

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

PUBLIC HEARING
concerning

Consideration of an Administrative Civil Liability
for

**TEHAMA MARKET ASSOCIATES, LLC
AND
ALBERT GARLAND
LINKSIDE PLACE SUBDIVISION
BUTTE COUNTY**

The Assistant Executive Officer of the California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board), issued a complaint for Administrative Civil Liability in the amount of \$150,000 to the Tehama Market Associates, LLC and Albert Garland for violations of Clean Water Act Section 301, and California Water Code Section 13376. Tehama Market Associates, LLC and Albert Garland failed to obtain coverage under National Pollutant Discharge Elimination System General Permit No. CAS000002, Order No. 99-08-DWQ.

The Tehama Market Associates, LLC and Albert Garland were the owners and developers of a residential development known as Linkside Place in Butte County. Runoff from the site discharges to the north to unnamed ephemeral drainages and wetlands that are tributary to Thermalito Afterbay, which is tributary to the Feather River and to the east southeast to unnamed ephemeral drainages and wetlands that are tributary the Feather River.

The Tehama Market Associates, LLC and Albert Garland discharged pollutants in storm water with out an NPDES Permit and with out coverage under WDR Order No. 99-08-DWQ. The Discharger also failed to provide an effective combination of erosion and sediment control Best Management Practices (BMPs) on site through out the rainy season. The lack of adequate BMPs caused the discharge of turbid and sediment-laden water to surface waters, violating water quality standards.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting, which is scheduled for:

DATE: 21/22 June 2007
TIME: 8:30 a.m.
PLACE: Central Valley Water Board Office
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of Central Valley Water Board
- Tehama Market Associates, LLC
- Albert Garland

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against

him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Board no later than **18 May 2007**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

Persons, including parties, wishing to comment on this noticed hearing item must submit testimony, evidence, and or comments (collectively "comments") in writing to the Central Valley Water Board no later than **18 May 2007**. Comments submitted after **18 May 2007** will not be accepted or incorporated into the administrative record if doing so would prejudice any party.

Anyone having questions on the proposed Administrative Civil Liability Order should contact Scott A. Zaitz (530) 224-4784 or George D. Day (530) 224-4859. Interested parties may download the proposed Order and related documents from the Central Valley Water Board's Internet website at <http://www.waterboards.ca.gov/centralvalley/tentative/>. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's Redding office at 415 Knollcrest Drive, #100, Redding 96002 weekdays between 8:00 a.m. and 5:00 p.m.

All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross-examination will be limited in time by the Board Chair.

The procedures governing Central Valley 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 central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings/mtgprocd.html or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardiat (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original signed

James C. Pedri, Assistant Executive Officer

20 April 2007