

1 RONALD W. BEALS, Chief Counsel  
DAVID GOSSAGE, Deputy Chief Counsel  
2 LUCILLE BACA, Assistant Chief Counsel  
ARDINE ZAZZERON, (SBN 130109)  
3 DOUGLAS C. JENSEN, (SBN 230166)  
595 Market Street, Suite 1700, San Francisco, CA 94105  
4 Telephone: (415) 904-5700, Facsimile: (415) 904-2333

5  
6 Attorneys for Plaintiff THE PEOPLE OF THE STATE OF  
CALIFORNIA, acting by and through the DEPARTMENT  
7 OF TRANSPORTATION

8 **CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**  
9 **NORTH COAST REGION**

10  
11 **IN THE MATTER OF:**

12 **ADMINISTRATIVE CIVIL LIABILITY**  
13 **COMPLAINT NO. R1-2009-0095**

**LIST OF WITNESSES AND SUMMARY**  
**OF ANTICIPATED LIVE TESTIMONY**

Hearing Date: March 24, 2011  
Location: Weaverville, California

14  
15 In addition to deposition testimony submitted concurrently with this document, the  
16 Department of Transportation may call the following witnesses to testify to the matters described  
17 herein:

18 Mr. Sebastian Cohen: Mr. Cohen has professional experience and specialized knowledge  
19 regarding equipment used in construction and will testify regarding repair and maintenance issues  
20 pertaining to such items. Mr. Cohen also has knowledge about the construction site and will testify  
21 regarding placement of Isolated Pool B. Mr. Cohen has knowledge regarding the Department's  
22 assertions that certain claimed releases were cleaned up, as set forth in the Department's Defense  
23 Matrix. Mr. Cohen will also testify regarding project background, staging, his communications  
24 with Board employees regarding permit compliance, communications with the contractor, expenses  
25 of water pollution control measures, turbidity monitoring, and nature of and changes to Best  
26 Management Practices throughout the project.

27 Mr. David Melendrez: Mr. Melendrez has professional experience and specialized  
28 knowledge regarding water quality protection standards and compliance, as well as transportation

1 project planning, construction and permitting, including that for the Confusion Hill Bypass project.  
2 Mr. Melendrez will testify regarding the subject permit application and process, Departmental  
3 interpretation of relevant permits, communications with Regional Board staff regarding the project,  
4 Departmental efforts, including costs, to comply with water quality objectives, turbidity monitoring,  
5 placement and use of Isolated Pool B, specialized water quality terminology, storm-water and non-  
6 storm-water issues arising from Confusion Hill (to extent Prosecution Team pursues those issues),  
7 opinions regarding Best Management Practices, and Departmental policies and practices regarding  
8 water pollution control and water quality objectives.

9 Respectfully submitted,

10 DATED: 2-14-11

11 RONALD W. BEALS  
12 DAVID GOSSAGE  
13 LUCILLE Y. BACA  
14 ARDINE ZAZZERON  
15 DOUGLAS C. JENSEN  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28