



Media Release

Water Board settles with City of Calexico over illegal water shutoffs, misuse of state funding ***City will pay \$350,000 penalty, increase consumer protections***

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OAKLAND – The State Water Resources Control Board and California Attorney General Rob Bonta have entered into a settlement with the City of Calexico in connection with alleged violations of the [Water Shutoff Protection Act](#) and the [Water and Wastewater System Payments](#) under the American Rescue Plan Act of 2021.

As part of the settlement, the city will pay an administrative penalty of \$350,000, consisting of a \$150,000 payment to the State Water Board and \$200,000 to fund a water conservation program to benefit residential customers. The city will also implement terms of the settlement that will increase consumer protections and pay up to \$150,000 in restitution to customers impacted by the city's past violations.

"The right to access water is fundamental, and no family should have to endure the hardships of living without this basic necessity," said State Attorney General Rob Bonta. "Yet, during the height of the pandemic, many families were devastatingly impacted by illegal water shutoffs. This is simply unacceptable. This settlement will provide both monetary relief for affected families and solutions to ensure that critical water services remain protected against illegal shutoffs."

In 2022 and 2023, the State Water Board and the California Department of Justice's Bureau of Environmental Justice investigated the City of Calexico's compliance with the Water Shutoff Protection Act ([Senate Bill 998](#)), which Sen. Bill Dodd authored in 2018. The investigation revealed the city's significant violations of the act, as well as illegal water shutoffs performed during [Gov. Gavin Newsom's moratorium](#) and a separate moratorium put in place under the Water Arrearages Act during the COVID-19 pandemic. The shutoff moratoriums were designed to ensure uninterrupted utility services and water -debt relief to customers who suffered economic hardship due to the pandemic. The investigation also uncovered the city's multiple violations of the Water Arrearages Act in applying for assistance from the Water Arrearages Program and its misuse of funding obtained from the program.

"The city's actions deprived many Californians of water service to their homes during the pandemic as well as state-funded assistance to pay past due water bills," said



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Yvonne West, Director of the Office of Enforcement at the State Water Board. “This settlement requires the city provide restitution and enhance protections for the impacted community.”

The settlement resolves the alleged violations and requires the city to pay or credit the accounts of customers who had their water illegally shut off and return improperly collected fees. The settlement also imposes injunctive terms, which require the city to implement a compliant water -shutoff policy and remove punitive billing policies-- including reducing the amount and frequency of late fees, providing customers with more options to enter payment plans, giving customers more time to pay their bills, and lowering the barriers to restart service for customers who do experience a shutoff. Under the settlement, the City of Calexico also submitted a corrected application to the Water Arrearages Program, which will result in approximately \$267,000 in state-provided funding being disbursed to eligible city residential customers in compliance with the act.

In 2022, the California Department of Justice’s Bureau of Environmental Justice issued a [legal alert](#) to all water systems then covered by the act, reminding them of the requirements. A description of the rights of water customers under the act is summarized in a [Consumer Alert](#) issued by the attorney general. While the original act applied to public water systems with at least 200 service connections, beginning Aug. 1, 2024, the act will apply to public water systems with at least 15 service connections.

The State Water Board’s mission is to preserve, enhance and restore the quality of California’s water resources and drinking water for the protection of the environment, public health and all beneficial uses, and to ensure proper resource allocation and efficient use for the benefit of present and future generations