



# California Regional Water Quality Control Board Lahontan Region



Linda S. Adams  
Secretary for  
Environmental Protection

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Arnold Schwarzenegger  
Governor

Date Distributed: September 22, 2009

## MEETING AGENDA

**October 14-15, 2009**

Lake Tahoe Community College  
Board and Aspen Rooms  
One College Drive  
South Lake Tahoe, CA 96150

### Wednesday, October 14, 2009

|                            |                         |
|----------------------------|-------------------------|
| Regular Meeting:           | 2:30 p.m.               |
| Dinner Break:              | 5:00 p.m.               |
| Regular Meeting continued: | 7:00 p.m. approximately |

### Thursday, October 15, 2009

|                  |           |
|------------------|-----------|
| Regular Meeting: | 8:30 a.m. |
|------------------|-----------|

**Note:** A quorum of the Regional Board will be dining on Wednesday, October 14, 2009 at 5:00 p.m. at Scusa! 1142 Ski Run Blvd., South Lake Tahoe.

### **Supporting Document:**

Supporting documents for agenda items are posted on our website at least 10 days prior to the scheduled meeting. If you wish to be added to the interested parties list for a specific agenda item, please contact the staff person listed with the item in the agenda announcement. To view or download documents, go to [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan). (see note below for information on the timing for submitting comments).

### **Submittal of Written Material for Water Board Consideration:**

Comments on individual items are welcome and encouraged. Written comments on an agenda item must be submitted on or before the due date listed in the hearing notice associated with the agenda item. Hearing notices are distributed to persons who have indicated they want to receive information about a specific item and are posted on the Water Board's web site ([www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan)).

***California Environmental Protection Agency***



Recycled Paper

For items that do not have a separate hearing notice with specific due dates, written comments must be submitted at least ten (10) days before the meeting. This allows time to distribute the material to Water Board members in advance of the meeting, providing the opportunity for the members to read and consider the information submitted. Pursuant to Title 23 California Code of Regulations, section 648.4, the Water Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Water Board may refuse to admit it.

A copy of the procedures governing Water Board meetings may be found at Title 23, California Code of Regulations, section 647 et seq., and is available upon request. Hearings before the Water Board are not conducted pursuant to Government Code section 11500 et seq.

### **General Meeting Information:**

The meeting room is accessible to people with disabilities. If you have special accommodations or language needs, please contact Laurie Applegate at least five days prior to the meeting date at (530) 542-5414 or LApplegate@waterboards.ca.gov. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

The following items are numbered for identification purposes only and will not necessarily be considered in this order. Public hearings will not be called to order prior to the time specified. If, due to time constraints, the Water Board is unable to consider all of the items scheduled for Wednesday, the item(s) not heard will be considered on Thursday, October 15, 2009 beginning at 8:30 a.m. All Board files, exhibits and agenda material pertaining to items on this agenda are hereby made a part of the record for the appropriate item.

Anyone wishing to present a Microsoft PowerPoint® presentation during the meeting, using the Water Board's projector, must provide the presentation to the Water Board on either a CD or via email at least three working days prior to the meeting. Please contact the staff person listed for the agenda item of interest.

## **REGULAR MEETING**

**Wednesday, October 14, 2009 – 2:30 p.m.**

### **INTRODUCTIONS**

### **ENFORCEMENT ACTIONS**

1. **Consideration of an Administrative Civil Liability Order** for Mohammad Ahmad and the Thomas E. Erickson Trust for Violations of (1) California Water Code section 13267 and (2) California Water Code section 13304 - Tahoe Tom's Gas Station, El Dorado County. (The Water Board will consider accepting, modifying, or rejecting an Administrative Civil Liability Order in the amount of \$248,400. Pursuant to the Hearing Procedures dated July 28, 2009, the time for submittal of evidence or written policy statements has past.) (Lisa Dernbach)

2. **Executive Officer's Report** (The Water Board will not be asked to take any formal action; however, it may provide direction to staff.) (Harold Singer)

- **Discussion of Standing Items**
- **Notification of Spills (Pursuant to Section 13271, California Water Code and Section 25180.7, California Health and Safety Code)**
- **Notification of Closure of Underground Storage Tank Cases (Pursuant to Article 11, Division 3, Chapter 16, Title 23, California Code of Regulations)**
- **FY 2009- 2010 Budget Briefing**

3. **CLOSED SESSION** \*

- a. **Discussion of Significant Exposure to Litigation. Authority: Government Code Section 11126(e)(2)(B)(I).**
- b. **Discussion to Decide Whether to Initiate Litigation. Authority: Government Code Section 11126(e)(2)(c)(I).**
- c. **Discussion of Litigation filed by the State of California and the Regional Water Quality Control Board, Lahontan Region, v. Glen R. Hammond and Limited Partners, Kern County Superior Court Case No. 235695. Authority: Government Code Section 11126(e).**
- d. **Discussion of Litigation: Regional Water Quality Control Board, Lahontan Region v. Mary Ann Ferguson, et al., Placer County Superior Court Case No. T CV 1002. Authority: Government Code Section 11126(e).**
- e. **Discussion of Litigation: People of the State of California ex rel. California Regional Water Quality Control Board, Lahontan Region v. Thomas E. Erickson et al., El Dorado Superior Court Case No. SC20010089. Authority: Government Code Section 11126(e).**
- f. **Discussion of Litigation: Atlantic Richfield Company v. State of California, State Water Resources Control Board, California Regional Water Quality Control Board, Lahontan Region, et al., Los Angeles County Superior Court Case No. BC380474. Authority: Government Code Section 11126(e).**
- g. **Discussion of Litigation: Osborne v. State of California Lahontan, Victor Valley Wastewater Reclamation Authority and Does 1 to 100, San Bernardino County Superior Court Case No. 805631. Authority: Government Code section 11126(e).**

\* At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon the evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code Section 11126(a), (c)(3) and (e).

- h. **Discussion of Litigation: Sierra Forest Legacy et al. v. California Regional Water Quality Control Board, Lahontan Region, et al., El Dorado County Superior Court Case No. SC20090123. Authority: Government Code section 11126(e).**
- i. **Discussion of Litigation (Petition for Review of Lahontan Water Board Action Filed with the State Water Resources Control Board): Sierra Forest Legacy et al. v. Lahontan Regional Water Quality Control Board (SWRCB/OCC File No. A-2025). Authority: Government Code section 11126(e).**
- j. **Deliberation on a Decision to be Reached Based Upon Evidence Introduced in a Hearing. The Water Board may meet in closed session to deliberate on evidence presented at the September 15, 2009 Hearing Panel meeting and at this meeting concerning: Consideration of the Issuance of Cease and Desist Orders for the Dischargers Listed in Item No. 8 on this Agenda for the Discharge or Threatened Discharge of Waste in Violation of Discharge Prohibitions Specified by the Water Quality Control Plan for the Lahontan Region and, Where Applicable, the Rescission of the Listed Cease and Desist Order. Authority: Government Code Section 11126(c)(3).**
- k. **Deliberation on a Decision to be Reached Based Upon Evidence Introduced in a Hearing. The Water Board may meet in closed session to deliberate on evidence presented at this meeting concerning: Consideration of an Administrative Civil Liability Order for Mohammad Ahmad and the Thomas E. Erickson Trust for Violations of (1) California Water Code section 13267 and (2) California Water Code section 13304 - Tahoe Tom's Gas Station, El Dorado County. Authority: Government Code Section 11126(c)(3).**
- l. **Discussion of Personnel Matters. Authority: Government Code Section 11126(a).**

**Wednesday, October 14, 2009 – Approximately 7:00 p.m.**

## **INTRODUCTIONS**

### **4. PUBLIC FORUM**

Any person may address the Water Board regarding a matter within the Water Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to five minutes, unless otherwise directed by the Chair. Any person wishing to make a longer presentation should contact the Executive Officer at least ten days prior to the meeting. Comments regarding matters that are under development for future meetings will be restricted. (See [http://www.waterboards.ca.gov/lahontan/board\\_info/agenda/upcoming.shtml#top](http://www.waterboards.ca.gov/lahontan/board_info/agenda/upcoming.shtml#top) )

**5. MINUTES**

[Minutes of the Regular Meeting of September 9, 2009](#) (video conference), in South Lake Tahoe and Victorville, CA (Laurie Applegate)

**6. ADOPTION OF UNCONTESTED CALENDAR**

Items denoted by (\*\*) are expected to be routine and non-controversial. The Water Board will act on these items at one time without discussion. If any Water Board member, staff member, or interested party requests discussion, the item will be removed from the Uncontested Calendar to be considered separately. Requests to have an item removed from the uncontested calendar can be made in advance of the meeting by writing to the Water Board or by calling the Water Board's Executive Officer or the request can be made to the Water Board at the meeting on the Wednesday before the vote on the Uncontested Calendar.

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS**

- \*\*7. [Rescission of Waste Discharge Requirements](#) for Doyle Plant/Baldwin Contracting Company, Lassen County; Conway Sand and Gravel, Lassen County; Wolfe Estates Subdivision, Nevada County; Placer County Government Center, Placer County; Tahoe Tavern Shoreline Construction, Placer County; Lake Tahoe Auto Village, El Dorado County; Delta Tahoe Industrial Property, El Dorado County** (The Water Board will consider rescinding multiple WDRs, Board Order Nos. 6-82-72, 6-86-69, 6-92-014, 6-95-017, 6-89-129, 6-94-115A2, and 6-93-04.) (Dale Payne)

**OTHER BUSINESS**

- \*\*8. [Resolution Authorizing Expenditure of Funds from the Tahoe Keys Mitigation Fund](#) for the California Tahoe Conservancy's Upper Truckee River Sunset Stables Reach 6 Restoration Project, El Dorado County** (The Water Board will be asked to authorize up to \$400,000 to fund a portion of the project cost.) (Lauri Kemper)

\*\* see Item 6

**ENFORCEMENT**

9. **Consideration of the Issuance of Cease and Desist Orders** for the Dischargers Listed Below for the Discharge or Threatened Discharge of Waste in Violation of Discharge Prohibitions Specified by the Water Quality Control Plan for the Lahontan Region and, Where Applicable, the Rescission of the Listed Cease and Desist Order (A Hearing Panel of the Water Board held a hearing on September 15, 2009 to accept testimony and consider the evidence presented at the hearing. The proposed orders reflect the Hearing Panel recommendations. The Water Board will not accept any new evidence on these proposed Cease and Desist Orders unless (1) a party demonstrates that compliance with the hearing procedures created a severe hardship, and (2) such severe hardship does not result in any showing of prejudice to any party or the Water Board as determined by the Water Board Chair. If the Water Board decides to accept new evidence for any discharger, it will convert that portion of this meeting item into a hearing. The Water Board will accept written non-evidentiary comments on these proposed Cease and Desist Orders from any person. These written comments must be received by the Water Board no later than October 12, 2009. At the meeting, the Prosecution Team, any discharger listed below and any interested person will also be allowed three minutes to provide oral non-evidentiary comments on these proposed Cease and Desist Orders.) (Harold Singer)

| Name  | APN           | Existing Cease and Desist Order Number (if applicable) |
|---|---------------|--|
| BAILEY TRUST ETAL                                     | 077-234-22-11 | not applicable   |
| BARKER, JEFFREY & BARBARA JT                          | 077-394-20-11 | not applicable   |
| BISHOW, RAYMOND L                                     | 077-254-28-11 | not applicable   |
| BIXBY, WILLIAM D & ANN R CPRS                         | 077-232-41-11 | not applicable   |
| BOBBITT, GALEN L & MONIQUE L ETAL                     | 077-354-24-11 | not applicable   |
| BUSH, JAMES K & DEBRA M JT                            | 077-201-09-11 | not applicable   |
| BUSKIRK, JEFFERY O & MARGARET A JT                    | 077-371-06-11 | not applicable   |
| CHANDLER, DIANE & GENTRY, BETTIFAE                    | 077-303-27-11 | not applicable   |
| CLARK, MARK L & REATHA PAULINE JT                     | 077-173-35-11 | not applicable   |
| COLEMAN, RONALD & STEPHANIE                           | 077-213-13-11 | 6-91-325   |
| CONTRERAS, ROBERT SR & CYNDI L                        | 077-232-42-11 | not applicable   |
| CRETE, JOSEPH C & TERRI JT                            | 077-393-14-11 | not applicable   |
| CUNHA, NANCY L.                                       | 077-191-20-11 | 6-91-350   |
| DAVIS, PATRICIA CANDIS C/O EMBER A DAVIS              | 077-223-23-11 | not applicable   |
| ESTES, KENNETH P & MARY L JT                          | 077-233-47-11 | not applicable   |
| EVANS, DAVE M   | 077-351-28-11 | 6-91-415   |
| FOULK, BENJAMIN L                                     | 077-222-21-11 | not applicable   |
| FRACK, LARRY ALAN                                     | 077-302-16-11 | not applicable   |
| GARDNER, JANE E ETAL                                  | 077-223-25-11 | not applicable   |
| HAINES, CIDNE J ETAL                                  | 077-351-03-11 | not applicable   |
| HASTY, CLARENCE & VIRGINIA REVOCABLE LIVING TRUST     | 077-343-23-11 | not applicable   |
| HEGSTAD, MILES K                                      | 077-354-17-11 | 6-91-484   |
| HELMER, NASON JAMES & GAIL ANN REVOCABLE TRUST        | 077-372-16-11 | not applicable   |
| HERITAGE LAND CO.                                     | 077-392-19-11 | 6-91-498   |
| JEFFERY, JAMES  | 077-378-24-11 | not applicable   |
| JOHNSTON FAMILY TRUST                                 | 077-352-19-11 | not applicable   |
| KISH, LEONORE M                                       | 077-204-15-11 | 6-91-527<br>6-91-528                                   |
| KOCH, LINDA C REVOCABLE TRUST % KOCH, LINDA C TRUSTEE | 077-283-16-11 | not applicable   |

|   |               |                |
|---|---------------|----------------|
| LUTZ, JOY L.                                      | 077-322-09-11 | not applicable |
| KOCH, THOMAS CHARLES                              | 077-264-09-11 | not applicable |
| KORB, JOHN & BARBARA JT                           | 077-132-16-11 | not applicable |
| MACIAS, RAYMOND AND MARJORIE A.                   | 077-172-16-11 | 6-91-568       |
| MANGER FAMILY TRUST                               | 077-391-11-11 | not applicable |
| MATTHIAS, PAUL L & DONNA JT                       | 077-161-20-11 | not applicable |
| MAYER, MARIE LOUISE TRUST c/o NICOLE VANSLAT      | 077-231-30-11 | not applicable |
| MCCANN, DAVID T & MONTGOMERY, DAVA D HWJT         | 077-363-28-11 | not applicable |
| MCMILLEN, TANYA & JERRY CPRS                      | 077-334-16-11 | not applicable |
| MCMILLEN, TANYA L & JERRY L                       | 077-254-29-11 | not applicable |
| MERRITT, ROBERT L. & JOAN L.                      | 077-394-15-11 | 6-91-586       |
| MITCHELL, BOB 1995 REVOCABLE TRUST                | 077-191-29-11 | not applicable |
| MUELLER, GARY M                                   | 077-192-31-11 | 6-91-606       |
| MUELLER, GARY MELVIN                              | 077-161-21-11 | not applicable |
| MULLER, THOMAS J & ROBERTA L                      | 077-381-16-11 | not applicable |
| NANCO, INC  | 077-292-11-11 | not applicable |
| NAYLOR, MITCHELL CREIG & GINGER JT                | 077-401-11-11 | not applicable |
| NEELY, TOM F & BECKY & NEELY, DARIN R & YVETTE JT | 077-304-57-11 | not applicable |
| NEIL, GERALD & JANET JT                           | 077-361-23-11 | not applicable |
| NEIL, GERALD E. & JANET E. JT                     | 077-163-06-11 | not applicable |
| NEIL, GERALD E. & JANET E. JT                     | 077-271-09-11 | not applicable |
| NEIL, GERALD E. & JANET E. JT                     | 077-272-43-11 | not applicable |
| NEIL, GERALD & JANET E. CPRS                      | 077-143-10-11 | not applicable |
| NEIL, GERALD & JANET HWJT                         | 077-133-10-11 | not applicable |
| OLIVER, JEFFREY W & LENA D JT                     | 077-411-18-11 | not applicable |
| OLIVER, JEFFREY W & LENA D JT                     | 077-411-19-11 | not applicable |
| PARKER, THEODORE & PATRICIA TRUST                 | 077-382-15-11 | not applicable |
| PARKER, THEODORE & PATRICIA TRUST                 | 077-383-40-11 | 6-91-641       |
| PEACOCK, BETSY A & TOBIN, LOUIS J HWJT            | 077-191-27-11 | not applicable |
| PRATT, WILLIAM H. & MARJORIE L. TC ETAL           | 077-311-33-11 | not applicable |
| RAMOS, DANIEL J & KATHRYN S                       | 077-192-38-11 | 6-91-667       |
| ROBINSON, GARY L                                  | 077-200-02-11 | not applicable |
| ROBINSON, GARY L                                  | 077-200-03-11 | not applicable |
| RUDLUFF, CAROLINE M. TR                           | 077-201-04-11 | not applicable |
| SCHMIDT, KENNETH & CYNTHIA JT                     | 077-391-07-11 | not applicable |
| SCHUMACHER, ARMIN & BOCK, CHRISTINA JT            | 077-361-22-11 | not applicable |
| SEBASTIANI, PIERO REVOCABLE TRUST ETAL            | 077-273-36-11 | not applicable |
| SHIMP, GLENN R & DIANE M HW ETAL                  | 077-331-46-11 | not applicable |
| SIDERS, KATHRYN D. C/O WALL, R. CONSERVATOR       | 077-271-20-11 | 6-91-716       |
| SIEVERS, WILLIAM A & JEANETTE                     | 077-353-25-11 | not applicable |
| SITES, VALERIE V                                  | 077-403-22-11 | not applicable |
| SMITH, BRYAN & TOKE JT                            | 077-271-16-11 | not applicable |
| SMITH, JOHN & ALICE 1995 LIVING TRUST             | 077-253-27-11 | not applicable |
| SPECIALE, GEORGE D.                               | 077-392-22-11 | 6-91-895       |
| STEBBINS, LORETTA                                 | 077-232-43-11 | 6-91-831       |
| STEINER LIVING TRUST C/O MICHAEL & JULIE STEINER  | 077-294-13-11 | not applicable |
| STEINOCHER, DANIEL G. & LINDA L. JT               | 077-254-27-11 | not applicable |
| STIMMELL, JAMES BRADLEY                           | 077-381-14-11 | 6-91-748       |
| SUTTON, DENNIS J. & ETAL DEBORAH L. JT            | 077-271-19-11 | not applicable |
| THOMAS, TREVOR P & LAURETTA R                     | 077-351-21-11 | not applicable |
| VALENA, JOHN L. & BEVERLY M.                      | 077-381-09-11 | 6-91-784       |

|  |               |                |
|--|---------------|----------------|
| WALKER, RUDOLPH SOYKA & REBECCA JT               | 077-274-25-11 | not applicable |
| WALKER, RUDOLPH SOYKA & REBECCA JT               | 077-251-40-11 | 6-91-899       |
| WILLIAMS, RICHARD L & PATRICIA C HWJT            | 077-234-43-11 | not applicable |
| WILLIFORD, GEORGE CALVIN TRST                    | 077-383-36-11 | not applicable |
| WILSON, KENNETH JR & VALERI                      | 077-412-17-11 | not applicable |
| WINTERS, LAUREL G                                | 077-162-03-11 | not applicable |
| ZUCCATO, MICHAEL W. AND LINDA J. REVOKABLE TRUST | 077-293-10-11 | not applicable |

**Thursday, October 15, 2009 – 8:30 a.m.**

**PLANS AND POLICIES**

10. **[Public Hearing- 2009 Triennial Review of the Water Quality Control Plan for the Lahontan Region \(Basin Plan\)](#)** (The Water Board will consider adopting a priority list of planning activities to be conducted over the following three years.) (Judith Unsicker)

**OTHER BUSINESS**

11. **Reports by Chair and Board Members** (Water Board members may discuss communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction. The Water Board may provide direction to staff; however, there will be no voting or formal action taken.)

**ADJOURNMENT**

Any person aggrieved by an action of the California Regional Water Quality Control Board, Lahontan Region that is subject to review as set forth in Water Code section 13320(a), may petition the State Water Resources Control Board (State Water Board) to review the action. Any petition must be made in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date the action was taken, except that if the thirtieth day following the date the action was taken falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulation applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

**Note:** A listing of pending applications for Water Quality Certification pursuant to Section 401 of the Clean Water Act may be obtained by calling:

For the Northern Lahontan Basin, Tobi Tyler in South Lake Tahoe at (530) 542-5435, [ttyler@waterboards.ca.gov](mailto:ttyler@waterboards.ca.gov)

For the Southern Lahontan Basin, Cindi Mitton in Victorville at (760) 241-7413, [cmitton@waterboards.ca.gov](mailto:cmitton@waterboards.ca.gov)



The Regional Water Quality Control Board, Lahontan Region, has a home page that can be accessed on the Internet, at: <http://www.waterboards.ca.gov/lahontan>

The Lahontan Water Board will be considering many items during this meeting which may result in Board action or direction to staff. We encourage input from all people interested in a given item or issue, so that when we act, our decision is based on all available information. Although an oath is not administered in most of the proceedings before this Board, **we expect all statements made before this Board to be truthful with no attempts to mislead this Board by false statements, deceptive presentation or failure to include essential information.**

The Board encourages all people in or near a Board meeting to refrain from engaging in inappropriate conduct. Inappropriate conduct may include disorderly, contemptuous or insolent behavior, breach of peace, boisterous conduct, violent disturbance or other unlawful interference in the Board's proceedings. Such conduct could subject you to contempt sanctions by the superior court (Govt. C Sec 11455.10).

The Board Chairperson may impose sanctions, including reasonable expenses and attorney's fees, on any party for bad faith actions, frivolous tactics or actions intended to cause unnecessary delay by a party or the party's attorney or representative (Govt. C Sec 11455.30).

# CALIFORNIA WATER QUALITY CONTROL BOARD

## LAHONTAN REGION

Main Office: 2501 Lake Tahoe Blvd., South Lake Tahoe, CA 96150 (530) 542-5400  
 Branch Office: 14440 Civic Drive, Suite 200, Victorville, CA 92392 (760) 241-6583

### LAHONTAN WATER BOARD MEMBERS

| Name                      | Location of Residence or Business | Appointment Category    |
|---------------------------|-----------------------------------|-------------------------|
| Jack Clarke, Chair        | Apple Valley                      | Water Supply            |
| Mike Dispenza, Vice Chair | Palmdale                          | Municipal Government    |
| James Charlton            | Palmdale                          | Public                  |
| R. Keith Dyas             | Rosamond                          | Industrial Water Use    |
| Amy Horne, Ph.D.          | Truckee                           | Rec., Fish and Wildlife |
| Don Jardine               | Markleeville                      | County Government       |
| Eric Sandel               | Truckee                           | Water Quality           |
| Vacant                    |                                   | Irrigated Agriculture   |
| Vacant                    |                                   | Water Quality           |

### LAHONTAN WATER BOARD STAFF

|                                       |  |  |   |                               |
|---------------------------------------|--|--|---|-------------------------------|
| Harold J. Singer<br>Executive Officer | Robert Dodds<br>Assistant Executive<br>Officer | David Coupe<br>Counsel to the<br>Board | Laurie Applegate<br>Executive Assistant | Cindy Rofer-Wise<br>Ombudsman |
|---------------------------------------|--|--|---|-------------------------------|

South Lake Tahoe Office:     Chuck Curtis, Manager, Cleanup and Enforcement Division  
   Chein Kao, Chief, Leviathan Mine Unit  
   Scott Ferguson, Chief, Enforcement & Special Projects Unit  
   Richard Booth, Chief, Cleanup and Site Investigation Unit

Lauri Kemper, Manager, North Lahontan Watersheds Division  
 Alan Miller, Chief, North Basin Regulatory Unit  
 Doug Smith, Chief, TMDL Unit  
 Douglas Cushman, Chief, Non-Point Source Unit

Victorville Office:             Mike Plaziak, Manager, Southern Lahontan Watershed Division  
   Cindi Mitton, Chief, South Basin Regulatory Unit  
   Patrice Copeland, Chief, Land Disposal Unit

The primary responsibility of the Water Board is to protect the quality of the surface and groundwater within the Region for beneficial uses. The duty is carried out by formulating and adopting water quality plans for specific ground or surface water bodies; by prescribing and enforcing requirements on domestic and industrial waste dischargers, and by requiring cleanup of water contamination and pollution. Specific responsibilities and procedures of the Board are outlined in the Porter-Cologne Water Quality Control Act.

Regular meetings of the Board are normally held on the second Wednesday and Thursday of each month. Meeting locations vary but generally alternate between the north and south basins of the region.

Recordings are made of each Board meeting and these tapes/ CDs are retained in the Board's office for two years. Anyone desiring copies should contact Laurie Applegate at (530) 542-5414, for the current fee schedule for copies.

NOTES

A. SEQUENCE OF AGENDA ITEMS

The items are numbered for identification purposes only and will not necessarily be considered in this order.

B. AVAILABILITY OF AGENDA MATERIAL

Details concerning these agenda items are available for public reference during working hours at the Board's offices. Copies of individual agenda items may be obtained at the Board's offices after 8:00 a.m. on the Friday, twelve days preceding the Board meeting. The staff will assist in answering questions.

C. UNCONTESTED ITEMS CALENDAR

Item numbers with an asterisk (\*) are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. If any Board member, staff member, or interested party requests discussion, the item will be removed from the Uncontested Calendar to be considered separately.

D. PETITION OF REGIONAL BOARD ACTION

Any person aggrieved by an action of the California Regional Water Quality Control Board, Lahontan Region that is subject to review as set forth in Water Code section 13320(a), may petition the State Water Resources Control Board (State Water Board) to review the action. Any petition must be made in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date the action was taken, except that if the thirtieth day following the date the action was taken falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulation applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

E. HEARING RECORD EXHIBITS

Material presented to the Board as part of the testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, chart, diagrams, etc.

F. CONTRIBUTIONS TO REGIONAL BOARD MEMBERS

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Lahontan Water Board must submit a statement to the Board disclosing any contributions of \$250 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent, within the last 12 months to any Water Board member. All permit applicants and all persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Water Board are prohibited from making a contribution of \$250 or more to any Board member for three months following a Water Board decision on the permit application.

G. ADDITIONAL CLOSED SESSION

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code Section 11126 (a), (c)(3) and (e).