

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Michael T. Chee)
MEETING DATE: January 19, 2005

ITEM: 8

SUBJECT: **City of Palo Alto, Regional Water Quality Control Plant, Santa Clara County –**
Hearing to Consider Mandatory Minimum Penalty for Discharge of Partially Treated
Wastewater to Waters of the State

CHRONOLOGY: September 2000 – Mandatory Minimum Penalty (MMP)
September 2001 - MMP
April 2002 - MMP
February 2003 - MMP

DISCUSSION: The City of Palo Alto violated its NPDES effluent limits on five occasions during the
period between January and August 2000. These violations were for chlorine residual and
total coliform. The five violations are subject to a total MMP of \$15,000.

Palo Alto has signed a waiver to a Water Board hearing (Appendix B), and intends to
undertake a supplemental environmental project (SEP). The proposed SEP is a
supplemental funding for the San Francisquito Watershed Council Stormwater Retrofit
Demonstration Project. The project will retrofit two sites (one residential and one non-
residential site) to reduce the impacts of urbanization. The retrofits will include such
measures as vegetated swales, permeable pavers, and parking lot infiltration islands. The
model sites will then be used to educate the community about “watershed friendly”
building and landscape designs. The attached complaint proposes civil liability in the
amount of \$15,000, all of which may be suspended to fund the SEP.

This is not a contested item, but Palo Alto is unhappy with our assessment of MMPs for
these violations that previous MMPs inadvertently missed, and will express their views to
the Water Board at the hearing. Palo Alto submitted comments to the Complaint (see
Appendix C), which have been addressed by Water Board staff (see Appendix D). Though
they disagree with the MMP Complaint, they have waived the Complaint so that they can
move forward with an SEP. Our historical practice of tying an SEP with a waiver is
another issue they will bring up.

RECOMMEN-
DATION: No action required.

File No.: 2189.8011 (MTC)

Appendix: A. Complaint No. R2-2004-0070
B. Signed Waiver
C. Correspondence
D. Response to Comments

Appendix A

Appendix B

Appendix C

Appendix D