended Liability before the Central Coast Water Board or its delegee. The City shall be liable to pay the entire CP Amount, or, if shown by the City, some portion thereof less the value of any completed milestones as stipulated to by the Parties in writing, or as determined by the Motion for Payment of Suspended Liability. Within 30 days of the Central Coast Water Board's or its delegate's determination of the suspended liability amount assessed for the City to pay, the City must pay that amount to the State Water Pollution Cleanup and Abatement Account consistent with the payment method described in Section III, paragraph 2.a. Payment of the assessed amount shall satisfy the City's obligations to implement the CP.
6. **Compliance with Applicable Laws and Regulatory Changes:** The City understands that payment of administrative civil liabilities in accordance with the terms of this Stipulated Order and/or compliance with the terms of this Stipulated Order is not a substitute for compliance with applicable laws, and that additional

violations of the type alleged may subject the City to further enforcement, including additional administrative civil liabilities. Nothing in this Stipulated Order shall excuse the City from meeting any more stringent requirements that may be imposed hereafter by changes in applicable and legally binding legislation or regulations.

7. **Party Contacts for Communications Related to this Stipulated Order:**

For the Central Coast Water Board:

Tamara Anderson  
Senior Water Resource Control Engineer Specialist  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
(805) 549-3334  
[Tamara.Anderson@waterboards.ca.gov](mailto:Tamara.Anderson@waterboards.ca.gov)

For the City:

Don Reynolds  
City Manager  
311 Second Street  
PO Box 1420  
San Juan Bautista, CA 95045  
(831) 623-4661  
[citymanager@san-juan-bautista.ca.us](mailto:citymanager@san-juan-bautista.ca.us)

Robert W. Rathie  
City Attorney  
P.O. Box 1420  
San Juan Bautista, CA 94045  
(831) 424-3672  
[attys@wellingtonlaw.com](mailto:attys@wellingtonlaw.com)

8. **Attorney's Fees and Costs:** Except as otherwise provided herein, each Party must bear all attorneys' fees and costs arising from the Party's own counsel in connection with the matters set forth herein.
9. **Matters Addressed by this Stipulated Order:** Upon the Central Coast Water Board's or its delegee's adoption, this Stipulated Order represents a final and binding resolution and settlement of the alleged violations contained in Attachment A. The provisions of this Paragraph are expressly conditioned on the full payment of the administrative civil liability by the deadlines specified in Section III, Paragraph 2 and the City's full satisfaction of the obligations to implement the CP in accordance with the terms of this Stipulated Order.

10. **Public Notice:** The City understands that this Stipulated Order must be noticed for a 30-day public review and comment period prior to consideration by the Central Coast Water Board, or its delegee. If significant new information is received that reasonably affects the propriety of presenting this Stipulated Order to the Central Coast Water Board, or its delegee, for adoption, the Central Coast Water Board Prosecution Team may unilaterally declare this Stipulated Order void and decide not to present it to the Central Coast Water Board, or its delegee. The City agrees that, once signed, the City may not rescind or otherwise withdraw its approval of this proposed Stipulated Order unless there are significant modifications.
11. **Procedure:** The Parties agree that the procedure that has been adopted for the approval of the settlement by the Parties and review by the public, as reflected in this Order, will be adequate. The Parties understand that the Central Coast Water Board, or its delegee, have the authority to require a public hearing on this Stipulated Order. In the event procedural objections are raised prior to this Stipulated Order becoming effective, the Parties agree to meet and confer concerning any such objections and may agree to revise or adjust the procedure and/or this Stipulated Order as necessary or advisable under the circumstances.
12. **No Waiver of Right to Enforce:** The failure of the Central Coast Water Board to enforce any provision of this Stipulated Order must in no way be deemed a waiver of such provision, or in any way affect the validity of this Stipulated Order. The failure of the Central Coast Water Board to enforce any such provision must not preclude it from later enforcing the same or any other provision of this Stipulated Order. No oral advice, guidance, suggestions, or comments by employees or officials of any Party regarding matters covered under this Stipulated Order must be construed to relieve any Party regarding matters covered in this Stipulated Order. If the City fails to comply with this Stipulated Order, the Central Coast Water Board or its delegee may refer the matter to the State Attorney General to enforce the terms of this Stipulated Order.
13. **Effect of this Stipulated Order:** Except as expressly provided in this Stipulated Order, nothing in this Stipulated Order is intended nor shall it be construed to preclude the Central Coast Water Board or any state agency, department, board or entity or any local agency from exercising its authority under any law, statute, or regulation.
14. **Interpretation:** This Stipulated Order must not be construed against the party preparing it, but must be construed as if the Parties jointly prepared it and any uncertainty and ambiguity must not be interpreted against any one party.
15. **Modification:** The Parties must not modify this Stipulated Order by oral representation made before or after its execution. Except as otherwise provided in Section III, Paragraph 5.e, all modifications must be made in writing, signed by all Parties, and approved by the Central Coast Water Board or its delegee.

16. **Integration:** This Stipulated Order constitutes the entire agreement between the Parties and may not be amended or supplemented except as provided for in this Stipulated Order.
17. **If the Order Does Not Take Effect:** In the event that this Stipulated Order does not take effect because the Central Coast Water Board or its delegee does not approve it, or a court or the State Water Board vacates it in whole or in part, the Parties acknowledge that the Prosecution Team may issue an administrative civil liability complaint and proceed to a contested evidentiary hearing before the Central Coast Water Board, or may continue to pursue settlement. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in any subsequent administrative or judicial proceeding or hearing and will be fully protected by California Evidence Code sections 1152 and 1154; California Government Code section 11415.60; and any other applicable privilege under federal and/or state law. The Parties also agree to waive any and all objections related to their efforts to settle this matter, including, but not limited to:
- a. Objections related to prejudice or bias of any of the Central Coast Water Board members or their advisors and any other objections to the extent that they are premised in whole or in part on the fact that the Central Coast Water Board members or their advisors were exposed to some of the material facts and the Parties settlement positions, and therefore may have formed impressions or conclusions, prior to conducting any contested evidentiary hearing in this matter; or
  - b. Laches or delay or other equitable defenses based on the time for administrative or judicial review, but only to the extent this period was extended by the Order not taking effect as anticipated.
18. **No Admission of Liability/No Waiver of Defenses:** In settling this matter, the City does not admit to liability, admit to the truth of the findings or allegations made by the Prosecution Team, or admit to any of the findings in this Stipulated Order or Attachment A, or admit to any violations of the Water Code, the Clean Water Act, any Central Coast Water Board or State Water Board order, or any other federal, State, or local laws or ordinances, but recognizes that this Stipulated Order may be used as evidence of a prior enforcement action consistent with Water Code sections 13327 and 13385, subdivision (e), and the State Water Board's Water Quality Enforcement Policy. By entering into this agreement, the City does not waive any defenses or arguments related to any new enforcement action that may be brought by the Central Coast Water Board, including any brought under its discretionary enforcement authority reserved herein, and does not agree that any analysis in Attachment A represents binding precedent.
19. **Waiver of Hearing:** The City has been informed of the rights provided by Water Code section 13323, subdivision (b), and hereby waives its right to a hearing

before the Central Coast Water Board prior to the Stipulated Order's adoption. However, the City may appear at any Central Coast Water Board hearing where approval of this settlement is discussed, and if the settlement is not adopted and the matter proceeds to the Central Coast Water Board or State Water Board for a hearing, the City does not waive its right to an adjudicatory hearing before any order other than this Stipulated Order is imposed.

20. **Waiver of Right to Petition or Appeal:** Except in the instance where the settlement is not adopted by the Central Coast Water Board or its delegee, the City hereby waives the right to petition the Central Coast Water Board's adoption of the Stipulated Order as written for review by the State Water Board, and further waives the rights, if any, to appeal the same to a California Superior Court and/or any California appellate-level court.
21. **Covenant Not to Sue:** Upon the effective date of this Stipulated Order, the City covenants not to sue or pursue any administrative or civil claims against the State of California, any State agency, or its officers, Board members, employees, representatives, agents, or attorneys arising out of or relating to any matter expressly addressed by this Stipulated Order or the CP, except that this covenant is not intended to, and does not, limit the City's rights to sue over other Central Coast Water Board orders (e.g., permits, cease and desist orders, etc.) or limit the City's rights to defend against any additional enforcement or other actions taken by the Central Coast Water Board or its employees, representatives, agents, or attorneys, and shall not release any claims or complaints against any State agency, or the State of California or its officers, Central Coast Water Board members, employees, representatives, agents, or attorneys to the extent such covenant would be prohibited by California Business and Professions Code section 6090.5 or by any other statute, rule, regulation, or legal principle of similar effect.
22. **State and Central Coast Water Boards Not Liable:** Neither the State Water Board and Central Coast Water Board members, nor the State Water Board and Central Coast Water Board staff, attorneys, or representatives shall be liable for any injury or damage to persons or property resulting from the negligent or intentional acts or omissions by the City or its respective directors, officers, employees, agents, representatives, or contractors in carrying out activities pursuant to this Order, nor shall the Central Coast Water Board, its members, staff, attorneys, or representatives be held as parties to or guarantors of any contract entered into by the City, or its directors, officers, employees, agents, representatives, or contractors in carrying out activities pursuant to this Order.
23. **Authority to Bind:** Each person executing this Stipulated Order in a representative capacity represents and warrants that they are authorized to execute this Stipulated Order on behalf of and to bind the entity on whose behalf they execute the Stipulated Order.

24. **Necessity for Written Approvals:** All approvals and decisions of the Central Coast Water Board or its delegee under the terms of this Stipulated Order must be communicated to the City in writing. No oral advice, guidance, suggestions, or comments by employees or officials of the Central Coast Water Board regarding submissions or notices must be construed to relieve the City of its obligation to obtain any final written approval required by this Stipulated Order.
25. **No Third-Party Beneficiaries:** This Stipulated Order is not intended to confer any rights or obligation on any third party or parties, and no third party or parties shall have any right of action under this Stipulated Order for any cause whatsoever.
26. **Severability:** This Stipulated Order is severable; should any provision be found invalid the remainder shall remain in full force and effect.
27. **Effective Date:** This Stipulated Order becomes effective and binding on the Parties upon the date the Central Coast Water Board, or its delegee, enters the Order.
28. **Counterpart and Electronic Signatures:** This Stipulated Order may be executed and delivered in any number of counterparts, each of which when executed and delivered must be deemed to be an original, but such counterparts must together constitute one document. Further, this Stipulated Order may be executed by electronic signature, and any such electronic signature by any Party hereto must be deemed to be an original signature and must be binding on such Party to the same extent as if such electronic signature were an original signature.

Stipulated Administrative Civil Liability Order No. R3-2022-0031  
City of San Juan Bautista

**IT IS SO STIPULATED.**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION, PROSECUTION TEAM**

*Original Signed by Thea S. Tryon  
On July 20, 2022*

**By:**

\_\_\_\_\_  
Thea S. Tryon  
Assistant Executive Officer  
Central Coast Water Board

Stipulated Administrative Civil Liability Order No. R3-2022-0031  
City of San Juan Bautista

**IT IS SO STIPULATED.**

**CITY OF SAN JUAN BAUTISTA**

*Original Signed by Don Reynolds  
On July 13, 2022*

Date: \_\_\_\_\_

By: \_\_\_\_\_

Don Reynolds  
City Manager  
City of San Juan Bautista

**ORDER OF THE CENTRAL COAST WATER BOARD:**

1. This Order is issued pursuant to Water Code section 13323 and Government Code section 11415.60 and incorporates the foregoing Sections I through III and Attachments A and B, by this reference as if set forth fully herein.
2. This is an action to enforce the laws and regulations administered by the Central Coast Water Board. The Central Coast Water Board finds that issuance of this Stipulated Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, sections 21000 et seq.), in accordance with section 15321, subdivision (a)(2), title 14, of the California Code of Regulations. Additionally, this Stipulated Order generally accepts the plans proposed for the CP prior to implementation. Mere submittal of plans is exempt from CEQA because submittal will not cause a direct or indirect physical change in the environment.
3. The timeline for completion of the terms of this Stipulated Order are identified in Table 2, below.

**Table 2. Timeline for Completion of Terms of Stipulated Order No. R3-2022-0031**

<b>Task I.D.</b>	<b>Task Description</b>	<b>Deadline(s)</b>
a.	Pay <b>\$174,000</b> to the State Water Pollution Cleanup and Abatement Account	No later than 30 days after the Central Coast Water Board adopts Order No. R3-2022-0031.
b.	Submit Quarterly Reports on CP implementation	As specified in Attachment B, Table B.7.
c.	CP Completion Date	June 26, 2024
d.	Submit Certification of Project Completion	July 26, 2024

4. The Executive Officer of the Central Coast Water Board is authorized to refer this matter directly to the Attorney General for enforcement if the City fails to perform any of its obligations under this Order.

Stipulated Administrative Civil Liability Order No. R3-2022-0031  
City of San Juan Bautista

**IT IS HEREBY ORDERED**, pursuant to Water Code section 13323 and Government Code section 11415.60, on behalf of the California Regional Water Quality Control Board, Central Coast Region.

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Matthew T. Keeling  
Executive Officer  
Central Coast Water Board

**Attachment A:** Alleged Mandatory Minimum Penalty Violations

**Attachment B:** San Juan Bautista to Hollister Sanitary Sewer Force Main CP Proposal

## **ATTACHMENT A**

### **MANDATORY MINIMUM PENALTY VIOLATIONS ALLEGED VIOLATION DATES: MARCH 31, 2007 – MARCH 31, 2022**

#### **SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R3-2022-0031**

#### **CITY OF SAN JUAN BAUTISTA WASTEWATER TREATMENT AND RECLAMATION PLANT SAN BENITO COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) Prosecution Team (Prosecution Team) reviewed information submitted by the City of San Juan Bautista (City) for the San Juan Bautista Wastewater Treatment and Reclamation Plant (Facility) to determine whether the City is subject to mandatory minimum penalties (MMPs) pursuant to subdivisions (h) and (i) of California Water Code section 13385. Table A.1 lists the Facility's alleged violations of Order No. R3-2009-0019, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0047902 and Order No. R3-2003-0087, NPDES Permit No. CA0047902, on/from March 31, 2007 through March 31, 2022, for which the Central Coast Water Board has not assessed MMPs. Final calculation of MMP amounts are listed below Table A.1 and definitions of some of the terms used in this document are listed in Table A.2.

For additional information about the alleged violations listed in Table A.1, please refer to the State Water Resources Control Board California Integrated Water Quality System (CIWQS) Public Reports webpage<sup>6</sup> and select the "Mandatory Minimum Penalty (MMP) Report" link located under the "Violations Reports" category. Once in the Mandatory Minimum Penalty Reports search page, select Region 3 along with the beginning and ending dates shown in this exhibit, select Run Report, and then select your facility to access the list of violations. Expand the "Effluent MMP Violations" section of the page by selecting the "+" icon to the left of the section title. To view details of a violation, select the "Violation ID" number. For chronic (non-serious) violations, select the "Chronic" link in the "MMP Type" column to see a list of the three or more violations preceding each chronic violation within 180 days and thus qualifying the chronic violation as a MMP.

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<sup>6</sup> State Water Resources Control Board CIWQS Public Reports webpage:  
[https://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/publicreports.html](https://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.html)

Attachment A – Mandatory Minimum Penalty Violations  
 Stipulated Administrative Civil Liability Order No. R3-2022-0031  
 City of San Juan Bautista

**Table A.1: Violations Subject to Mandatory Minimum Penalties**

#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious (Chronic) Violation	Date 180 Days Prior	No. of Viols within 180 days	Mandatory Minimum Penalty
1	626475	3/31/2007	Chloride	Group 1	Monthly Average	200	286	mg/L	43%	S	10/2/2006	N/A	\$3,000
2	626481	6/30/2007	Chloride	Group 1	Monthly Average	200	323	mg/L	62%	S	1/1/2007	N/A	\$3,000
3	670772	9/30/2007	Chloride	Group 1	Monthly Average	200	306	mg/L	53%	S	4/3/2007	N/A	\$3,000
4	731583	12/31/2007	Chloride	Group 1	Monthly Average	200	340	mg/L	70%	S	7/4/2007	N/A	\$3,000
5	938178	7/31/2012	Chloride	Group 1	Monthly Average	200	335	mg/L	68%	S	2/2/2012	N/A	\$3,000
6	938179	8/31/2012	Chloride	Group 1	Monthly Average	200	369	mg/L	85%	S	3/4/2012	N/A	\$3,000
7	938180	9/30/2012	Chloride	Group 1	Monthly Average	200	329	mg/L	65%	S	4/3/2012	N/A	\$3,000
8	942454	10/31/2012	Chloride	Group 1	Monthly Average	200	274	mg/L	37%	C	5/4/2012	7	\$3,000
9	942453	11/30/2012	Chloride	Group 1	Monthly Average	200	305	mg/L	53%	S	6/3/2012	N/A	\$3,000
10	942455	12/31/2012	Chloride	Group 1	Monthly Average	200	216	mg/L	8%	C	7/4/2012	6	\$3,000
11	946686	1/31/2013	Chloride	Group 1	Monthly Average	200	284	mg/L	42%	S	8/4/2012	N/A	\$3,000
12	946684	2/28/2013	Chloride	Group 1	Monthly Average	200	278	mg/L	39%	C	9/1/2012	6	\$3,000
13	946685	3/31/2013	Chloride	Group 1	Monthly Average	200	290	mg/L	45%	S	10/2/2012	N/A	\$3,000
14	951921	4/30/2013	Chloride	Group 1	Monthly Average	200	303	mg/L	52%	S	11/1/2012	N/A	\$3,000
15	951920	5/31/2013	Chloride	Group 1	Monthly Average	200	295	mg/L	48%	S	12/2/2012	N/A	\$3,000

Attachment A – Mandatory Minimum Penalty Violations  
 Stipulated Administrative Civil Liability Order No. R3-2022-0031  
 City of San Juan Bautista

#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious (Chronic) Violation	Date 180 Days Prior	No. of Viols within 180 days	Mandatory Minimum Penalty
16	951919	6/30/2013	Chloride	Group 1	Monthly Average	200	290	mg/L	45%	S	1/1/2013	N/A	\$3,000
17	957037	7/31/2013	Chloride	Group 1	Monthly Average	200	308	mg/L	54%	S	2/1/2013	N/A	\$3,000
18	957038	8/31/2013	Chloride	Group 1	Monthly Average	200	330	mg/L	65%	S	3/4/2013	N/A	\$3,000
19	957036	9/30/2013	Chloride	Group 1	Monthly Average	200	313	mg/L	57%	S	4/3/2013	N/A	\$3,000
20	962352	10/31/2013	Chloride	Group 1	Monthly Average	200	324	mg/L	62%	S	5/4/2013	N/A	\$3,000
21	962353	11/30/2013	Chloride	Group 1	Monthly Average	200	321	mg/L	61%	S	6/3/2013	N/A	\$3,000
22	962354	12/31/2013	Chloride	Group 1	Monthly Average	200	314	mg/L	57%	S	7/4/2013	N/A	\$3,000
23	967792	1/31/2014	Chloride	Group 1	Monthly Average	200	275	mg/L	38%	C	8/4/2013	6	\$3,000
24	967791	2/28/2014	Chloride	Group 1	Monthly Average	200	317	mg/L	59%	S	9/1/2013	N/A	\$3,000
25	967793	3/31/2014	Chloride	Group 1	Monthly Average	200	286	mg/L	43%	S	10/2/2013	N/A	\$3,000
26	973107	4/30/2014	Chloride	Group 1	Monthly Average	200	290	mg/L	45%	S	11/1/2013	N/A	\$3,000
27	973109	5/31/2014	Chloride	Group 1	Monthly Average	200	270	mg/L	35%	C	12/2/2013	6	\$3,000
28	973108	6/30/2014	Chloride	Group 1	Monthly Average	200	328	mg/L	64%	S	1/1/2014	N/A	\$3,000
29	978351	7/31/2014	Chloride	Group 1	Monthly Average	200	366	mg/L	83%	S	2/1/2014	N/A	\$3,000
30	978349	8/31/2014	Chloride	Group 1	Monthly Average	200	370	mg/L	85%	S	3/4/2014	N/A	\$3,000
31	978350	9/30/2014	Chloride	Group 1	Monthly Average	200	384	mg/L	92%	S	4/3/2014	N/A	\$3,000

Attachment A – Mandatory Minimum Penalty Violations  
 Stipulated Administrative Civil Liability Order No. R3-2022-0031  
 City of San Juan Bautista

#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious (Chronic) Violation	Date 180 Days Prior	No. of Viols within 180 days	Mandatory Minimum Penalty
32	984453	10/31/2014	Chloride	Group 1	Monthly Average	200	343	mg/L	72%	S	5/4/2014	N/A	\$3,000
33	984455	11/30/2014	Chloride	Group 1	Monthly Average	200	342	mg/L	71%	S	6/3/2014	N/A	\$3,000
34	984454	12/31/2014	Chloride	Group 1	Monthly Average	200	294	mg/L	47%	S	7/4/2014	N/A	\$3,000
35	990343	1/31/2015	Chloride	Group 1	Monthly Average	200	261	mg/L	31%	C	8/4/2014	6	\$3,000
36	990342	2/28/2015	Chloride	Group 1	Monthly Average	200	250	mg/L	25%	C	9/1/2014	6	\$3,000
37	990341	3/31/2015	Chloride	Group 1	Monthly Average	200	258	mg/L	29%	C	10/2/2014	6	\$3,000
38	993987	4/30/2015	Chloride	Group 1	Monthly Average	200	244	mg/L	22%	C	11/1/2014	6	\$3,000
39	993986	5/31/2015	Chloride	Group 1	Monthly Average	200	274	mg/L	37%	C	12/2/2014	6	\$3,000
40	993988	6/30/2015	Chloride	Group 1	Monthly Average	200	272	mg/L	36%	C	1/1/2015	6	\$3,000
41	998372	7/31/2015	Chloride	Group 1	Monthly Average	200	262	mg/L	31%	C	2/1/2015	6	\$3,000
42	998371	8/31/2015	Chloride	Group 1	Monthly Average	200	264	mg/L	32%	C	3/4/2015	6	\$3,000
43	998370	9/30/2015	Chloride	Group 1	Monthly Average	200	260	mg/L	30%	C	4/3/2015	6	\$3,000
44	1002680	10/31/2015	Chloride	Group 1	Monthly Average	200	252	mg/L	26%	C	5/4/2015	6	\$3,000
45	1002681	11/30/2015	Chloride	Group 1	Monthly Average	200	250	mg/L	25%	C	6/3/2015	6	\$3,000
46	1002682	12/31/2015	Chloride	Group 1	Monthly Average	200	268	mg/L	34%	C	7/4/2015	6	\$3,000
47	1006869	1/31/2016	Chloride	Group 1	Monthly Average	200	235	mg/L	18%	C	8/4/2015	6	\$3,000

Attachment A – Mandatory Minimum Penalty Violations  
 Stipulated Administrative Civil Liability Order No. R3-2022-0031  
 City of San Juan Bautista

#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious (Chronic) Violation	Date 180 Days Prior	No. of Viols within 180 days	Mandatory Minimum Penalty
48	1006868	2/29/2016	Chloride	Group 1	Monthly Average	200	253	mg/L	27%	C	9/2/2015	6	\$3,000
49	1006870	3/31/2016	Chloride	Group 1	Monthly Average	200	266	mg/L	33%	C	10/3/2015	6	\$3,000
50	1010918	4/30/2016	Chloride	Group 1	Monthly Average	200	254	mg/L	27%	C	11/2/2015	6	\$3,000
51	1010917	5/31/2016	Chloride	Group 1	Monthly Average	200	261	mg/L	31%	C	12/3/2015	6	\$3,000
52	1010916	6/30/2016	Chloride	Group 1	Monthly Average	200	256	mg/L	28%	C	1/2/2016	6	\$3,000
53	1014002	7/31/2016	Chloride	Group 1	Monthly Average	200	260	mg/L	30%	C	2/2/2016	6	\$3,000
54	1014003	8/31/2016	Chloride	Group 1	Monthly Average	200	255	mg/L	28%	C	3/4/2016	6	\$3,000
55	1014001	9/30/2016	Chloride	Group 1	Monthly Average	200	253	mg/L	27%	C	4/3/2016	6	\$3,000
56	1018972	10/31/2016	Chloride	Group 1	Monthly Average	200	253	mg/L	27%	C	5/4/2016	6	\$3,000
57	1018971	11/30/2016	Chloride	Group 1	Monthly Average	200	263	mg/L	32%	C	6/3/2016	6	\$3,000
58	1018973	12/31/2016	Chloride	Group 1	Monthly Average	200	253	mg/L	27%	C	7/4/2016	6	\$3,000
59	1023730	1/31/2017	Chloride	Group 1	Monthly Average	200	256	mg/L	28%	C	8/4/2016	6	\$3,000
60	1023731	2/28/2017	Chloride	Group 1	Monthly Average	200	249	mg/L	25%	C	9/1/2016	6	\$3,000
61	1023732	3/31/2017	Chloride	Group 1	Monthly Average	200	256	mg/L	28%	C	10/2/2016	6	\$3,000
62	1028997	4/30/2017	Chloride	Group 1	Monthly Average	200	253	mg/L	27%	C	11/1/2016	6	\$3,000
63	1028998	5/31/2017	Chloride	Group 1	Monthly Average	200	358	mg/L	79%	S	12/2/2016	N/A	\$3,000

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64	1029000	6/30/2017	Chloride	Group 1	Monthly Average	200	307	mg/L	54%	S	1/1/2017	N/A	\$3,000
65	1033674	7/31/2017	Chloride	Group 1	Monthly Average	200	301	mg/L	51%	S	2/1/2017	N/A	\$3,000
66	1033675	8/31/2017	Chloride	Group 1	Monthly Average	200	303	mg/L	52%	S	3/4/2017	N/A	\$3,000
67	1033676	9/30/2017	Chloride	Group 1	Monthly Average	200	300	mg/L	50%	S	4/3/2017	N/A	\$3,000
68	1038584	10/31/2017	Chloride	Group 1	Monthly Average	200	310	mg/L	55%	S	5/4/2017	N/A	\$3,000
69	1038582	11/30/2017	Chloride	Group 1	Monthly Average	200	324	mg/L	62%	S	6/3/2017	N/A	\$3,000
70	1038583	12/31/2017	Chloride	Group 1	Monthly Average	200	317	mg/L	59%	S	7/4/2017	N/A	\$3,000
71	1042963	1/31/2018	Chloride	Group 1	Monthly Average	200	312	mg/L	56%	S	8/4/2017	N/A	\$3,000
72	1042966	2/28/2018	Chloride	Group 1	Monthly Average	200	346	mg/L	73%	S	9/1/2017	N/A	\$3,000
73	1042965	3/31/2018	BOD5	Group 1	Monthly Average	20	20.8	mg/L	4%	C	10/2/2017	6	\$3,000
74	1042964	3/31/2018	Chloride	Group 1	Monthly Average	200	435	mg/L	118%	S	10/2/2017	N/A	\$3,000
75	1046276	4/30/2018	Chloride	Group 1	Monthly Average	200	378	mg/L	89%	S	11/1/2017	N/A	\$3,000
76	1046274	5/31/2018	Sodium	Group 1	Monthly Average	250	277	mg/L	11%	C	12/2/2017	7	\$3,000
77	1046272	5/31/2018	Chloride	Group 1	Monthly Average	200	347	mg/L	74%	S	12/2/2017	N/A	\$3,000
78	1070672	6/11/2018	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	12/13/2017	9	\$3,000
79	1070674	6/13/2018	Total Coliform	Other	20% for 30 days	20	30	%	N/A	C	12/15/2017	10	\$3,000

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80	1070675	6/15/2018	Total Coliform	Other	20% for 30 days	20	40	%	N/A	C	12/17/2017	11	\$3,000
81	1070676	6/19/2018	Total Coliform	Other	20% for 30 days	20	50	%	N/A	C	12/21/2017	12	\$3,000
82	1070677	6/22/2018	Total Coliform	Other	20% for 30 days	20	60	%	N/A	C	12/24/2017	13	\$3,000
83	1070678	6/25/2018	Total Coliform	Other	20% for 30 days	20	70	%	N/A	C	12/27/2017	14	\$3,000
84	1070680	6/29/2018	Total Coliform	Other	20% for 30 days	20	70	%	N/A	C	12/31/2017	15	\$3,000
85	1046271	6/30/2018	Sodium	Group 1	Monthly Average	250	281	mg/L	12%	C	1/1/2018	15	\$3,000
86	1046275	6/30/2018	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,633	mg/L	17%	C	1/1/2018	16	\$3,000
87	1046273	6/30/2018	Chloride	Group 1	Monthly Average	200	402	mg/L	101%	S	1/1/2018	N/A	\$3,000
88	1070685	7/4/2018	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	1/5/2018	18	\$3,000
89	1070686	7/7/2018	Total Coliform	Other	20% for 30 days	20	90	%	N/A	C	1/8/2018	19	\$3,000
90	1070687	7/11/2018	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	1/12/2018	20	\$3,000
91	1070688	7/13/2018	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	1/14/2018	21	\$3,000
92	1070689	7/18/2018	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	1/19/2018	22	\$3,000
93	1070690	7/20/2018	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	1/21/2018	23	\$3,000
94	1070691	7/26/2018	Total Coliform	Other	20% for 30 days	20	75	%	N/A	C	1/27/2018	24	\$3,000

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95	1051714	7/27/2018	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	1/28/2018	25	\$3,000
96	1051706	7/31/2018	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,599	mg/L	14%	C	2/1/2018	25	\$3,000
97	1051721	7/31/2018	Sodium	Group 1	Monthly Average	250	305	mg/L	22%	C	2/1/2018	26	\$3,000
98	1051716	7/31/2018	Chloride	Group 1	Monthly Average	200	530	mg/L	165%	S	2/1/2018	N/A	\$3,000
99	1070692	8/1/2018	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	2/2/2018	28	\$3,000
100	1070693	8/2/2018	Total Coliform	Other	20% for 30 days	20	70	%	N/A	C	2/3/2018	29	\$3,000
101	1070694	8/6/2018	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	2/7/2018	30	\$3,000
102	1070695	8/9/2018	Total Coliform	Other	20% for 30 days	20	60	%	N/A	C	2/10/2018	31	\$3,000
103	1070696	8/14/2018	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	2/15/2018	32	\$3,000
104	1051707	8/16/2018	BOD5	Group 1	Weekly Average	45	49	mg/L	9%	C	2/17/2018	33	\$3,000
105	1070697	8/16/2018	Total Coliform	Other	20% for 30 days	20	50	%	N/A	C	2/17/2018	34	\$3,000
106	1051704	8/16/2018	Total Suspended Solids	Group 1	Weekly Average	45	310	mg/L	589%	S	2/17/2018	N/A	\$3,000
107	1051719	8/16/2018	Total Suspended Solids	Group 1	Daily Maximum	60	310	mg/L	417%	S	2/17/2018	N/A	\$3,000
108	1070698	8/23/2018	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	2/24/2018	37	\$3,000

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109	1051708	8/31/2018	BOD5	Group 1	Monthly Average	20	23.3	mg/L	17%	C	3/4/2018	37	\$3,000
110	1051710	8/31/2018	Sodium	Group 1	Monthly Average	250	288	mg/L	15%	C	3/4/2018	38	\$3,000
111	1051712	8/31/2018	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,480	mg/L	6%	C	3/4/2018	39	\$3,000
112	1051720	8/31/2018	Total Suspended Solids	Group 1	Monthly Average	85	83.2	%	-2%	C	3/4/2018	40	\$3,000
113	1051722	8/31/2018	BOD5	Group 1	Monthly Average	85	83.3	%	-2%	C	3/4/2018	41	\$3,000
114	1051717	8/31/2018	Chloride	Group 1	Monthly Average	200	500	mg/L	150%	S	3/4/2018	N/A	\$3,000
115	1051705	8/31/2018	Total Suspended Solids	Group 1	Monthly Average	20	74.1	mg/L	271%	S	3/4/2018	N/A	\$3,000
116	1051709	9/12/2018	Un-ionized Ammonia	Group 1	Daily Maximum	0.025	0.108	mg/L	332%	S	3/16/2018	N/A	\$3,000
117	1051718	9/27/2018	BOD5	Group 1	Weekly Average	45	46	mg/L	2%	C	3/31/2018	45	\$3,000
118	1051713	9/30/2018	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,525	mg/L	9%	C	4/3/2018	44	\$3,000
119	1051715	9/30/2018	Sodium	Group 1	Monthly Average	250	283	mg/L	13%	C	4/3/2018	45	\$3,000
120	1051711	9/30/2018	Chloride	Group 1	Monthly Average	200	533	mg/L	167%	S	4/3/2018	N/A	\$3,000
121	1070713	10/18/2018	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	4/21/2018	47	\$3,000
122	1070714	10/22/2018	Total Coliform	Other	20% for 30 days	20	38	%	N/A	C	4/25/2018	48	\$3,000

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123	1070715	10/25/2018	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	4/28/2018	49	\$3,000
124	1070716	10/29/2018	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	5/2/2018	49	\$3,000
125	1055089	10/31/2018	Sodium	Group 1	Monthly Average	250	313	mg/L	25%	C	5/4/2018	50	\$3,000
126	1055091	10/31/2018	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,500	mg/L	7%	C	5/4/2018	51	\$3,000
127	1055090	10/31/2018	Chloride	Group 1	Monthly Average	200	540	mg/L	170%	S	5/4/2018	N/A	\$3,000
128	1070717	1/4/2019	Total Coliform	Other	20% for 30 days	20	50	%	N/A	C	7/8/2018	39	\$3,000
129	1070718	1/7/2019	Total Coliform	Other	20% for 30 days	20	67	%	N/A	C	7/11/2018	40	\$3,000
130	1070719	1/10/2019	Total Coliform	Other	20% for 30 days	20	75	%	N/A	C	7/14/2018	39	\$3,000
131	1070720	1/14/2019	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	7/18/2018	40	\$3,000
132	1070721	1/17/2019	Total Coliform	Other	20% for 30 days	20	67	%	N/A	C	7/21/2018	39	\$3,000
133	1070722	1/21/2019	Total Coliform	Other	20% for 30 days	20	57	%	N/A	C	7/25/2018	40	\$3,000
134	1070723	1/24/2019	Total Coliform	Other	20% for 30 days	20	50	%	N/A	C	7/28/2018	39	\$3,000
135	1070724	1/28/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	8/1/2018	37	\$3,000
136	1058819	1/31/2019	Sodium	Group 1	Monthly Average	250	258	mg/L	3%	C	8/4/2018	36	\$3,000
137	1058821	1/31/2019	Total Coliform	Other	20% for 30 days	20	50	%	N/A	C	8/4/2018	37	\$3,000

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138	1058813	1/31/2019	Chloride	Group 1	Monthly Average	200	399	mg/L	100%	S	8/4/2018	N/A	\$3,000
139	1070725	2/4/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	8/8/2018	38	\$3,000
140	1070726	2/6/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	8/10/2018	38	\$3,000
141	1058816	2/11/2019	Total Coliform	Other	Single Sample	2,300	2,419	MPN/100	N/A	C	8/15/2018	38	\$3,000
142	1070727	2/11/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	8/15/2018	39	\$3,000
143	1070729	2/13/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	8/17/2018	36	\$3,000
144	1070730	2/14/2019	Total Coliform	Other	20% for 30 days	20	60	%	N/A	C	8/18/2018	37	\$3,000
145	1070819	2/14/2019	Total Coliform	Other	5-Sample Median	23	32	MPN/100	N/A	C	8/18/2018	38	\$3,000
146	1070731	2/18/2019	Total Coliform	Other	20% for 30 days	20	70	%	N/A	C	8/22/2018	39	\$3,000
147	1070820	2/18/2019	Total Coliform	Other	5-Sample Median	23	98	MPN/100	N/A	C	8/22/2018	40	\$3,000
148	1070732	2/21/2019	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	8/25/2018	40	\$3,000
149	1070822	2/21/2019	Total Coliform	Other	5-Sample Median	23	161	MPN/100	N/A	C	8/25/2018	41	\$3,000
150	1070733	2/26/2019	Total Coliform	Other	20% for 30 days	20	90	%	N/A	C	8/30/2018	42	\$3,000
151	1070823	2/26/2019	Total Coliform	Other	5-Sample Median	23	161	MPN/100	N/A	C	8/30/2018	43	\$3,000
152	1058810	2/28/2019	Total Coliform	Other	Single Sample	2,300	2,419	MPN/100	N/A	C	9/1/2018	37	\$3,000

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153	1058812	2/28/2019	Total Suspended Solids	Group 1	Single Sample	60	65	mg/L	8%	C	9/1/2018	38	\$3,000
154	1058822	2/28/2019	Total Coliform	Other	20% for 30 days	20	90	%	N/A	C	9/1/2018	39	\$3,000
155	1058824	2/28/2019	Total Coliform	Other	5-Sample Median	23	161	MPN/100	N/A	C	9/1/2018	40	\$3,000
156	1058827	2/28/2019	Total Suspended Solids	Group 1	Monthly Average	20	22	mg/L	9%	C	9/1/2018	41	\$3,000
157	1058818	2/28/2019	Chloride	Group 1	Monthly Average	200	345	mg/L	73%	S	9/1/2018	N/A	\$3,000
158	1070734	3/4/2019	Total Coliform	Other	20% for 30 days	20	100	%	N/A	C	9/5/2018	42	\$3,000
159	1070824	3/4/2019	Total Coliform	Other	5-Sample Median	23	172	MPN/100	N/A	C	9/5/2018	43	\$3,000
160	1058825	3/7/2019	Total Coliform	Other	5-Sample Median	23	172	MPN/100	N/A	C	9/8/2018	44	\$3,000
161	1070735	3/7/2019	Total Coliform	Other	20% for 30 days	20	90	%	N/A	C	9/8/2018	45	\$3,000
162	1070737	3/11/2019	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	9/12/2018	46	\$3,000
163	1070825	3/11/2019	Total Coliform	Other	5-Sample Median	23	172	MPN/100	N/A	C	9/12/2018	47	\$3,000
164	1070738	3/15/2019	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	9/16/2018	47	\$3,000
165	1070827	3/15/2019	Total Coliform	Other	5-Sample Median	23	172	MPN/100	N/A	C	9/16/2018	48	\$3,000
166	1058811	3/18/2019	Total Coliform	Other	Single Sample	2,300	2,420	MPN/100	N/A	C	9/19/2018	49	\$3,000
167	1070739	3/18/2019	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	9/19/2018	50	\$3,000

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168	1070828	3/18/2019	Total Coliform	Other	5-Sample Median	23	172	MPN/100	N/A	C	9/19/2018	51	\$3,000
169	1070740	3/20/2019	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	9/21/2018	52	\$3,000
170	1070829	3/20/2019	Total Coliform	Other	5-Sample Median	23	50	MPN/100	N/A	C	9/21/2018	53	\$3,000
171	1070741	3/21/2019	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	9/22/2018	54	\$3,000
172	1070830	3/21/2019	Total Coliform	Other	5-Sample Median	23	165	MPN/100	N/A	C	9/22/2018	55	\$3,000
173	1070742	3/25/2019	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	9/26/2018	56	\$3,000
174	1070831	3/25/2019	Total Coliform	Other	5-Sample Median	23	196	MPN/100	N/A	C	9/26/2018	57	\$3,000
175	1058815	3/28/2019	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	9/29/2018	57	\$3,000
176	1070832	3/28/2019	Total Coliform	Other	5-Sample Median	23	165	MPN/100	N/A	C	9/29/2018	58	\$3,000
177	1058823	3/28/2019	Un-ionized Ammonia	Group 1	Daily Maximum	0.025	0.404	mg/L	1516%	S	9/29/2018	N/A	\$3,000
178	1058817	3/31/2019	Sodium	Group 1	Monthly Average	250	262	mg/L	5%	C	10/2/2018	57	\$3,000
179	1058820	3/31/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,463	mg/L	5%	C	10/2/2018	58	\$3,000
180	1058814	3/31/2019	Chloride	Group 1	Monthly Average	200	410	mg/L	105%	S	10/2/2018	N/A	\$3,000
181	1061815	4/4/2019	Total Coliform	Other	Single Sample	2,300	2,419	MPN/100	N/A	C	10/6/2018	60	\$3,000
182	1070769	4/4/2019	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	10/6/2018	61	\$3,000

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183	1070833	4/4/2019	Total Coliform	Other	5-Sample Median	23	165	MPN/100	N/A	C	10/6/2018	62	\$3,000
184	1070770	4/5/2019	Total Coliform	Other	20% for 30 days	20	80	%	N/A	C	10/7/2018	63	\$3,000
185	1070834	4/5/2019	Total Coliform	Other	5-Sample Median	23	165	MPN/100	N/A	C	10/7/2018	64	\$3,000
186	1070771	4/8/2019	Total Coliform	Other	20% for 30 days	20	90	%	N/A	C	10/10/2018	65	\$3,000
187	1070835	4/8/2019	Total Coliform	Other	5-Sample Median	23	196	MPN/100	N/A	C	10/10/2018	66	\$3,000
188	1061816	4/11/2019	Total Coliform	Other	Single Sample	2,300	2,419	MPN/100	N/A	C	10/13/2018	67	\$3,000
189	1061822	4/11/2019	Total Suspended Solids	Group 1	Maximum Daily	60	73	mg/L	22%	C	10/13/2018	68	\$3,000
190	1061823	4/11/2019	Total Coliform	Other	5-Sample Median	23	980	MPN/100	N/A	C	10/13/2018	69	\$3,000
191	1070772	4/11/2019	Total Coliform	Other	20% for 30 days	20	100	%	N/A	C	10/13/2018	70	\$3,000
192	1061819	4/13/2019	Total Suspended Solids	Group 1	Weekly Average	45	73	mg/L	62%	S	10/15/2018	N/A	\$3,000
193	1061817	4/16/2019	Total Coliform	Other	Single Sample	2,300	2,420	MPN/100	N/A	C	10/18/2018	72	\$3,000
194	1070773	4/16/2019	Total Coliform	Other	20% for 30 days	20	100	%	N/A	C	10/18/2018	73	\$3,000
195	1070836	4/16/2019	Total Coliform	Other	5-Sample Median	23	2419	MPN/100	N/A	C	10/18/2018	74	\$3,000
196	1061824	4/18/2019	Total Coliform	Other	Single Sample	2,300	2,420	MPN/100	N/A	C	10/20/2018	74	\$3,000
197	1070774	4/18/2019	Total Coliform	Other	20% for 30 days	20	100	%	N/A	C	10/20/2018	75	\$3,000

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#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious (Chronic) Violation	Date 180 Days Prior	No. of Viols within 180 days	Mandatory Minimum Penalty
198	1070844	4/18/2019	Total Coliform	Other	5-Sample Median	23	2419	MPN/100	N/A	C	10/20/2018	76	\$3,000
199	1070775	4/24/2019	Total Coliform	Other	20% for 30 days	20	88	%	N/A	C	10/26/2018	75	\$3,000
200	1070845	4/24/2019	Total Coliform	Other	5-Sample Median	23	2419	MPN/100	N/A	C	10/26/2018	76	\$3,000
201	1070776	4/26/2019	Total Coliform	Other	20% for 30 days	20	78	%	N/A	C	10/28/2018	77	\$3,000
202	1070846	4/26/2019	Total Coliform	Other	5-Sample Median	23	2419	MPN/100	N/A	C	10/28/2018	78	\$3,000
203	1061813	4/29/2019	Total Coliform	Other	20% for 30 days	20	67	%	N/A	C	10/31/2018	78	\$3,000
204	1061809	4/30/2019	Sodium	Group 1	Monthly Average	250	276.5	mg/L	11%	C	11/1/2018	76	\$3,000
205	1061812	4/30/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,567.50	mg/L	12%	C	11/1/2018	77	\$3,000
206	1061818	4/30/2019	Total Suspended Solids	Group 1	Monthly Average	20	32	mg/L	60%	S	11/1/2018	N/A	\$3,000
207	1061810	4/30/2019	Chloride	Group 1	Monthly Average	200	465.8	mg/L	133%	S	11/1/2018	N/A	\$3,000
208	1070777	5/3/2019	Total Coliform	Other	20% for 30 days	20	60	%	N/A	C	11/4/2018	80	\$3,000
209	1070778	5/8/2019	Total Coliform	Other	20% for 30 days	20	38	%	N/A	C	11/9/2018	81	\$3,000
210	1070779	5/9/2019	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	11/10/2018	82	\$3,000
211	1070780	5/14/2019	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	11/15/2018	83	\$3,000
212	1061825	5/17/2019	Total Coliform	Other	Single Sample	2,300	2,419	MPN/100	N/A	C	11/18/2018	84	\$3,000

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213	1070781	5/17/2019	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	11/18/2018	85	\$3,000
214	1061805	5/25/2019	BOD5	Group 1	Weekly Average	45	49	mg/L	9%	C	11/26/2018	86	\$3,000
215	1061804	5/31/2019	Total Suspended Solids	Group 1	Monthly Average	20	27	mg/L	35%	C	12/2/2018	87	\$3,000
216	1061811	5/31/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,554	mg/L	11%	C	12/2/2018	88	\$3,000
217	1061814	5/31/2019	Sodium	Group 1	Monthly Average	250	316.4	mg/L	27%	C	12/2/2018	89	\$3,000
218	1061821	5/31/2019	Chloride	Group 1	Monthly Average	200	460	mg/L	130%	S	12/2/2018	N/A	\$3,000
219	1061820	5/31/2019	BOD5	Group 1	Monthly Average	20	29	mg/L	45%	S	12/2/2018	N/A	\$3,000
220	1061803	6/4/2019	Total Coliform	Other	Single Sample	2,300	2,420	MPN/100	N/A	C	12/6/2018	92	\$3,000
221	1070782	6/4/2019	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	12/6/2018	93	\$3,000
222	1070783	6/7/2019	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	12/9/2018	94	\$3,000
223	1070784	6/12/2019	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	12/14/2018	95	\$3,000
224	1070785	6/14/2019	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	12/16/2018	96	\$3,000
225	1061802	6/25/2019	Un-ionized Ammonia	Group 1	Daily Maximum	0.025	0.152	ug/L	508%	S	12/27/2018	N/A	\$3,000
226	1061806	6/30/2019	Sodium	Group 1	Monthly Average	250	303.3	mg/L	21%	C	1/1/2019	98	\$3,000

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#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious (Chronic) Violation	Date 180 Days Prior	No. of Viols within 180 days	Mandatory Minimum Penalty
227	1061808	6/30/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,567.50	mg/L	12%	C	1/1/2019	99	\$3,000
228	1061807	6/30/2019	Chloride	Group 1	Monthly Average	200	479.5	mg/L	140%	S	1/1/2019	N/A	\$3,000
229	1070786	7/22/2019	Total Coliform	Other	20% for 30 days	20	22	%	N/A	C	1/23/2019	95	\$3,000
230	1070787	7/24/2019	Total Coliform	Other	20% for 30 days	20	30	%	N/A	C	1/25/2019	95	\$3,000
231	1070788	7/29/2019	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	1/30/2019	95	\$3,000
232	1066049	7/31/2019	Total Coliform	Other	20% for 30 days	2.2	40	%	N/A	C	2/1/2019	93	\$3,000
233	1066053	7/31/2019	Sodium	Group 1	Monthly Average	250	303	mg/L	21%	C	2/1/2019	94	\$3,000
234	1066055	7/31/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,452	mg/L	4%	C	2/1/2019	95	\$3,000
235	1066057	7/31/2019	Chloride	Group 1	Monthly Average	200	425.4	mg/L	113%	S	2/1/2019	N/A	\$3,000
236	1070790	8/5/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	2/6/2019	96	\$3,000
237	1070791	8/9/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	2/10/2019	96	\$3,000
238	1070792	8/12/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	2/13/2019	95	\$3,000
239	1070793	8/17/2019	Total Coliform	Other	20% for 30 days	20	50	%	N/A	C	2/18/2019	93	\$3,000
240	1070795	8/19/2019	Total Coliform	Other	20% for 30 days	20	56	%	N/A	C	2/20/2019	92	\$3,000
241	1070796	8/22/2019	Total Coliform	Other	20% for 30 days	20	44	%	N/A	C	2/23/2019	91	\$3,000

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#	Violation Number	Violation Date	Pollutant	Pollutant Type	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious (Chronic) Violation	Date 180 Days Prior	No. of Viols within 180 days	Mandatory Minimum Penalty
242	1070797	8/26/2019	Total Coliform	Other	20% for 30 days	20	44	%	N/A	C	2/27/2019	90	\$3,000
243	1066050	8/29/2019	Total Coliform	Other	20% for 30 days	2.2	44	%	N/A	C	3/2/2019	86	\$3,000
244	1066048	8/31/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,560	mg/L	11%	C	3/4/2019	87	\$3,000
245	1066052	8/31/2019	Sodium	Group 1	Monthly Average	250	319.3	mg/L	28%	C	3/4/2019	88	\$3,000
246	1066046	8/31/2019	Chloride	Group 1	Monthly Average	200	531	mg/L	166%	S	3/4/2019	N/A	\$3,000
247	1070799	9/3/2019	Total Coliform	Other	20% for 30 days	20	44	%	N/A	C	3/7/2019	88	\$3,000
248	1070800	9/5/2019	Total Coliform	Other	20% for 30 days	20	44	%	N/A	C	3/9/2019	87	\$3,000
249	1070802	9/9/2019	Total Coliform	Other	20% for 30 days	20	44	%	N/A	C	3/13/2019	86	\$3,000
250	1070803	9/13/2019	Total Coliform	Other	20% for 30 days	20	44	%	N/A	C	3/17/2019	85	\$3,000
251	1070805	9/17/2019	Total Coliform	Other	20% for 30 days	20	44	%	N/A	C	3/21/2019	81	\$3,000
252	1070806	9/20/2019	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	3/24/2019	80	\$3,000
253	1070807	9/23/2019	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	3/27/2019	79	\$3,000
254	1066051	9/26/2019	Total Coliform	Other	Single Sample	2,300	2,420	MPN/100	N/A	C	3/30/2019	77	\$3,000
255	1066056	9/26/2019	Total Coliform	Other	20% for 30 days	20	33	%	N/A	C	3/30/2019	78	\$3,000
256	1066054	9/30/2019	Sodium	Group 1	Monthly Average	250	301.5	mg/L	21%	C	4/3/2019	76	\$3,000

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257	1066058	9/30/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,517.50	mg/L	8%	C	4/3/2019	77	\$3,000
258	1066047	9/30/2019	Chloride	Group 1	Monthly Average	200	483	mg/L	142%	S	4/3/2019	N/A	\$3,000
259	1070810	10/4/2019	Total Coliform	Other	20% for 30 days	20	25	%	N/A	C	4/7/2019	74	\$3,000
260	1070289	10/18/2019	Total Coliform	Other	Single Sample	2,300	2,419	MPN/100	N/A	C	4/21/2019	62	\$3,000
261	1070813	10/18/2019	Total Coliform	Other	20% for 30 days	20	25	%	N/A	C	4/21/2019	63	\$3,000
262	1070814	10/23/2019	Total Coliform	Other	20% for 30 days	20	29	%	N/A	C	4/26/2019	62	\$3,000
263	1070815	10/25/2019	Total Coliform	Other	20% for 30 days	20	25	%	N/A	C	4/28/2019	61	\$3,000
264	1070283	10/31/2019	Sodium	Group 1	Monthly Average	250	370.4	mg/L	48%	C	5/4/2019	56	\$3,000
265	1070285	10/31/2019	Chloride	Group 1	Monthly Average	200	592.8	mg/L	196%	C	5/4/2019	57	\$3,000
266	1070287	10/31/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,708	mg/L	22%	C	5/4/2019	58	\$3,000
267	1070281	11/30/2019	Chloride	Group 1	Monthly Average	200	564.5	mg/L	182%	C	6/3/2019	48	\$3,000
268	1070284	11/30/2019	Sodium	Group 1	Monthly Average	250	362.5	mg/L	45%	C	6/3/2019	49	\$3,000
269	1070288	11/30/2019	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,615	mg/L	15%	C	6/3/2019	50	\$3,000
270	1070282	12/31/2019	Chloride	Group 1	Monthly Average	200	441	mg/L	121%	C	7/4/2019	42	\$3,000

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271	1070286	12/31/2019	Sodium	Group 1	Monthly Average	250	294	mg/L	18%	C	7/4/2019	43	\$3,000
272	1073523	1/31/2020	Sodium	Group 1	Monthly Average	250	317	mg/L	27%	C	8/4/2019	37	\$3,000
273	1073526	1/31/2020	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,422	mg/L	2%	C	8/4/2019	38	\$3,000
274	1073529	1/31/2020	Chloride	Group 1	Monthly Average	200	422	mg/L	111%	S	8/4/2019	N/A	\$3,000
275	1073524	2/29/2020	Sodium	Group 1	Monthly Average	250	330	mg/L	32%	C	9/2/2019	29	\$3,000
276	1073527	2/29/2020	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,428	mg/L	2%	C	9/2/2019	30	\$3,000
277	1073530	2/29/2020	Chloride	Group 1	Monthly Average	200	423	mg/L	112%	S	9/2/2019	N/A	\$3,000
278	1073525	3/31/2020	Sodium	Group 1	Monthly Average	250	299	mg/L	20%	C	10/3/2019	20	\$3,000
279	1073528	3/31/2020	Chloride	Group 1	Monthly Average	200	432	mg/L	116%	S	10/3/2019	N/A	\$3,000
280	1078032	4/30/2020	Sodium	Group 1	Monthly Average	250	291	mg/L	16%	C	11/2/2019	14	\$3,000
281	1078031	4/30/2020	Chloride	Group 1	Monthly Average	200	334	mg/L	67%	S	11/2/2019	N/A	\$3,000
282	1078027	5/31/2020	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,520	mg/L	9%	C	12/3/2019	13	\$3,000
283	1078029	5/31/2020	Chloride	Group 1	30-Day Average	200	484	mg/L	142%	S	12/3/2019	N/A	\$3,000
284	1078028	5/31/2020	Sodium	Group 1	30-Day Average	250	380	mg/L	52%	S	12/3/2019	N/A	\$3,000

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285	1078033	6/30/2020	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,618	mg/L	16%	C	1/2/2020	14	\$3,000
286	1078030	6/30/2020	Chloride	Group 1	Monthly Average	200	540	mg/L	170%	S	1/2/2020	N/A	\$3,000
287	1078026	6/30/2020	Sodium	Group 1	Monthly Average	250	337	mg/L	35%	C	1/2/2020	14	\$3,000
288	1081179	7/31/2020	Total Dissolved Solids	Group 1	Monthly Average	1,400	1,610	mg/L	15%	C	2/2/2020	14	\$3,000
289	1081184	7/31/2020	Sodium	Group 1	Monthly Average	250	373	mg/L	49%	S	2/2/2020	N/A	\$3,000
290	1081178	7/31/2020	Chloride	Group 1	Monthly Average	200	565	mg/L	183%	S	2/2/2020	N/A	\$3,000
291	1081181	8/31/2020	Sodium	Group 1	Monthly Average	250	287	mg/L	15%	C	3/4/2020	14	\$3,000
292	1081180	8/31/2020	Chloride	Group 1	Monthly Average	200	400	mg/L	100%	S	3/4/2020	N/A	\$3,000
293	1081183	9/21/2020	Un-ionized Ammonia	Group 1	Daily Maximum	0.025	0.046	mg/L	84%	S	3/25/2020	N/A	\$3,000
294	1081182	9/30/2020	Sodium	Group 1	Monthly Average	250	268	mg/L	7%	C	4/3/2020	15	\$3,000
295	1081185	9/30/2020	Chloride	Group 1	Monthly Average	200	358	mg/L	79%	S	4/3/2020	N/A	\$3,000
296	1085215	10/31/2020	Chloride	Group 1	Monthly Average	200	339	mg/L	70%	S	5/4/2020	N/A	\$3,000
297	1085213	10/31/2020	Sodium	Group 1	Monthly Average	250	270	mg/L	8%	C	5/4/2020	15	\$3,000
298	1085216	11/30/2020	Chloride	Group 1	Monthly Average	200	332	mg/L	66%	S	6/3/2020	N/A	\$3,000
299	1085214	12/31/2020	Sodium	Group 1	Monthly Average	250	256	mg/L	2%	C	7/4/2020	12	\$3,000

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300	1085212	12/31/2020	Chloride	Group 1	Monthly Average	200	345	mg/L	73%	S	7/4/2020	N/A	\$3,000
301	1089640	1/31/2021	Chloride	Group 1	Monthly Average	200	331	mg/L	66%	S	8/4/2020	N/A	\$3,000
302	1089642	2/28/2021	Sodium	Group 1	Monthly Average	250	267	mg/L	7%	C	9/1/2020	10	\$3,000
303	1089641	2/28/2021	Chloride	Group 1	Monthly Average	200	315	mg/L	58%	S	9/1/2020	N/A	\$3,000
304	1089643	3/31/2021	Chloride	Group 1	Monthly Average	200	330	mg/L	35%	S	10/2/2020	N/A	\$3,000
305	1092722	4/30/2021	Sodium	Group 1	Monthly Average	250	259	mg/L	4%	C	11/1/2020	8	\$3,000
306	1092724	4/30/2021	Chloride	Group 1	Monthly Average	200	348	mg/L	74%	S	11/1/2020	N/A	\$3,000
307	1092721	5/31/2021	Chloride	Group 1	Monthly Average	200	351	mg/L	76%	S	12/2/2020	N/A	\$3,000
308	1092725	5/31/2021	Sodium	Group 1	Monthly Average	250	258	mg/L	3%	C	12/2/2020	9	\$3,000
309	1092720	6/28/2021	Un-ionized Ammonia	Group 1	Daily Maximum	0.025	0.17	mg/L	580%	S	12/30/2020	N/A	\$3,000
310	1092723	6/30/2021	Chloride	Group 1	Monthly Average	200	344	mg/L	72%	S	1/1/2021	N/A	\$3,000
311	1096224	7/17/2021	Total Suspended Solids	Group 1	Weekly Average	45	48	mg/L	7%	C	1/18/2021	11	\$3,000
312	1096164	7/26/2021	Un-ionized Ammonia	Group 1	Daily Maximum	0.025	0.297	mg/L	1088%	S	1/27/2021	N/A	\$3,000
313	1096168	7/31/2021	Total Suspended Solids	Group 1	Monthly Average	20	30	mg/L	48%	S	2/1/2021	N/A	\$3,000
314	1096167	7/31/2021	Chloride	Group 1	Monthly Average	200	312	mg/L	56%	S	2/1/2021	N/A	\$3,000

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315	1096162	8/31/2021	Total Suspended Solids	Group 1	Monthly Average	20	22	mg/L	8%	C	3/4/2021	12	\$3,000
316	1096165	8/31/2021	Chloride	Group 1	Monthly Average	200	296	mg/L	48%	S	3/4/2021	N/A	\$3,000
317	1096237	9/29/2021	Total Suspended Solids	Group 1	Weekly Average	45	53	mg/L	18%	C	4/2/2021	13	\$3,000
318	1096163	9/30/2021	Total Suspended Solids	Group 1	Monthly Average	20	35	mg/L	75%	S	4/3/2021	N/A	\$3,000
319	1096166	9/30/2021	Chloride	Group 1	Monthly Average	200	306	mg/L	53%	S	4/3/2021	N/A	\$3,000
320	1099864	10/31/2021	Chloride	Group 1	Monthly Average	200	298	mg/L	49%	S	5/4/2021	N/A	\$3,000
321	1099863	11/30/2021	Chloride	Group 1	Monthly Average	200	312	mg/L	56%	S	6/3/2021	N/A	\$3,000
322	1099865	11/30/2021	Total Coliform	Other	Single Sample	2,300	2419	MPN/100	N/A	C	6/3/2021	14	\$3,000
323	1099862	12/31/2021	Chloride	Group 1	Monthly Average	200	272	mg/L	36%	C	7/4/2021	13	\$3,000
324	1103788	1/31/2022	Chloride	Group 1	Monthly Average	200	278	mg/L	39%	C	8/4/2021	10	\$3,000
325	1103789	2/14/2022	Total Coliform	Other	Single Sample	2,300	2,420	MPN/100	N/A	C	8/18/2021	12	\$3,000
326	1103785	2/28/2022	Chloride	Group 1	Monthly Average	200	305	mg/L	52%	S	9/1/2021	N/A	\$3,000
327	1103787	3/31/2022	Chloride	Group 1	Monthly Average	200	310	mg/L	55%	S	10/2/2021	N/A	\$3,000

**Total Penalty: \$981,000**

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Total Mandatory Minimum Penalty Amount for Effluent Violations

$$(97 \text{ Serious Violation} + 230 \text{ Non-Serious Violations}) \times \$3,000 = \$981,000$$

For Group 1 pollutants, a violation is serious when the limit is exceeded by 40 percent or more, and non-serious (referred to as “chronic” in CIWQS) when the limit is exceeded by less than 40 percent.

For Group 2 pollutants, a violation is serious when the limit is exceeded by 20 percent or more, and non-serious when the limit is exceeded by less than 20 percent.

For “Other” (i.e., Other Effluent Violation) pollutants, a violation is non-serious when the limit is exceeded by any amount. For the purposes of MMP enforcement, Other Effluent Violations are not categorized as serious.

Serious violations are subject to a mandatory minimum penalty of \$3,000 each.

Non-serious (also known as chronic) violations are subject to a mandatory minimum penalty of \$3,000 each when four or more occur in any period of six consecutive months (period commencing on the date that one of the violations occurs and ending 180 days after that date). The first three violations in that period are not assessed a mandatory minimum penalty.

**Table A.2: Definitions of Terms**

Term	Definition
CIWQS	California Integrated Water Quality System database used by the Water Boards to manage violation and enforcement activities, as well as other data types relevant to water quality protection.
NPDES	National Pollutant Discharge Elimination System permit program that controls water pollution by regulating point sources that discharge pollutants into waters of the United States.
Violation Number	Identification number assigned to a violation in CIWQS.

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Violation Date	Date that a violation actually occurred, with the exception that for some violation types, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date used is the day the violation was first discovered by staff, the City, or a third party.
Pollutant Types: Group 1 & 2	Groups of pollutants defined in the State Water Resources Control Board Water Quality Enforcement Policy. Also referred to as Category 1 or CAT1 and Category 2 or CAT2, respectively.
Pollutant Type: Other	"Other" refers to "Other Effluent Violation". Group of pollutants other than those included in Group 1 or 2.

## ATTACHMENT B

### SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN COMPLIANCE PROJECT

#### SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R3-2022-0031

#### CITY OF SAN JUAN BAUTISTA WASTEWATER TREATMENT AND RECLAMATION PLANT SAN BENITO COUNTY

**Compliance Project Name:** San Juan Bautista to Hollister Sanitary Sewer Force Main Compliance Project or CP

**Compliance Project Applicant:** City of San Juan Bautista (City)

**Compliance Project Applicant Address:** 311 2<sup>nd</sup> Street, San Juan Bautista, CA 95045 (physical) and P.O. Box 1420, San Juan Bautista, CA 95045 (mailing)

**Contact Person and Title:** Don Reynolds, City Manager

**Contact Phone and Email:** (831) 623-4661 and [citymanager@san-juan-bautista.ca.us](mailto:citymanager@san-juan-bautista.ca.us)

**Compliance Project Description:** The City owns and operates the San Juan Bautista Wastewater Treatment and Reclamation Plant (Facility). The Central Coast Water Board regulates the waste discharged from the Facility pursuant to Order No. R3-2009-0019, National Pollutant Discharge Elimination System (NPDES) Permit CA0047902. The City's Facility has a history of recurring effluent limit exceedances for chlorine, sodium, total suspended solids, total dissolved solids, total coliform, and exceedances for other constituents. On August 20, 2020, an Administrative Order on Consent No. CWA-309(a)-20-007 (AOC) between the United States Environmental Protection Agency (U.S. EPA) and the City went into effect to correct non-compliance with Order No. R3-2009-0019 and the Clean Water Act.

The AOC establishes a timeline for the City to submit and complete a proposed compliance plan. The City hired Stantec Consulting Services, Inc. to prepare a Preliminary Engineering Report. The Preliminary Engineering Report was finalized on December 20, 2021, and included an evaluation of alternatives and a recommended alternative to bring the City's Facility into compliance. The City proposed to implement the Preliminary Engineering Report's recommended alternative to comply with the AOC, which includes:

- 1) Regionalization with the City of Hollister's Domestic Water Reclamation Facility:
  - i. Force Main – Construction of a force main to convey screened raw sewage to the City of Hollister's Domestic Water Reclamation

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Facility for advanced treatment, disposal to land, and water recycling for beneficial reuse.

- ii. San Juan Bautista Facility Modifications and Pumping Systems – Decommission the City’s Facility, conversion of treatment ponds at the City’s Facility to emergency storage ponds for containment in case of a spill or other emergency, and installation of three pumping systems at the City’s Facility: 1) Primary Pump Station to convey wastewater to the City of Hollister’s Domestic Water Reclamation Facility, 2) Storage Pump Station to divert wastewater to emergency storage ponds, and 3) portable drain pumps to return wastewater from the emergency storage ponds to the Primary Pump Station.
- 2) Off-Site Salinity Controls – The City will install off-site salinity controls to reduce the wastewater salinity concentrations being sent to the City of Hollister’s Domestic Water Reclamation Facility. Anticipated controls include implementing an industrial pre-treatment program for agricultural processing facilities, blending well water (very hard water) with San Benito County Water District’s treated surface water (moderately hard water), and implementing a buy-back program for self-regenerating water softeners.

For the purposes of Stipulated Order No. R3-2022-0031 the CP includes the Regionalization with the City of Hollister’s Domestic Water Reclamation Facility project components only, which will henceforth be referred to as the San Juan Bautista to Hollister Sanitary Sewer Force Main Compliance Project or CP. Upon completion of the CP, the City will no longer operate a wastewater treatment plant and will no longer require an NPDES permit to authorize the discharge of its treated wastewater.

The City has completed the following major milestones related to the CP: a signed memorandum of understanding with the City of Hollister, Preliminary Engineering Report, Preliminary Design Report, 100 Percent Submittal Drawings for the Construction of the San Juan Bautista to Hollister Sanitary Sewer Force Main CP, environmental review pursuant to the California Environmental Quality Act and National Environmental Policy Act, Feasibility Study, sewer rate study report and implementation of new rates, and construction cost estimates. Table B.4 identifies the major CP milestones. The AOC and the Stipulated Order requires the City to complete the CP by June 26, 2024.

**Compliance Project Components and Locations:** The CP includes installation of capital improvements at the locations described in Table B.1.

**Table B.1: Compliance Project Components and Locations**

<b>Project Component Category</b>	<b>Improvements</b>	<b>Capacity/ Dimensions</b>	<b>Locations/ Alignments</b>	<b>Limits</b>
Force Main	Force main	Diameter: 8 inches (inner diameter) Length: 39,430 feet	Along San Justo Road, north of Highway 156	From the Facility to Hollister’s Domestic Water Reclamation Facility
Force Main	Casing	Diameter: 42 inches Length: 237 feet	Casing is on the City of Hollister’s Domestic Water Reclamation Facility site, under Highway 156, just north of San Juan Hollister Road	Crossing under Highway 156
San Juan Bautista Facility Modifications and Pumping Systems	Decommission Facility, conversion of treatment ponds to emergency storage ponds, screen replacement, and installation of three pumping systems (i.e., lift stations)	N/A	The Facility	N/A

**Estimated Compliance Project Costs:** The City’s total estimated budget for this CP is \$18,166,200.<sup>7</sup> The City plans to use grant, loan, rate payer revenue, and other local funding sources to pay for the CP. The estimated construction costs for the two project components 1) Force Main, and 2) San Juan Bautista Facility Modifications and Pumping Systems are included in Tables B.2 and B.3.

<sup>7</sup> The estimated total project cost includes approximate costs for work already completed, estimated costs for services not yet completed that are not part of construction, and estimated costs for construction.

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**Table B.2: Force Main Estimated Construction Costs<sup>[1]</sup>**

<b>Item</b>	<b>Estimated Cost</b>
Traffic Control	\$394,000
Demolition	\$239,000
Sitework	\$2,426,000
Force Main and Fittings	\$2,275,000
Ditch Crossing	\$80,000
Pigging Stations	\$120,000
San Benito County Encroachment Permit	\$25,000
Environmental	\$166,000
<b>Total Estimated Construction Cost</b>	<b>\$5,725,000</b>

<sup>[1]</sup> Estimated construction costs from October 29, 2021 Preliminary Design Report and do not include contractor markup or contingencies (e.g., construction material cost increases due to market fluctuations).

**Table B.3: San Juan Bautista Facility Modifications and Pumping Systems Estimated Construction Costs<sup>[1]</sup>**

<b>Item</b>	<b>Estimated Cost</b>
Bypass Pumping	\$6,000
Demolition	\$59,000
Miscellaneous Sitework	\$78,000
Primary Pumps, Piping, and Ancillary	\$539,000
Monorail Crane	\$70,000
Fiberglass Wet Well <sup>[2]</sup>	\$271,000
Storage Pumps, Piping, and Ancillary	\$153,000
Sump Pump, Piping, and Ancillary	\$34,000
Miscellaneous Piping, Fittings, and Ancillary	\$31,000
Screen	\$132,000
Miscellaneous Concrete	\$18,000
Miscellaneous Metals	\$12,000
Electrical and Instrumentation <sup>[2]</sup>	\$768,000
<b>Total Estimated Construction Cost</b>	<b>\$2,171,000</b>

<sup>[1]</sup> Estimated construction costs from October 29, 2021 Preliminary Design Report and do not include contractor markup or contingencies (e.g., construction material cost increases due to market fluctuations).

<sup>[2]</sup> The City proposes to use the Compliance Project Amount (CP Amount) to fund the San Juan Bautista Facility Modifications and Pumping Systems fiberglass wet well and electrical and instrumentation work. The costs for the fiberglass wet well and electrical and instrumentation work will not be paid for by grant funds. See Tables B.5 and B.6 for more details.

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**Compliance Project Milestones:** Table B.4 includes remaining CP milestones and associated completion dates.

**Table B.4: Summary of Remaining Project Milestones**

Milestone	Completion Date
<b>Pre-Construction</b>	
Obtain all Environmental and Encroachment Permits	02/14/2023
Advertise for Construction Bid	02/15/2023
<b>Construction</b>	
Award Construction Contract	03/15/2023
Issue Notice to Proceed	06/07/2023
30 percent Project Completion	11/15/2023
60 percent Project Completion	01/15/2024
Substantial Construction Complete (Start-up Force Main)	04/10/2024
Punch List Resolution	06/12/2024
Project Completion	06/26/2024

**Compliance Project Amount:** The suspended liability amount of \$696,000 (CP Amount) associated with Stipulated Order No. R3-2022-0031 will be used to fund the CP.

**Portion of Compliance Project Funded by CP Amount:** The City proposes to use the CP Amount to fund the Primary Pump Station fiberglass wet well and electrical and instrumentation components of the San Juan Bautista Facility Modifications and Pumping Systems portion of the CP. Table B.5 includes tasks and task descriptions and Table B.6 includes the estimated total costs and completion dates for the San Juan Bautista Facility Modifications and Pumping Systems fiberglass wet well and electrical and instrumentation components.

**Table B.5: San Juan Bautista Facility Modifications and Pumping Systems Fiberglass Wet Well and Electrical and Instrumentational Components Funded by CP Amount – Task Descriptions**

Project Tasks	Project Task Descriptions
Task 1: Primary Pump Station Fiberglass Wet Well – Procurement and Installation	Task 1 includes the following related to the new fiberglass wet well for the Primary Pump Station: excavating, sheeting, shoring to provide a safe workspace, constructing the base slab for the wet well, procuring and placing the fiberglass wet well on the new base, connecting the new sewer force main to the wet well, backfilling the wet well excavation, and placing new concrete at grade for the completed wet well facility. The Primary Pump Station wet well will be 10-foot diameter, 17-foot deep prefabricated fiberglass with an aluminum top cover plate with hinged access cover and frame with safety grating. The finished grade of the new concrete work for the Primary Pump Station will be at ground elevation and match the grade of the Storage Pump Station. The Primary Pump Station and Storage Pump Station wet wells will be approximately five feet apart.
Task 2: Electrical and Instrumentation	Task 2 is for the electrical and instrumentation work to power, monitor, and control the three pumping systems.
Task 2.a: Electrical and Instrumentation – Conduit and Long Lead Time Orders	Electrical and Instrumentation Task 2.a occurs early in the CP construction (primarily during the initial grading, excavation/trenching, structure development, and paving construction stages) where the wet well and piping excavation and placement occurs. Task 2.a includes placing electrical and data conduit (i.e., piping to protect electrical and data lines) and pull boxes (i.e., structures for pulling wire through conduit), coordinating with Pacific Gas and Electric (PG&E) related to the new electrical services, developing submittals for City review and approval, and ordering electrical and instrumentation gear (including the main switch gear, motor control centers, control panels, the standby generator, and Supervisory Control and Data Acquisition (SCADA) gear) that have a long lead time (i.e., take longer to fabricate and ship).

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<b>Project Tasks</b>	<b>Project Task Descriptions</b>
Task 2.b: Electrical and Instrumentation – Set Equipment and Pull Wire	Electrical and Instrumentation Task 2.b will commence after Task 2.a work is complete. Task 2.b includes connecting electrical wires and data cables to any equipment that is available at this phase of the project, installing electrical-related equipment (e.g., control panels, motor control centers), and pulling electrical wires and data cables through the conduit and pull boxes. Task 2.b also includes initial Programmable Logic Controllers (PLC) and SCADA programming and preparatory work for the final installation and start-up phase of the CP.
Task 2.c: Electrical and Instrumentation – Set Control Panels, Land Wires, PLC and SCADA Programing, Start-up	Electrical and Instrumentation Task 2.c includes receipt of the long lead time equipment ordered in Electrical and Instrumentation Tasks 2.a, installing the long lead time equipment, landing all electrical wires and data cables (i.e., connecting all wires and cables to devices and equipment to provide power, control, and monitoring), connecting PLC and SCADA instrumentation, uploading control programming, initiating start-up of electrical and instrument equipment (e.g., equipment programed to turn on and off at specific water elevations, pressure set points and triggers alarms when parameters out of line), and troubleshooting for individual equipment and controls and the pumping systems overall.

**Table B.6: San Juan Bautista Facility Modifications and Pumping Systems Fiberglass Wet Well and Electrical and Instrumentational Components Funded by CP Amount – Estimated Costs and Completion Dates**

<b>Project Tasks</b>	<b>Total Estimated Costs<sup>[1]</sup></b>	<b>Completion Date</b>
Task 1: Primary Pump Station Fiberglass Wet Well – Procurement and Installation	\$271,000	04/10/2024
Task 2.a: Electrical and Instrumentation – Conduit and Long Lead Time Orders	\$250,000	11/15/2023
Task 2.b: Electrical and Instrumentation – Set Equipment and Pull Wire	\$150,000	01/15/2024
Task 2.c: Electrical and Instrumentation – Set Control Panels, Land Wires, PLC and SCADA Programing, Start-up	\$368,000	04/10/2024
<b>Total Estimated Cost</b>	<b>\$1,039,000</b>	

<sup>[1]</sup> The City will direct the CP Amount to fund project tasks outlined in this table. The City may also direct funds from CP Amount to cover CP report writing.

**Compliance Project Reporting:** The City must prepare and submit quarterly progress reports (Quarterly Reports) and a final report with a certified statement of CP completion (Certification of CP Completion), pursuant to the schedule detailed in Table B.7, and as described in Section III, paragraph 5(i) of Stipulated Order No. R3-2022-0031. The City must submit all reports to the Central Coast Water Board’s contact, Tamara Anderson, via email at [Tamara.Anderson@waterboards.ca.gov](mailto:Tamara.Anderson@waterboards.ca.gov).

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**Table B.7: Project Reporting**

#	Report Type	Timeframe and Milestones Covered <sup>[1]</sup>	Due Date <sup>[2]</sup>
1	<b>Quarterly Report</b>	2022 3rd Quarter Report	November 1, 2022
2	<b>Quarterly Report</b>	2022 4th Quarter Report	February 1, 2023
3	<b>Quarterly Report</b>	2023 1st Quarter Report	May 1, 2023
4	<b>Quarterly Report</b>	2023 2nd Quarter Report	August 1, 2023
5	<b>Quarterly Report</b>	2023 3rd Quarter Report	November 1, 2023
6	<b>Quarterly Report</b>	2023 4th Quarter Report	February 1, 2024
7	<b>Quarterly Report</b>	2024 1st Quarter Report	May 1, 2024
8	<b>Quarterly Report</b>	2024 2nd Quarter Report	July 26, 2024
9	<b>Certification of Project Completion</b>		July 26, 2024

<sup>[1]</sup> 1st Quarter Report covers January, February, March; 2nd Quarter Report covers April, May, June; 3rd Quarter Report covers July, August, September; and 4th Quarter Report covers October, November, December.

<sup>[2]</sup> If a due date lands on a weekend or California state holiday, the City shall submit the report no later than the next business day.