

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
NORTH COAST REGION

NOTICE OF PROPOSED SETTLEMENT WITH  
NORTH BAY CONSTRUCTION

FOR VIOLATIONS ALLEGED IN  
COMPLAINT NO. R1-2011-0048

WRITTEN COMMENTS ARE DUE NO LATER THAN  
**5:00 P.M., on November 20, 2013**

On or around November 22, 2013, the Executive Officer of the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) will consider approval of a proposed settlement with North Bay Construction (Discharger) to resolve violations associated with a release of untreated wastewater from the municipal wastewater collection system for the City of Sebastopol into the Laguna de Santa Rosa, a discharge subject to penalties alleged in Complaint No. R1-2011-0048. The Complaint proposed that the Regional Water Board assess penalties in the amount of \$519,990 for violations of Water Code sections 13350 or 13385. The Discharger and the Prosecution Team have entered into a tentative settlement for this matter, and have agreed to jointly seek the Executive Officer's approval of that settlement through the adoption of proposed Settlement Agreement and Stipulation for entry of Administrative Civil Liability Order, No. R1-2013-0067 (Proposed Order), imposing a penalty of \$85,725. The proposed Order and related documents are available at:

[http://www.waterboards.ca.gov/northcoast/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/)

Persons may comment on the proposed settlement by submitting written comments so that they are received no later than 5:00 p.m. on November 20, 2013. Comments can be submitted by email to Diana Henriouille, at [diana.henriouille@waterboards.ca.gov](mailto:diana.henriouille@waterboards.ca.gov). Written comments should include "ACL Complaint No. R1-2011-0048" in the subject line. In the event that comments received during the public comment period warrant a hearing before the Regional Water Board, said hearing will be duly noticed on the Regional Water Board's website for a subsequent Board meeting. In absence of substantive comments warranting a hearing, the Stipulated Order is expected to be signed by the Executive Officer and become a final Order.

David F. Leland, P.E.  
Assistant Executive Officer (Acting)

October 24, 2013

131024\_North\_Bay\_Sebastopol\_spill\_Stipulated\_Order