

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Matt Graul)  
MEETING DATE: June 13, 2007

ITEM: 7

SUBJECT: **City of Martinez, Contra Costa County** - Hearing to Consider Imposition of Administrative Civil Liability or Referral to the Attorney General for Late Submittal of the 2004/05 Annual Report as Required by the Contra Costa Countywide NPDES Municipal Stormwater Permit

CHRONOLOGY: The Board has not previously considered this item.

DISCUSSION: In early May, I issued a complaint to the City of Martinez, proposing to assess an administrative civil liability in the amount of \$23,000. The complaint was issued for the City's failure to submit its 2004/05 annual report as required by the Contra Costa Municipal Stormwater Permit. The annual report is the primary means of determining the City's compliance with the Permit.

Before issuing the complaint, we issued two Notice of Violation (NOV) letters for report non-submittal. After the second NOV, the City finally submitted the 2004/2005 annual report, but was out of compliance with the Permit's reporting requirements for 501 days.

The City has signed a waiver to a hearing (Appendix B) on the complaint, meaning the civil liability of \$23,000 is final and no Board action is needed. The City has also proposed to implement a supplemental environmental project (SEP) in lieu of \$20,000 of the civil liability. The SEP would retrofit a City-owned parking lot with stormwater treatment to detain and filter runoff. The SEP would also include an educational component involving students from the Martinez Alternative High School. We expect to approve the SEP in coming weeks.

RECOMMEN-  
DATION: No action required.

File No.: 2158.11 (MG)

Appendix: A. Complaint No. R2-2007-0034 dated May 4, 2007  
B. Signed waiver dated May 31, 2007

# Appendix A

Complaint No. R2-2007-0034

May 4, 2007

# Appendix B

Signed Waiver

May 31, 2007