

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition
of Michael D. Sanford for Review
of Resolution No. 73-18, California
Regional Water Quality Control
Board, San Francisco Bay Region.

Order No. WQ 74-17

BY THE BOARD:

By Resolution No. 73-13, the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Board), defined an area of Stinson Beach within which waste discharges to individual leaching or percolation systems would be prohibited. The area was redefined by the Regional Board in Resolution No. 73-18. As redefined, the area of prohibition included certain property owned by Michael D. Sanford (petitioner).

On February 17, 1974, petitioner filed a petition with the State Water Resources Control Board requesting review of Resolution No. 73-18, and specifically requesting exclusion of his property from the area of prohibition established by Resolution No. 73-18. The basis of petitioner's request was that, while the notice of public hearing issued by the Regional Board for Resolution No. 73-18 referred to "exclusion" of certain property, the notice did not refer to possible "inclusion" of other property. Therefore, petitioner claims lack of notice of hearing as to the possible inclusion of his property within the area of prohibition.

On April 11, 1974, petitioner instituted a mandate proceeding in the Superior Court for the County of Marin requesting that Resolution No. 73-18 be set aside as it relates to petitioner's property (Crandall, et al. v. California State Water Resources Control Board, Action No. 70566). On May 21, 1974, the Regional Board adopted Resolution No. 74-6 which again defined the boundaries of the area of Stinson Beach to which the prohibition applies. This resolution excluded petitioner's property from the area of prohibition. On August 15, 1974, the State Board approved adoption of Resolution No. 74-6 by the Regional Board.

On June 11, 1974, an order of dismissal was entered in the above legal action on the ground that Resolution No. 74-6 provided petitioner with the requested relief.

In view of the fact that the relief requested by petitioner has been granted, this matter is moot and this petition should be dismissed.

NOW, THEREFORE, IT IS HEREBY ORDERED that this petition
be, and it is, dismissed.

Dated: SEP 19 1974

W W Adams

W. W. Adams, Chairman

Ronald B. Robie

Ronald B. Robie, Vice Chairman

Roy E. Dodson

Roy E. Dodson, Member

Mrs. Carl H. Auer

Mrs. Carl H. (Jean) Auer, Member

ABSENT

W. Don Maughan, Member