
Colorado River Basin Regional Water Quality Control Board

August 12, 2015

Sent by electronic mail only

Tom Vandenberg
Staff Counsel
State Water Resources Control Board
Office of Chief Counsel
Tom.Vandenberg@waterboards.ca.gov

**SUBJECT: ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R7-2015-0038;
PROSECUTION TEAM'S SUBMISSION OF EVIDENCE AND POLICY
STATEMENTS**

Dear Mr. Vandenberg:

In accordance with the Notice of Public Hearing and Hearing Procedure for Administrative Civil Liability (ACL) Complaint No. R7-2015-0038 (Hearing Procedure), the Colorado River Basin Water Board (Regional Water Board) Prosecution Team submits electronic copies of the information required under Hearing Procedure section, Submission of Evidence and Policy Statements. Due to the file size, all the information not provided herein was uploaded on to the Regional Water Board's website and is available for public download at: http://www.waterboards.ca.gov/coloradoriver/water_issues/programs/enforcement/date_garden_s_mhp/index.shtml (the Web Page). A hyperlink to the Web Page, entitled "Date Gardens MHP Enforcement Documents" is also provided on the Regional Board's homepage (<http://www.waterboards.ca.gov/coloradoriver/>) under the "Announcements" section. The Advisory Team authorized this method of evidence submission on Monday, August 3, 2015.

Evidence

All evidence the Prosecution Team would like the Regional Water Board to consider is posted on the Web Page under the hyperlink entitled "Evidence". The Exhibit List and Exhibits 1 through 74 are provided therein.

Legal and Technical Arguments or Analysis

The Prosecution Team's Legal and Technical Arguments or Analysis is posted on the Web Page under the hyperlink entitled "Legal and Technical Arguments or Analysis". The Prosecution Team reserves its right to present additional legal and/or technical analysis in its rebuttal submission, if necessary.

Witness List

The following witnesses will testify for the Prosecution Team at the Hearing:

1. Jose L. Angel, AEO, will testify for 5-10 minutes concerning relevant water quality control law, policy, and regulations applicable in this matter. Mr. Angel will also be available to testify, if necessary, concerning the development of the Complaint, including the review of documents referenced in the Complaint and the calculation of liability.
2. Kai Dunn, Senior WRCE, will testify for 5-10 minutes, if necessary, concerning the development of the Complaint, including the review of documents referenced in the Complaint and the calculation of liability.
3. Jose Figueroa-Acevedo, WRCE, will be available to testify for 5-10 minutes concerning the development of the Complaint, including the review of documents referenced in the Complaint and calculation of liability. Mr. Figueroa-Acevedo will also be available to testify concerning applicable regulatory requirements, key monitoring and reporting provisions of NPDES Permit No. CA0104841, and, if necessary, site inspections and overall compliance record.
4. Maribel Rodriguez, SET, will be available to testify for 5-10 minutes, if necessary, concerning Discharger's records in the California Integrated Water Quality System (CIWQS).

As required by the Hearing Procedure, the Prosecution Team is also providing a copy of this letter to the Discharger.

If you have any questions, please contact Paul Ciccarelli, Staff Counsel in the Office of Enforcement, State Water Resources Control Board at (916) 322 3227 or at paul.ciccarelli@waterboards.ca.gov.

Sincerely,



Paul D. Ciccarelli
Staff Counsel
On Behalf of the Prosecution Team

cc: (provided on next page)

cc: (sent by electronic mail only)

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