

## SUMMARY OF WATER QUALITY ORDER

<b>ORDER NO.</b>	WQ 2007-0008
<b>DATE ADOPTED</b>	September 4, 2007
<b>PETITION TITLE</b>	In the Matter of the Petition of City of Santa Cruz for Review of Administrative Civil Liability Order No. R3-2005-0067 for City of Santa Cruz DeLaveaga Golf Course
<b>POPULAR NAME</b> <i>[if applicable]</i>	City of Santa Cruz
<b>REGIONAL BOARD</b>	Central Coast Regional Water Quality Control Board
<b>FILE NO[S]</b>	SWRCB/OCC File A-1712

### NON-PRECEDENTIAL DECISION

The City of Santa Cruz (City) operates the DeLaveaga Golf Course. The City obtained coverage under the Statewide Stormwater Permit for construction but violated some of its provisions during construction activities. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) imposed administrative civil liability in the amount of \$130,050, pursuant to section 13385 of the Water Code. The Central Coast Water Board did not specifically consider inclusion of a supplemental environmental project (SEP) when it considered and adopted the Order.

The City filed a petition asserting that the Central Coast Water Board improperly failed to consider requiring a SEP before issuing the Order. After settlement discussions, the Central Coast Water Board agreed to inclusion of the SEP in the Order. Because of the way the civil liability statute is phrased, the Central Coast Water Board does not have jurisdiction to rescind or modify the Order after its issuance and only the State Water Resources Control Board (State Water Board) retains administrative jurisdiction to do so. In order to effectuate the settlement, the State Water Board vacated the Order and remanded it to the Central Coast Water Board for further consideration, in accordance with the settlement agreement.