

Los Angeles Regional Water Quality Control Board

**Notice of Executive Officer Hearing
Thursday, April 11, 2013
9:00 a.m.**

Meeting Location:

**The State of California
320 W. 4th Street, 6th Floor (Courtroom 1)
Los Angeles, California 90013**

Agenda

The Parties to these agenda items must submit any written documents or evidence the party wants the Executive Officer to consider, a summary of any testimony the party intends to present, a list of witnesses the party intends to call at the hearing, and a statement regarding how much time the party needs to present its case to the Prosecution Team no later than the dates indicated in the Notice of Public Hearing and Hearing Procedures for each item. If these requirements are not complied with, the Executive Officer may refuse to admit the proposed testimony or exhibit into evidence, unless the proponent can demonstrate why he or she was unable to submit the documents by the deadline or that compliance with the deadline would otherwise create a hardship. The Executive Officer will refuse to admit late testimony or exhibits into evidence where there is a showing of prejudice to any party or the Board. (California Code of Regulations, title 23, section 648.4).

If you are reading a statement at the hearing, please provide the Executive Assistant with a copy at the hearing.

The Executive Officer will endeavor to consider all matters listed on this agenda. However, time may not allow the Executive Officer to hear all matters listed. Matters not heard at this hearing may be carried over to a future Executive Officer hearing or Regional Board meeting. Parties will be notified in writing of the rescheduling of their item. Please contact the Regional Board staff to find out about rescheduled items.

1. **Introduction**.....Executive Officer
2. **Order of Agenda.** Note that the agenda items are numbered for identification purposes only and may not necessarily be considered in this order.

3. Hearing on Complaint No. R4-2008-0161-M to assess Mandatory Minimum Penalties in the amount of \$30,000 pursuant to California Water Code § 13385, subdivisions (h) and (i), against Brentwood on Wilshire, LLC for violations of its waste discharge requirements contained in Order No. R4-2008-0032. (After a hearing to receive evidence and testimony concerning the Complaint, the Executive Officer will make findings of fact and conclusions of law, and may adopt, modify, or reject the recommended mandatory minimum penalties). (Comment submittal deadline for interested persons was January 14, 2013). [Andrew Choi, (213) 576-6791]
4. **Adjournment.**

NOTICE

Additional information concerning hearing procedures, written submissions, and the record.

Hearing Procedures: The Regional Board follows procedures established by the State Water Resources Control Board. These procedures are established in regulations commencing with section 647 of title 23 of the California Code of Regulations. The Executive Officer may establish specific procedures for each item, and consistent with section 648, subdivision (d), of title 23 of the California Code of Regulations, may waive nonstatutory provisions of the regulations. Generally, all witnesses testifying before the Executive Officer must affirm the truth of their testimony and are subject to questioning by the Executive Officer and his or her advisors. The Executive Officer does not, generally, require the cross examination of witnesses, although cross examination is permissible. Any requests for an alternate hearing process should be made to the Legal Advisor pursuant to the deadlines in the Notice of Public Hearing and Hearing Procedures for each item.

Written Submissions: Written materials (whether hand-delivered, mailed, e-mailed, or facsimiled) **must be received prior to the relevant deadline** established in the Notice of Public Hearing and Hearing Procedures for each item. Failure to comply with the requirements for written submissions is grounds for the Executive Officer to refuse to admit the proposed written submission into evidence. (Cal. Code Regs., tit. 23, § 648.4(e).) If the submitted material is more than 10 pages or contains foldouts, color graphics, maps, or similar items, 6 copies must be submitted prior to the relevant deadline.

Administrative Record: Material presented to the Executive Officer as part of testimony that is to be made part of the record must be left with the Executive Assistant. This includes photographs, slides, charts, diagrams, etc. All Board files pertaining to the items on this agenda are made a part of the Regional Board's administrative record.

Accessibility: Individuals requiring special accommodations or language needs should contact Dolores Renick at (213) 576-6629 or drenick@waterboards.ca.gov at least ten working days prior to the meeting. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Availability of Complete Agenda Package: A copy of the complete agenda package is available for examination at the Regional Board Office during regular working hours (8:00 a.m. to 5:00 p.m. Monday through Friday) beginning 10 days before the Executive Officer hearing. Questions about specific items on the agenda should be directed to the staff person whose name is listed with the item.

Electronic Information and Updates: Our web site address is <http://www.waterboards.ca.gov/losangeles/>. Information available online includes the Regional Board's meeting schedule, a list of the Regional Board members, past and present Executive Officer reports, program information, a list of staff and phone numbers arranged by their work unit, and links to the Santa Monica Bay Restoration Commission's home page and other governmental agencies. Last minute changes to the agenda, such as the continuance of an item, will be posted electronically. If you need further information, please contact Khalid Abdullah at (213) 576-6675.