

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION**

**- NOTICE OF WRITTEN COMMENT PERIOD -  
TENTATIVE  
SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF  
ADMINISTRATIVE CIVIL LIABILITY  
ORDER NO. R9-2015-0047**

**IN THE MATTER OF SEDIMENT DISCHARGES FROM  
CITY OF ENCINITAS AND USS CAL BUILDERS, INC.  
DURING CONSTRUCTION OF THE HALL PROPERTY PARK  
ENCINITAS, SAN DIEGO COUNTY**

**TENTATIVE ORDER**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), or its delegate, is considering the adoption of Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (Stipulated Order) No. R9-2015-0047. The Stipulated Order is a settlement agreement between the City of Encinitas (City) and the San Diego Water Board's Prosecution Team (together, Parties) to address liability associated with the Municipal and Construction Storm Water violations alleged in Administrative Civil Liability Complaint [No. R9-2013-0152](#) (Complaint).

To resolve the alleged violations without formal administrative proceedings, the City has agreed to the imposition of the full penalty amount assessed in the Complaint (\$430,851), with \$206,393 of suspended liability upon the successful completion of a Supplemental Environmental Project (SEP) for habitat restoration in the San Elijo Lagoon Ecological Reserve. The SEP is further detailed as an attachment to the Stipulated Order.

The Parties have prepared the Stipulated Order in accordance with the State Water Resources Control Board [Enforcement Policy](#) and the [Policy on Supplemental Environmental Projects](#).

**WRITTEN COMMENT PERIOD**

The San Diego Water Board is accepting written comments on the Stipulated Order. **Written comments are due by 5:00 p.m. on May 13, 2015.** Written comments should be submitted electronically to [SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov) in text searchable PDF format, with the subject heading "**R9-2015-0047 comments rstewart: 222765.**"

**DOCUMENT AVAILABILITY**

A copy of the Stipulated Order, and all supporting documentation is available for download from the San Diego Water Board's website at:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/compliance/acl\\_complaints.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/compliance/acl_complaints.shtml)

**CONTACT INFORMATION**

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