

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

In the Matter of:

ORDER R5-2020-0511 (Proposed)

**PARADISE IRRIGATION DISTRICT  
WATER TREATMENT PLANT  
BUTTE COUNTY**

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

**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 Assistant Executive Officer of the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board or Water Board), on behalf of the Central Valley Water Board Prosecution Team (Prosecution Team), and Paradise Irrigation District (Discharger)(collectively known as the Parties) and is presented to the Central Valley Water Board, or its delegee, for adoption as an order by settlement, pursuant to California Water Code section 13323 and Government Code section 11415.60.

**II. Recitals**

2. On 27 May 2010, the Central Valley Water Board issued WDRs Order R5-2010-0057, which contained new requirements and rescinded WDRs Order R5-2004-0144, except for enforcement purposes. WDRs Order R5-2010-0057 was effective on 27 May 2010 and contained, in part, new final effluent limitations for aluminum and dichlorobromomethane (DCBM).
3. On 27 May 2010, the Central Valley Water Board issued TSO R5-2010-0058. TSO R5-2010-0058 established interim effluent limitations for DCBM and required the Discharger to comply with final effluent limitations for DCBM by 27 May 2015.
4. On 17 April 2015, the Central Valley Water Board issued Order R5-2015-0050 amending TSO R5-2010-0058. Amended TSO R5-2010-0058-01 extended interim effluent limitations for DCBM and established new interim effluent limitations for aluminum. The Discharger was required to achieve full compliance with final effluent limitations for DCBM and aluminum by 1 January 2018.

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5. On 8 December 2017, the Central Valley Water Board issued Order R5-2017-0121 amending TSO R5-2010-0058-01. Amended TSO R5-2010-0058-02 extended the date for compliance with final DCBM and aluminum effluent limitations to April 2020.
6. WDR Order R5-2010-0057 includes the following final effluent limitations:

**Table 6. – Final Effluent Limitations**

<b>Parameter</b>	<b>Units</b>	<b>Average Monthly Effluent Limitation</b>	<b>Maximum Daily Effluent Limitation</b>
Dichlorobromomethane	µg/L	0.56	1.12
Aluminum	µg/L	77.2	123

7. TSO Order R5-2010-0058-02 includes the following interim effluent limitations:

<b>Parameter</b>	<b>Units</b>	<b>Interim Maximum Daily Effluent Limitation</b>	<b>Interim Maximum Daily Effluent Limitation</b>
Dichlorobromomethane	µg/L	3.0	3.0
Aluminum	µg/L	790	790

8. Water Code section 13385, subdivisions (h) and (i) require assessment of mandatory penalties 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

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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) 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

9. According to the Discharger's self-monitoring reports, the Discharger exceeded the interim limits for DCBM and aluminum contained in TSO R5-2010-0058-02 and thus committed two (2) serious Group I violations and two (2) serious Group II violations of the above final effluent limitations contained in WDRs Order 2010-0057 as shown in Attachment A. The two (2) serious Group I violations are defined as serious because the measured concentration of the Group I constituents exceeded maximum prescribed levels by more than 40 percent. The two (2) serious Group II violations are defined as serious because the measured concentration of the Group II constituents exceeded maximum prescribed levels by more than 20 percent. The mandatory minimum penalty for these violations is **twelve thousand dollars (\$12,000)**.
10. The total amount of the mandatory minimum penalties assessed for the alleged effluent violations is **twelve thousand dollars (\$12,000)**. As stated herein, a detailed list of the alleged effluent violations is included in the Record of Violations (Attachment A), which is incorporated herein.

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11. On 10 September 2019, Central Valley Water Board staff issued the Discharger a Notice of Violation (NOV) for aluminum and DCBM effluent violations that occurred between 5 December 2016 and 30 June 2019. On 3 October 2019, the Discharger responded to the NOV and requested that the MMPs be applied toward a compliance project to offset the MMPs, as allowed by Water Code section 13385(k).

12. Water Code section 13385 (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 10,000 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.

13. Under the State Water Resources Control Board’s Water Quality Enforcement Policy (Enforcement Policy), a publicly owned treatment work (POTW) serving a small community is a POTW serving a community that has a financial hardship and has a population of 10,000 or fewer people or lies completely within one or more rural counties.

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14. Under the Enforcement Policy, “financial hardship” means that the community served by the POTW meets one of the following criteria:
  - A) Median household income for the community is less than 80 percent of the California median household income.
  - B) The community has an unemployment rate of 10 percent or greater, or
  - C) Twenty percent of the population is below the poverty level.
15. The Central Valley Water Board finds the Discharger is eligible for a Compliance Project because the Facility is a publicly owned treatment works serving a small community with a financial hardship. Prior to the Camp Fire, the Discharger served a population of 26,218 with a median household income (MHI) of \$48,831 which is 73% of the statewide MHI, according to the 2013-2017 American Community Survey 5-Year Estimates.
16. On 3 October 2019, in response to the NOV, the Discharger requested that the MMPs be applied toward a Mixing Zone Study (Compliance Project). The purpose of the Compliance Project was to investigate if the dynamics of the discharge and receiving water would be suitable to allow for consideration of dilution credits for aluminum and DCBM, thereby offering a pathway for the Discharger to be in compliance with future effluent limits for these constituents. Additional information and requirements for the compliance project is contained in Attachment B of this Order.
17. 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 Valley 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 without further administrative proceedings, the Parties have agreed to the imposition of an administrative civil liability (ACL) in the amount of **twelve thousand dollars (\$12,000)** in MMPs against the Discharger.
18. The Central Valley Water Board Prosecution Team believes that the resolution of the alleged violations is fair and reasonable and fulfills its enforcement objectives, that no further action is warranted concerning the violations alleged herein, and that this Stipulated Order is in the best interest of the public.

### III. Stipulations

The Parties stipulate to the following:

19. **Jurisdiction:** The Parties agree that the Central Valley Water Board has subject matter jurisdiction over the matters alleged in this action and personal jurisdiction of the Parties to this Stipulation.
20. **Administrative Civil Liability:**
  - A) The Discharger hereby agrees to the imposition of an ACL in the amount of **twelve thousand dollars (\$12,000)** to the Central Valley Water Board to resolve the violations alleged in Attachment A to this Order. The ACL was spent in accordance with the Compliance Project described in Attachment B.
  - B) The entire **twelve thousand-dollar (\$12,000)** penalty has been satisfied through the completion of the Compliance Project described in Attachment B. In accordance with Water Code section 13385(k), the ACL of \$12,000 shall be permanently suspended upon adoption of this Order.
21. **Compliance Project:** The Discharger understands that the completed Compliance Project is a material condition of this settlement of liability between the Discharger and the Central Valley Water Board Prosecution Team. The project qualified as a Compliance Project within the meaning of Water Code section 13385 (k) because it determined that assimilative capacity is available and a mixing zone exists in the receiving water for aluminum and DCBM, thereby offering a pathway for the Discharger to be in compliance with future effluent limits for these constituents.
22. **Compliance Project Budget:** The amount that the Discharger has expended on the Compliance Project is in excess of the MMP that the Water Board is required to assess under Water Code sections 13385(h) for the violations listed in Attachment A of this Order.
23. **Third Party Financial Audit of Compliance Project:** At the written request of the Central Valley Water Board, the Discharger, at its sole cost, shall submit a report prepared by an independent third party(ies) acceptable to the Central Valley Water Board providing such party's(ies') professional opinion that the Discharger has expended money in the amounts claimed by the Discharger. The

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written request shall specify the reasons why the audit is being requested. The audit report shall be provided to the Central Valley Water Board within six (6) months of notice from the Central Valley Water Board to the Discharger of the need for an independent third-party audit. The audit need not address any costs incurred by the Central Valley Water Board for oversight.

**24. Compliance with Applicable Laws and Regulatory Changes:** The Discharger understands that payment of an ACL 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 it to further enforcement, including additional ACLs. Nothing in this Stipulated Order shall excuse the Discharger from meeting any more stringent requirements which may be imposed hereafter by changes in applicable and legally binding legislation or regulations.

**25. Party Contacts for Communications Related to Stipulated Order:**

FOR THE CENTRAL VALLEY WATER BOARD:

Michael Collins, Water Resource Control Engineer  
NPDES Unit  
364 Knollcrest Drive, Suite 205  
Redding, CA 96002  
(530) 224-4785  
[Michael.Collins@waterboards.ca.gov](mailto:Michael.Collins@waterboards.ca.gov)

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FOR THE DISCHARGER:

William L. Taylor, Operations Supervisor  
Paradise Irrigation District  
6332 Clark Road  
Paradise, CA 95969  
[btaylor@paradiseirrigation.com](mailto:btaylor@paradiseirrigation.com)

26. **Attorney's Fees and Costs:** Except as otherwise provided herein, each Party shall bear all attorneys' fees and costs arising from the Party's own counsel in connection with the matters set forth herein.
27. **Public Notice:** The Discharger understands that this Stipulated Order will be noticed for a 30-day public review and comment period prior to consideration by the Central Valley Water Board, or its delegee. If significant new information is received that reasonably affects the propriety of presenting this Stipulated Order to the Central Valley Water Board, or its delegee, for adoption, the Assistant Executive Officer may unilaterally declare this Stipulated Order void and decide not to present it to the Central Valley Water Board, or its delegee. The Discharger agrees that it may not rescind or otherwise withdraw its approval of this proposed Stipulated Order.
28. **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. 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 as necessary or advisable under the circumstances.
29. **No Waiver of Right to Enforce:** The failure of the Prosecution Team or Central Valley Water Board to enforce any provision of this Stipulated Order shall 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 Prosecution Team or Central Valley Water Board to enforce any such provision shall 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 shall be construed to relieve any Party regarding matters covered in this Stipulated Order. The Central Valley Water Board reserves all rights to take additional enforcement actions, including



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without limitation, the issuance of ACL complaints or orders for violations other than those addressed by this Order.

30. **Effect of 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 Valley Water Board or any state agency, department, board or entity or any local agency from exercising its authority under any law, statute, or regulation.
31. **Interpretation:** This Stipulated Order shall not be construed against the party preparing it but shall be construed as if the Parties jointly prepared it and any uncertainty and ambiguity shall not be interpreted against any one party.
32. **Modification:** This Stipulated Order shall not be modified by any of the Parties by oral representation whether made before or after the execution of this Order. All modifications must be made in writing and approved by the Central Valley Water Board or its delegee.
33. **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.
34. **If Order Does Not Take Effect:** In the event that this Stipulated Order does not take effect because it is not approved by the Central Valley Water Board, or its delegee, or is vacated in whole or in part by the State Water Board or a court, the Parties acknowledge that the Prosecution Team may proceed to a contested evidentiary hearing before the Central Valley Water Board to determine whether to assess an ACL for the underlying alleged violations, 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; Rule 408, Federal Rules of Evidence; 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 Valley 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

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Valley 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 period that the Order or decision by settlement may be subject to administrative or judicial review.

35. **Waiver of Hearing:** The Discharger 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 Valley Water Board.

36. **Waiver of Right to Petition:** The Discharger hereby waives the right to petition the Central Valley Water Board's adoption of the Stipulated Order as written for review by the State Water Resources Control Board, and further waives the right, if any, to appeal the same to a California Superior Court and/or any California appellate level court.

37. **Covenant Not to Sue:** Upon the effective date of this Stipulated Order, the Discharger shall and does release, discharge, and covenant not to sue or pursue any civil or administrative claims against any State Agency or the State of California, its officers, agents, directors, employees, attorneys, representatives, for any and all claims or cause of action, which arise out of or are related to this action.

38. **Water Boards Not Liable:** Neither the Central Valley Water Board members, nor the Central Valley 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 Discharger or its respective directors, officers, employees, agents, representatives, or contractors in carrying out activities pursuant to this Order, nor shall the Central Valley Water Board, its members, staff, attorneys, or representatives be held as parties to or guarantors of any contract entered into by the Discharger, or its directors, officers, employees, agents, representatives, or contractors in carrying out activities pursuant to this Order.

39. **Authority to Bind:** Each person executing this Stipulated Order in a representative capacity represents and warrants that he or she is authorized to

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execute this Order on behalf of and to bind the entity on whose behalf he or she executes the Order.

40. **Necessity for Written Approvals:** All approvals and decisions of the Central Valley Water Board under the terms of this Stipulated Order shall be communicated to the Discharger in writing. No oral advice, guidance, suggestions, or comments by employees or officials of the Central Valley Water Board regarding submissions or notices shall be construed to relieve the Discharger of its obligation to obtain any final written approval required by this Stipulated Order.
41. **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.
42. **Severability:** This Stipulated Order is severable; should any provision be found invalid the remainder shall remain in full force and effect.
43. **Effective Date:** This Stipulated Order shall be effective and binding on the Parties upon the date the Central Valley Water Board, or its delegee, enters the Order.
44. **Counterpart Signatures:** This Order may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document.

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**IT IS SO STIPULATED.**

California Regional Water Quality Control Board Prosecution Team  
Central Valley Region

By: ORIGINAL SIGNED BY  
Clint E. Snyder, P.G.  
Assistant Executive Officer

3/10/2020  
Date

Paradise Irrigation District

By: ORIGINAL SIGNED BY  
William L. Taylor  
Operations Supervisor

3/9/2020  
Date

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**HAVING CONSIDERED THE PARTIES STIPULATIONS, THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD, BY AND THROUGH ITS EXECUTIVE OFFICER, FINDS THAT:**

1. The foregoing Stipulation is fully incorporated herein and made part of this Order.
2. This is an action to enforce the laws and regulations administered by the Central Valley Water Board. The Central Valley Water Board finds that issuance of this 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.
3. The Executive Officer of the Central Valley Water Board is authorized to refer this matter directly to the Attorney General for enforcement if the Discharger fails to perform any of its obligations under this Order.

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

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Patrick Pulupa, Executive Officer

Enclosures (2):  
Attachment A: Record of Violations  
Attachment B: Compliance Project Description

**R5-2020-0511 - ATTACHMENT A  
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

**PARADISE IRRIGATION DISTRICT  
WATER TREATMENT PLANT**

RECORD OF VIOLATIONS (5 December 2016 – 30 June 2019) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Programs R5 2010-0057)

The following table lists the alleged violations subject to mandatory minimum penalties (MMPs), pursuant to Water Code section 13385(h) and (i).

**Table A - Violations subject to mandatory minimum penalties**

<b>Item</b>	<b>Date</b>	<b>Parameter</b>	<b>Units</b>	<b>Limit</b>	<b>Measured</b>	<b>Period</b>	<b>Violation Type</b>	<b>MMP Type</b>	<b>CIWQS</b>
1	5-Dec-16	Dichlorobromomethane	µg/L	0.56	3.3	MDEL	CAT 2	SIG	1017991
2	31-Dec-16	Dichlorobromomethane	µg/L	1.12	3.3	AMEL	CAT 2	SIG	1024349
3	2-Jan-19	Aluminum, Total Recoverable	µg/L	123	1020	MDEL	CAT 1	SIG	1056649
4	31-Jan-19	Aluminum, Total Recoverable	µg/L	77.2	1020	ADEL	CAT 1	SIG	1056717

**EXPEDITED PAYMENT AMOUNT VIOLATIONS SUMMARY:**

<b><u>VIOLATIONS AS OF:</u></b>	<b><u>1/31/2019</u></b>
Group I Serious Violations:	2
Group II Serious Violations:	2
Non-Serious Violations Not Subject to MMPs:	0
<u>Non-serious Violations Subject to MMPs:</u>	<u>0</u>

**R5-2020-0511 - ATTACHMENT A  
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

**Total Violations Subject to MMPs: 4**

**Mandatory Minimum Penalty Amount for Effluent Limit Violation(s)**

2 Serious Group I Violation(s) x \$3,000 Violation = \$6,000

2 Serious Group II Violation(s) x \$3,000 Violation = \$6,000

**Total Expedited Mandatory Minimum Penalty = \$12,000**

**R5-2020-0511 - ATTACHMENT A**  
**RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

**Table A - Definitions**

<b>Abbreviation</b>	<b>Description</b>
CAT 1	Violation of effluent limitation for Group I pollutant.
CAT 2	Violation of effluent limitation for Group II pollutant
CHRON	Chronic violation as defined by Water Code section 13385 (i). Any non-serious violation that falls within a 180-day period with three preceding violations. Thus, the fourth non-serious violation that occurs within a 180-day period is subject to MMPs.
CIWQS	<a href="https://www.waterboards.ca.gov/water_issues/programs/ciwqs/">California Integrated Water Quality System</a> ( <a href="https://www.waterboards.ca.gov/water_issues/programs/ciwqs/">https://www.waterboards.ca.gov/water_issues/programs/ciwqs/</a> )
CTOX	Violation of chronic toxicity effluent limitation.
DREP	Deficient reporting violation. This will only result in MMPs if the report is so deficient as to make determination of compliance impossible for the reporting period.
LREP	Late Reporting violation. Every 30-Days a report is late counts as one serious late reporting violation subject to MMPs.
Measured	Reported value for the monitoring period by the Discharger.
MMP Type	Classification of the type of MMP violation.
Occurrence Date	Date that a violation occurred. For averaging period limitation violations, such as weekly and monthly averages, the last day of the reporting period is used such as last day of the week (Saturday) and last day of the month, respectively.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
NCHRON	Non-serious violation falls within the first three violations in a 180-day period, thus, not subject to MMP.
SIG	Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more. For Group II pollutants that exceed the effluent limitation by 20 percent or more.



**R5-2020-0511 - ATTACHMENT B  
COMPLIANCE PROJECT DESCRIPTION**

**Project Title:** Mixing Zone Study

**Geographic Area of Interest:** Magalia Reservoir, Magalia, CA

**Name of Responsible Entity:** Paradise Irrigation District

**Contact Information:**

William L. Taylor  
6332 Clark Rd.  
Paradise, CA 95969  
(530)-876-2060

**Project Description:**

The purpose of the Mixing Zone Study was to determine if the receiving water had assimilative capacity for aluminum and DCBM, and if so, to model mixing zone sizes and associated dilution credits. Additionally, follow-up confirmation sampling within the mixing zone was performed to verify the mixing zone model results.

**Project Results:**

The mixing zone study concluded that the ultimate dilution ratio of receiving water to effluent was approximately 19:1, and that there was sufficient assimilative capacity for aluminum and dichlorobromomethane to allow for a mixing zone and dilution credits to achieve compliance with final effluent limits. Therefore, the Mixing Zone Study satisfies Water Code section 13385 (k)(a).

**Estimated Cost of Project Completion:**

The total cost of the Mixing Zone Study was \$60,690; however, of this amount, ACLO R5-2019-0500 suspended \$18,000 in mandatory minimum penalties that occurred between January 2016 and October 2016. This leaves up to \$42,690 available to suspend the \$12,000 in mandatory minimum penalties as described in Attachment A of this Order. \$42,690 is greater than \$12,000; thus, the Compliance Project satisfies Water Code section 13385 (h).

**Water body, beneficial use and/or pollutant addressed by this project:**

The receiving water body is Magalia Reservoir/Butte Creek, which has the following beneficial uses: Municipal and domestic supply (MUN); agricultural supply, including irrigation and stock watering (AGR); hydropower generation (POW); water contact recreation (REC-1); noncontact water recreation (REC-2); warm freshwater habitat (WARM); cold freshwater habitat (COLD); migration of aquatic organisms, warm and cold (MIGR); spawning, reproduction, and/or early development, warm and cold

**R5-2020-0511 - ATTACHMENT B  
COMPLIANCE PROJECT DESCRIPTION**

(SPWN); and wildlife habitat (WILD). The Pollutants addressed by this project are Aluminum and DCBM.

**Final Report:**

The Discharger submitted the final Mixing Zone Study to the Central Valley Water Board on 27 March 2018. Furthermore, on 14 December 2018, the Discharger submitted a confirmation sampling report to the Central Valley Water Board, which validated the Mixing Zone Study results.