

## **Administrative Liability Methodology Summary**

### **INTRODUCTION**

The City of Laguna Beach (Discharger or City) operates and maintains a sewage collection system that serves and is funded by a population of approximately 18,000, with up to 6 million visitors a year. The sewage collection system consists of 9 miles of transmission mains, 86 miles of gravity sewers, and 25 lift stations. The most current information provided by the Discharger to the California Integrated Water Quality System (CIWQS) cites an annual sewage collection system operation and maintenance budget of \$5,455,300 and an annual capital expenditure budget of \$7,266,000.

The transmission system that transports sewage collected by the Discharger for treatment and disposal is referred to as the north coast interceptor (NCI). The NCI consists of two (of the 25) lift stations, three miles of trunk line on the north side of the City and four miles of pipeline to the south. The NCI varies in material type, constructed of both 27-inch fiberglass reinforced pipe as well as 24-inch asbestos cement pipe. The NCI currently has no redundancy to reroute sewage from the line in the event of a failure and has limited ability for inspection and maintenance. The NCI transports approximately 2 million gallons of untreated sewage a day to the South Orange County Wastewater Authority's (SOCWA) Coastal Treatment Plant for treatment with disposal through the Aliso Ocean Outfall.

### **NOVEMBER 27, 28, 29, 2019 SANITARY SEWER OVERFLOW**

At 11:30 a.m. on November 27, 2019, personnel from the Ben Brown Golf Course notified SOCWA that sewage was flowing from a decommissioned air vacuum relief valve (AVRV) vault along the NCI. After SOCWA personnel responded and confirmed the sanitary sewer overflow (SSO), the Discharger was notified and fully engaged at the SSO location within two hours.

At that time, the Discharger realized the SSO was originating from an access vault to the NCI at the center of a pinch-point in a canyon where several underground utilities are located. There was limited access to accommodate heavy equipment and cellular phone service, complicating the Discharger's ability to identify, contain, and stop the SSO. In addition, the beginning of a winter storm resulted in almost the entire SSO response occurring during, sometimes significant, amounts of rain.

On the night of November 27, 2019, during low-flow conditions, the Discharger attempted to empty the vault but sewage flows were too great to sufficiently lower the level and gain visual confirmation of the source of the SSO. As a result, the SSO continued discharging to Aliso Creek while the Discharger regrouped and determined the best course of action. It was decided that during the next evening, and low flow period, sewage flows would be rerouted to a storm drain at the Bluebird SOCWA Lift Station to drain the NCI and allow the Discharger to locate and stop the SSO. The Bluebird storm drain discharges to the Pacific Ocean at Bluebird Beach.

The bypass was set up, and on the night of November 28, 2019, the NCI was drained, and a ruptured 3-inch valve stem connecting a decommissioned AVR was located, capped, and bulkheaded off. As soon as repairs were completed, the bypass and SSO were terminated and the NCI was returned to service at 12:30 p.m. on November 29, 2019.

According to the Discharger's volume calculations, an estimated 1,270,000 gallons of raw sewage were discharged to Aliso Creek and the Pacific Ocean at the SSO location and 430,000 gallons were discharged from the Bluebird SOCWA lift station to the Pacific Ocean during the bypassing operation.

### **WATER QUALITY MONITORING**

The Discharger initiated water quality monitoring during the SSO, obtaining real-time data to evaluate the conditions within Aliso Creek above and below where the spill entered the creek. In addition to stream flow data, water quality samples were collected for fecal indicator bacteria, nutrients, and total suspended solids at multiple stations along Aliso Creek. Overall, most water quality monitoring results demonstrated some increase at the spill location, but any acute water quality impacts at Aliso Creek were overshadowed by upstream pollutant loading from the significant storm event that occurred during the SSO.

Rain gauge data provided by the Discharger from the Coastal Treatment Plant indicates that 0.27 inches of rain fell on November 27, 1.63 inches on November 28, and 0.31 inches on November 29.

Fecal indicator bacteria (FIB) concentrations along Aliso Creek showed a brief but marked increase downstream of the Aliso Creek spill site. All FIB standards were exceeded (from November 27, 2019 when sampling began, to December 2, 2019 when sampling was completed) at all stations, including the station upstream of the spill site, indicating that baseline conditions at Aliso Creek were impaired independent of any additional input from the SSO.

Along the coastline, upon notification of the SSO, the County of Orange initiated beach closures and water quality monitoring at near shore sampling stations. In addition to the beach closures as a result of the SSO, all Orange County beaches were posted for a simultaneous Rain Advisory, recommending no recreational use due to pollution caused by urban runoff associated with rain events. Beach sampling results indicated that FIB concentrations had returned to safe levels by November 30, 2019 and all beaches were reopened for recreational use on December 2, 2019.

The Discharger's Biological Resources Damage Assessment included biological surveys that evaluated the presence of special status species and/or critical habitat, and potential impacts thereto from the SSO. Although surveys did not identify "take" of any such species, it is the Prosecution Team's position that the SSO has the potential for harm to the southwestern pond turtle and to critical habitat for the tidewater goby.

The Discharger also provided ocean monitoring data that suggest that impacts to the biota in the ocean from the spill were negligible and no acute or chronic effects were detected.

## **RECEIVING WATERS**

The Water Quality Control Plan for the San Diego Basin (Basin Plan) designates beneficial uses for all surface and ground waters in the San Diego Region.<sup>1</sup> These beneficial uses "form the cornerstone of water quality protection under the Basin Plan" (Basin Plan, Chapter 2.) Beneficial uses are defined as "the uses of water necessary for the survival or well-being of man, plants and wildlife."

The Basin Plan also designates water quality objectives to protect the designated beneficial uses. California Water Code section 13050(h) defines "water quality objectives" as "the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area."

The Discharger reported that 1,270,000 gallons of untreated sewage discharged into Aliso Creek and the Pacific Ocean, and another 430,000 gallons discharged directly into the Pacific Ocean at Bluebird Beach from the bypass operation. Both Aliso Creek and the Pacific Ocean are waters of the United States and State.

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<sup>1</sup> The California Regional Water Quality Control Plan, San Diego Basin 9 (Basin Plan) is available at: [https://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/](https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/)

Aliso Creek originates in the Santa Ana Mountains and flows southwest into the Pacific Ocean at Laguna Beach. The Discharger has designated the portion of Aliso Creek where the SSO occurred as a Water Quality Environmental Sensitive Area.

Aliso Creek is designated as an impaired water body for benthic community effects, indicator bacteria, Malathion, nitrogen, phosphorus, selenium and toxicity pursuant to Clean Water Act section 303(d) as approved by the USEPA on April 6, 2018. The mouth of Aliso Creek is listed as impaired for indicator bacteria, the beach at Aliso Creek is listed for indicator bacteria and toxicity, and Bluebird Beach is also listed for indicator bacteria.

The Basin Plan designates the following potential and existing beneficial uses for Aliso Creek:

- Agricultural Supply (AGR)
- Water Contact Recreation (Potential REC-1)
- Non-Contact Water Recreation (REC-2)
- Warm Freshwater Habitat (WARM)
- Wildlife Habitat (WILD)

The Basin Plan designates the following beneficial uses for the mouth of Aliso Creek:

- Water Contract Recreation (REC-1)
- Non-Contact Water Recreation (REC-2)
- Wildlife Habitat (WILD)
- Rare, Threatened or Endangered Species (RARE)
- Marine Habitat (MAR)

The Basin Plan designates the following beneficial uses for the Pacific Ocean:

- Industrial Service Supply (IND)
- Navigation (NAV)
- Water Contract Recreation (REC-1)
- Non-Contact Water Recreation (REC-2)
- Commercial and Sport Fishing (COMM)
- Preservation of Biological Habitats of Special Significance (BIOL)
- Wildlife Habitat (WILD)
- Rare, Threatened or Endangered Species (RARE)
- Marine Habitat (MAR)
- Aquaculture (AQUA)
- Migration of Aquatic Organisms (MIGR)
- Spawning, Reproduction, and/or Early Development (SPWN)

Shellfish Harvesting (SHELL)

Marine waters along the City of Laguna Beach contain several areas of special importance as shown in the figure below:

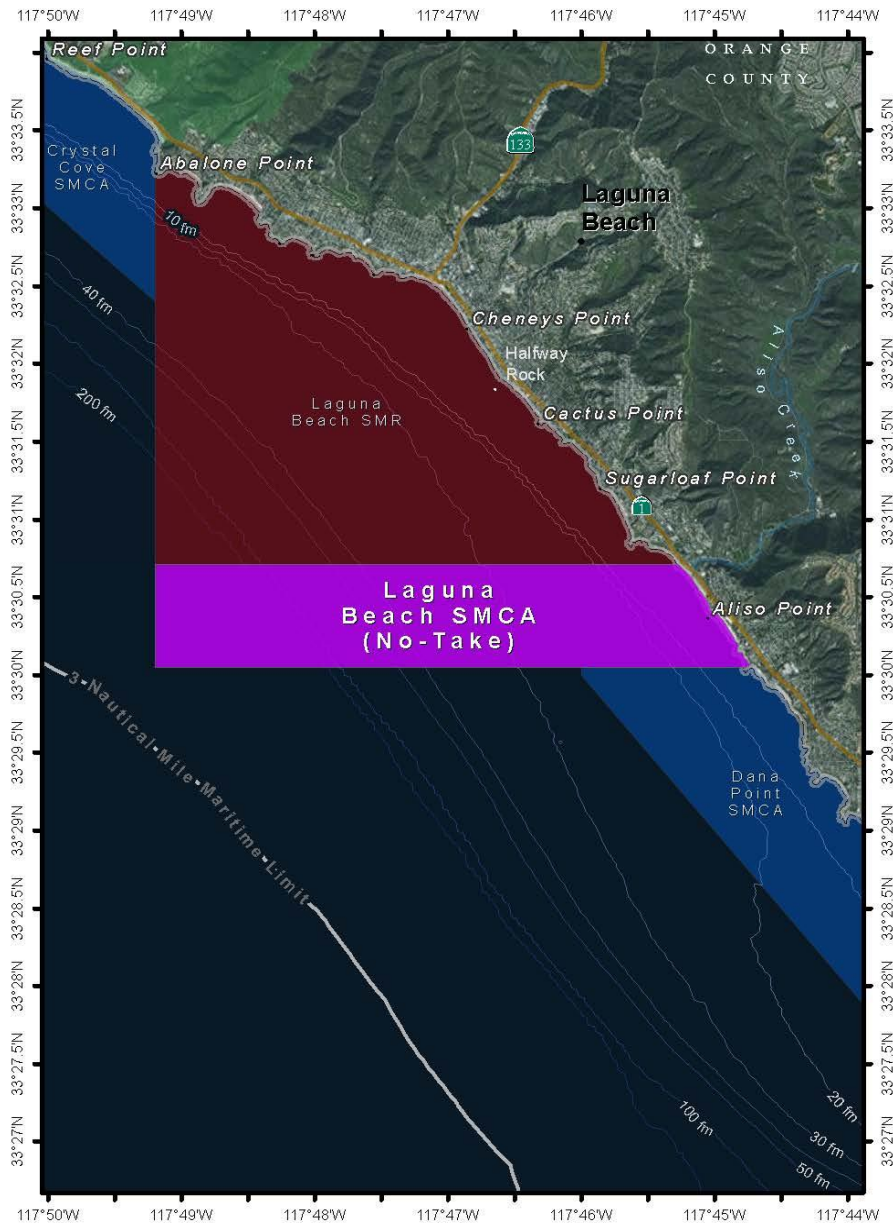


Figure 1: Laguna Beach State Marine Conservation Area and Laguna Beach State Marine Reserve, designated as areas of special importance.<sup>2</sup>

<sup>2</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=98220&inline>

The discharge to Aliso Creek entered the Pacific Ocean within the Laguna Beach State Marine Conservation Area (SMCA). The discharge to Bluebird Beach entered the Pacific Ocean within the Laguna Beach State Marine Reserve (SMR). Both are Marine Protected Areas designated by the California Department of Fish and Wildlife that prohibit or limit the take of all living marine resources.

On March 15, 2017, the San Diego Water Board adopted Resolution No. R9-2017-0030.<sup>3</sup> Resolution No. R9-2017-0030 directs staff to consider key beneficial uses and key areas in decisions regarding how to prioritize its work and how to allocate and use its resources. Resolution No. R9-2017-0030 identified the following four beneficial use categories most critical to protecting human and environmental health: drinking water supply; fish and shellfish consumption; recreation; and, habitats and ecosystems. Key areas are the waters and places where protection and restoration of the integrity, or health, of waters is most important for a key beneficial use.

The San Diego Water Board considers the Laguna Beach State Marine Conservation Area and Laguna Beach State Marine Reserve areas of special importance and key areas for recreation and habitats and ecosystems beneficial uses.

The discharge of raw sewage can negatively impact the following aquatic life beneficial uses: BIOL, WILD, RARE, MAR, AQUA, MIGR, SPWN, SHELL. SSOs can also restrict recreation and have the potential to cause a public nuisance when discharged to areas with high public exposure, including surface waters used for REC-1 and REC-2 beneficial uses.

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<sup>3</sup> A copy of Resolution No. R9-2017-0030 is available at:  
[https://www.waterboards.ca.gov/sandiego/board\\_decisions/adopted\\_orders/2017/R9-2017-0030.pdf](https://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/2017/R9-2017-0030.pdf)

The City's discharge of raw sewage from November 27, 2019 to November 29, 2019, was in violation of Clean Water Act section 301 and California Water Code (Water Code) section 13376, which prohibit the discharge of pollutants to surface waters except in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The discharge was also in violation of Basin Plan Waste Discharge Prohibition No. 9 which states "The unauthorized discharge of treated or untreated sewage to waters of the state or to a storm water conveyance system is prohibited." The discharge of raw sewage was also in violation of the State Water Resources Control Board [Order No. 2006-0003-DWQ](#), *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems* (Statewide General Order) and [Order No. R9-2007-0005](#), *Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region* (Regional General Order). For the purposes of this Stipulated Order, the Regional Water Board is consolidating these allegations into one violation for one administrative liability amount.

The following penalty calculation is based on the administrative liability methodology contained in the 2017 State Water Resources Control Board Water Quality Enforcement Policy (Enforcement Policy).<sup>4</sup>

### **STEP 1 – Actual or Potential for Harm for Discharge Violations**

Potential for Harm for Discharge Violations is calculated by factoring: (1) the degree of toxicity of the discharge; (2) the actual harm or potential harm to beneficial uses; and (3) the discharge's susceptibility to cleanup or abatement.

#### **Factor 1: Degree of Toxicity of the Discharge**

Factor one was scored a **three (3)** defined in the 2017 Enforcement Policy as:

*Discharged material poses an above-moderate risk or a direct threat to potential receptors (i.e., the chemical and/or physical characteristics of the discharged material exceed known risk factors or there is substantial threat to potential receptors).*

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<sup>4</sup> A copy of the policy is available at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2017/040417\\_9\\_fi nal%20adopted%20policy.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/040417_9_fi nal%20adopted%20policy.pdf)

Untreated sewage is toxic, contains human pathogens and numerous chemical constituents in excess of water quality objectives for inland and coastal receiving waters. The high degree of toxicity in untreated sewage poses a direct threat to human and ecological receptors. Based on the Discharger's flow calculations, there appears to be no evidence of increased flow and dilution from excessive inflow or infiltration. Accordingly, a score of **3** is assigned to Factor 1.

### **Factor 2 – Actual Harm or Potential Harm to Beneficial Uses**

Factor two was scored a **3 (Moderate)**. Moderate is defined by the 2017 Enforcement Policy as:

*Moderate – Moderate harm or potential harm to beneficial uses. A score of moderate is typified by observed or reasonably expected potential impacts, but harm or potential harm to beneficial uses is moderate and likely to attenuate without appreciable medium or long term acute or chronic effects.*

The discharge of untreated sewage to the Pacific Ocean has the potential to cause a public nuisance and is reasonably expected to impose temporary restrictions on recreational beneficial uses (REC-1, REC-2), independent of a Rain Advisory. While the coastal receiving waters were simultaneously posted with a Rain Advisory due to the rainstorm of November 27 – 29, 2019, beach closures due to SSOs pose a higher risk to those that choose to enter the ocean when the beach is posted.

In addition to recreation, the discharge of 1.7 million gallons of untreated sewage could reasonably be expected to negatively impact several areas of special importance for ecosystem health. Aliso Creek and the marine protected areas in the Pacific Ocean where the SSO discharged, are areas of special importance for ecological health. The SSO could reasonably be expected to negatively impact the WARM, WILD, RARE, MAR, MIGR, and SPWN beneficial uses in these areas.

The Discharger provided monitoring data that indicates that harm to beneficial uses was moderate and likely to attenuate without appreciable medium or long term acute or chronic effects. Accordingly, a score of **3 (Moderate)** is assigned to Factor 2.



**Factor 3 – Susceptibility to Cleanup and Abatement**

A score of zero (0) is assigned for this factor if the discharger cleans up 50 percent or more of the discharge within a reasonable amount of time. A score of one (1) is assigned for this factor if less than 50 percent of the discharge is susceptible to cleanup and abatement, or if 50 percent or more of the discharge is susceptible to cleanup or abatement, but the discharger failed to clean up 50 percent or more of the discharge within a reasonable amount of time.

None of the discharged sewage was susceptible to cleanup or abatement. Accordingly, a score of **one (1)** is assigned to Factor 3.

**Final Score – Potential for Harm**

Based on the above scores, a total Potential for Harm score of **seven (7)** is assigned to Step 1 of the liability methodology.

**STEP 2 – Assessments for Discharge Violations Deviation from Requirement**

The Deviation from Requirement reflects the extent to which the violation deviates from the specific requirement (effluent limitation, prohibition, monitoring requirement, construction deadline, etc.) that was violated. A designation of **Major** has been applied. The Enforcement policy defines a **Major** deviation as follows:

*The requirement was rendered ineffective (e.g., the requirement was rendered ineffective in its essential functions).*

The discharge of 1.7 million gallons of untreated sewage is a **Major** deviation from required standards. Clean Water Act section 301 and California Water Code section 13376 prohibit the discharge of pollutants to surface waters except in compliance with an NPDES permit. The SSO was not in compliance with the Discharger's NPDES permits.

The SSO also violated Waste Discharge Prohibitions 1 and 9 of the Basin Plan and the Statewide General Order discharge prohibitions because the discharge was untreated sewage and the discharge of untreated sewage to waters of the state causes or threatens to cause a condition of pollution, contamination or nuisance.

The SSO violated the Regional General Order discharge prohibitions of the General Statewide Order because the discharge occurred upstream of a sewage treatment plant.

Accordingly, using the Potential for Harm score of **seven (7)** derived from Step 1 and “Table 1 – Per Gallon Factor for Discharges” of the Enforcement Policy, the per-gallon factor for this discharge violation is **0.41**.

### Per Gallon Assessment for High Volume Discharges

In the case of a high volume discharge, the Enforcement Policy provides that the Water Boards may elect to use a value between \$2.00 per gallon and \$10.00 per gallon with the Per Gallon Factor to determine the per gallon amount for discharges between 100,000 and 2,000,000 gallons. The Prosecution Team has elected to use **\$2.00 per gallon** for this violation because the resulting liability amount is appropriate for a high volume SSO that occurred during a significant rain event.

Calculating the initial base liability amount of the administrative civil liability (ACL) for the SSO is achieved by multiplying:

$$\text{(Per Gallon Factor) x (Gallons) x (Adjusted Maximum per Gallon) =} \\ \text{(Initial Per Gallon ACL Amount)}$$

$$(0.41) \times (1,699,000) \times (\$2.00) = \$1,393,180$$

### Per Day Assessment for Discharge Violations

Pursuant to the Enforcement Policy, where there is a discharge, a Water Board shall determine an initial liability factor per day based on the Potential for Harm score and the extent of Deviation from Requirement of the violation. Accordingly, using the Potential for Harm score of **seven** derived from Step 1, and **Major** Deviation from Requirement, and “Table 2 – Per Day Factor for Discharges” of the Enforcement Policy, the per-day factor for this discharge violation is **0.41**.

Calculating the initial base liability amount of the ACL for the discharge is achieved by multiplying:

$$\text{(Per Day Factor) x (Days of Violation) x (Maximum per Day) =} \\ \text{(Initial Per Day ACL Amount)}$$

$$(0.41) \times (3) \times (\$10,000) = \$12,300$$

### Initial Liability Amount

Combining the Initial Per Gallon and Initial Per Day ACL Amounts as follows, calculates the Initial ACL Amount:

$$\text{(Initial Per Gallon ACL Amount) + (Initial Per Day ACL Amount) =}$$

(Initial ACL Amount)

$$(\$1,393,180) + (\$12,300) = \$1,405,480$$

### **STEP 3 – Per Day Assessments for Non-Discharge Violations**

This step is not applicable to this discharge violation.

### **STEP 4 – Adjustment Factors**

#### **Culpability**

The Prosecution Team assigned a culpability multiplier of **1.1** because the discharger was aware of the risk associated with leaving the original valve stem in place and elected to accept that risk to avoid severe disruption to the Ben Brown Golf Course and the Ranch at Laguna Beach. The bypass would have required pipe fusing operations to build a high-line pipe around the vault, which would have resulted in noise, odors, traffic, and potential property damage to the golf course maintenance pathways and the overall disruption of the Ranch and the surrounding community. Furthermore, at the time of decommission, the original valve was deemed to be in good condition, and the City was working with South Coast Water District (SCWD) to realign the Aliso Creek segment of the NCI.

The Prosecution Team also evaluated the Discharger's due diligence efforts to implement redundancy along the NCI. The Discharger prepared an assessment of the NCI in 2003 that recommended the construction of a parallel line to allow for bypassing and redundancy capabilities<sup>5</sup>. The assessment also cited the need to construct the second pipeline in order to reduce the likelihood of a catastrophic SSO in the event of damage or failure of the sole transmission pipeline.

In 2009 the Discharger conducted an analysis of sewer pipe samples taken from two locations along the NCI.<sup>6</sup> A fiberglass pipe was excavated from an area south of the Nyes Place while re-routing the sewer line. An asbestos cement pipe, part of the NCI force main, was removed in 2007 due to a leaking joint. The analysis of the 27 and 26 year old pipes, respectively, showed no sign of degradation and provided the Discharger the confidence to direct capital improvement funds to the reduction of preventable SSOs that had plagued the Discharger for decades.

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<sup>5</sup> Exhibit 12: City of Laguna Beach Assessment of Sewer Lift Stations and North Coast Interceptor, April 2003

<sup>6</sup> Exhibit 13: North Coast Interceptor Sewer Pipe Evaluation: Fiberglass and Asbestos Cement Pipe Analysis, January 19, 2009

The Prosecution Team also acknowledges that, when the AVRV that ultimately failed was replaced in 2014, the Discharger was in discussions with the South Coast Water District regarding a joint construction project to provide the redundancy in the NCI necessary to conduct repairs, including the valve stem that attaches the AVRV at the SSO location without an SSO or major disruption to the surrounding area.

The Prosecution Team has determined that the Discharger bears little culpability for delaying the construction of redundancy for the NCI because its 2009 assessment showed the pipeline to be in good condition and allowed available sewer funds to be directed to projects that reduce preventable SSOs.

Accordingly, the Prosecution Team assigns the Discharger a culpability score of **1.1**.

**History of Violation**

The Discharger has a long history of SSO violations with two associated ACL enforcement actions by the San Diego Water Board and one enforcement action by USEPA. The last of the above referenced enforcement actions occurred in 2009. Since then, the Discharger has demonstrated a reduction in the number of SSOs, including those that reach receiving waters. Accordingly, a History of Violation score of **1.1** has been assigned to this violation.

**Cleanup and Cooperation**

The Discharger’s response to the SSO was appropriate in spite of the difficulties associated with the location, rain, and the SSO starting at the beginning of the Thanksgiving Day weekend, typically a four day weekend for most people that responded to the SSO. The Discharger has also revised is Sanitary Sewer Overflow Response Plan to identify the difficulties associated with SSO’s along the NCI to ensure future responders are fully aware of the access difficulties. Accordingly, a Cleanup and Cooperation score of **1.0** has been assigned to this violation.

**STEP 5 – Determination of Total Base Liability Amount**

The total base liability amount is calculated by multiplying the initial liability amount by the adjustment factors, as follows:

$$\text{(Initial Liability Amount)} \times \text{(Culpability)} \times \text{(Cleanup/Cooperation)} \times \text{(History of Violation)} = \text{Total Base Liability Amount}$$

$$(\$1,405,480) \times (1.1) \times (1.1) \times (1.0) = \mathbf{\$1,700,631}$$

**STEP 6 – Ability to Pay and Ability to Continue in Business**

The Discharger is a public entity with the ability to leverage fees and/or taxes. The Discharger has provided documentation to demonstrate how the COVID-19 pandemic has negatively impacted its fee structure and budget. An inability to pay claim, however, is based on documentation from prior years. Therefore, the Discharger cannot provide evidence to support a claim of inability to pay. The Prosecution Team is evaluating existing and future revenue shortfalls under “Other Factors as Justice May Require” in step 8 below.

### **STEP 7 – Economic Benefit**

Based on information provided by the Discharger and using the USEPA’s BEN Model, the Prosecution Team estimates that the Discharger enjoyed an economic benefit from the avoided cost of bypassing the NCI under non-emergency conditions to remove the original valve stem connecting the AVRV to the NCI of **two hundred fifty seven thousand three hundred sixty six dollars (\$257,366)**.<sup>7</sup>

### **STEP 8 – Other Factors as Justice May Require-Cost of Investigation**

As of September 10, 2020, the San Diego Water Board expended **\$37,503.12** in staff costs associated with the investigation and preparation of this enforcement action. The Discharger has agreed to pay these costs as part of the agreed upon Final Liability Amount.<sup>8</sup>

### **Adjustment for Settlement Purposes**

The Prosecution Team has agreed to reduce the proposed total base liability amount by **twelve percent (12%) or \$204,076** because the Discharger has provided evidence demonstrating that the City has had to implement budget reductions (of approximately twelve percent) in consideration of revenue shortfalls from the COVID-19 pandemic.<sup>9</sup>

### **STEP 9 – Maximum and Minimum Liability Amounts**

#### **Maximum Liability Amount**

The Maximum Liability Amount that could be assessed for the violation is **seventeen million twenty thousand dollars (\$17,020,000)**, derived from adding the maximum per gallon and per day liability for the violation [(\$10.00 x 1,699,000 gallons = \$16,990,000) + (\$10,000 x 3 days = \$30,000) = \$17,020,000].

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<sup>7</sup> Exhibit 16: Economic Benefit Analysis, Laguna Beach November 2019 SSO, USEPA BEN Model Version 5.8.0 (April 2018), September 10, 2020

<sup>8</sup> Exhibit 17: San Diego Water Board Staff Costs Worksheet

<sup>9</sup> Exhibit 14: City of Laguna Beach Budget Workshop 3p, June 23, 2020

**Minimum Liability Amount**

The Enforcement Policy requires that the Adjusted Total Base Liability shall be at least ten percent higher than the Economic Benefit. Based on the Economic Benefit calculations, the minimum liability amount is **two hundred eighty-three thousand one hundred two dollars (\$283,102.60)**.

**STEP 10 – Proposed Civil Liability Amount**

Based on the unique facts of this case and the penalty calculation methodology within Section III, the required administrative civil liability for the violation alleged is **one million five hundred thirty-four thousand fifty-eight dollars (\$1,534,058)**.

**DOCUMENTS RELIED UPON**

All exhibits are available in CIWQS or upon request to [rb9\\_records@waterboards.ca.gov](mailto:rb9_records@waterboards.ca.gov) or:

California Regional Water Quality Control Board, San Diego Region  
Attention: File Review Request  
2375 Northside Drive, Suite 100  
San Diego, CA 92108

**Exhibit 1:** CIWQS Collection System Questionnaire

**Exhibit 2:** City of Laguna Beach 45-Day Report for Spill Event ID 863226 in CIWQS

**Exhibit 3:** SSO Volume Estimation Revised February 18, 2020 with Confirming Pump Flowmeter Data (Attachment 2 to 45-day report in CIWQS)

**Exhibit 4:** City of Laguna Beach Monitoring Assessment (Attachment 6 Appendix A and B to 45-day report in CIWQS)

**Exhibit 5:** SOCWA Coastal Treatment Plant Rain Gauge Data for November 2019 (Attachment 7 to 45-day report in CIWQS)

**Exhibit 6:** County of Orange Recreational Water Update, Rain Advisory, November 27, 2019 (Attachment 8 – No. 1 to 45-day report in CIWQS)

- Exhibit 7:** County of Orange Ocean Recreational Water Update, First SSO Advisory, November 27, 2019 (Attachment 8 – No. 2 to 45-day report in CIWQS)
- Exhibit 8:** County of Orange Ocean Recreational Water Update, Second SSO Advisory, November 29, 2019 (Attachment 8 – No. 3 to 45-day report in CIWQS)
- Exhibit 9:** County of Orange Ocean Recreational Water Update, SSO Posting Removed, December 2, 2019 (Attachment 8 – No. 4 to 45-day report in CIWQS)
- Exhibit 10:** SOCWA Biological Resources Damage Assessment for the North Coast Interceptor Force Main Spill of November 27-29, 2019 (Attachment 6 – Appendix (C) to 45-day report in CIWQS)
- Exhibit 11:** SOCWA PC23 Ocean Monitoring Response (Supplemental Attachment to 45-day report in CIWQS, dated 6/25/2020)
- Exhibit 12:** City of Laguna Beach Assessment of Sewer Lift Stations and North Coast Interceptor, April 2003, ECM DH 8862495
- Exhibit 13:** North Coast Interceptor Sewer Pipe Evaluation: Fiberglass and Asbestos Cement Pipe Analysis, January 19, 2009 (Attachment 14 to 45-day report in CIWQS)
- Exhibit 14:** City of Laguna Beach Budget Workshop 3p, June 23, 2020, ECM DH 9006945
- Exhibit 15:** Tetra Tech Draft Memorandum Re: NCI Realignment; (Supplemental Attachment to 45-day report in CIWQS, dated 12/10/2014)
- Exhibit 16:** Economic Benefit Analysis, Laguna Beach November 2019 SSO, USEPA BEN Model Version 5.8.0 (April 2018), September 10, 2020, ECM DH 8862501
- Exhibit 17:** San Diego Water Board Staff Costs Worksheet, ECM DH 8862516
- Exhibit 18:** City of Laguna Beach Agenda Bill No. 5, Meeting Date: June 20, 2020, Adoption of Fiscal Year 2020-21 Revised Budget and Revisions to the Fiscal Year 2019-20 Budget, ECM DH 8862519