



Enforcement News

\$2.5 million settlement reached for Mule Creek State Prison violations of Clean Water Act

Case involves unpermitted stormwater discharges into Mule Creek

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IONE – The California Department of Corrections and Rehabilitation has agreed to pay a \$2.5 million penalty for discharging combined stormwater at Mule Creek State Prison, in violation of the Clean Water Act. The penalty was assessed for unpermitted discharges between January 2018 and April 2019 to Mule Creek, a tributary to Dry Creek and the Sacramento-San Joaquin Delta.

The case began three years ago when the Central Valley Regional Water Quality Control Board (Central Valley Water Board) received a complaint that the prison was discharging wastewater into the nearby creek. Central Valley Water Board staff confirmed discharges were occurring from the prison to Mule Creek.

Water quality testing showed the discharge contained concentrations of numerous waste constituents normally found in domestic and industrial wastewater, including coliform organisms, total suspended solids, biochemical oxygen demand, chemical oxygen demand, nutrients, surfactants, metals, volatile organic compounds, and semi-volatile organic compounds. Elevated levels of these constituents are a risk to human health and can reduce dissolved oxygen levels in the water, which negatively impacts aquatic life.

Under the terms of the settlement, the Department of Corrections and Rehabilitation will pay \$1,605,811 of the settlement to the state's Water Pollution Cleanup and Abatement Account. The remaining \$894,189 of the penalty will be used to complete two Enhanced Compliance Projects. The first project will replace the landscape irrigation system at Mule Creek State Prison. Installing new piping for the landscape irrigation system will reduce non-storm water flows (from irrigation) into Mule Creek.

"This was a preventable penalty, as the California Department of Corrections and Rehabilitation was aware of discharges flowing into Mule Creek on a regular basis and chose not to notify the Regional Board or obtain the proper permits," said John J. Baum, assistant



executive officer for the Central Valley Water Board. “Allowing the agency to use a portion of the penalty for landscape irrigation replacement should reduce these non-storm water flows.”

The Municipal Storm Water Program regulates storm water discharges from municipal separate storm sewer systems throughout California. This includes roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains owned or operated by the state.

[The Central Valley Water Board](#) is a state agency responsible for protecting water quality and ensuring beneficial uses, such as aquatic habitat and human health, for 11,350 miles of streams, 579,110 acres of lakes, and the largest contiguous groundwater basin in California

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