



California Regional Water Quality Control Board Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
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Arnold Schwarzenegger
Governor

MEETING AGENDA

May 17, 2007

Teleconference – two locations

California Regional Water Quality
Control Board – Lahontan Region
Victorville Office – Conference Room
14440 Civic Drive, Suite 200
Victorville, CA 92392

Town of Truckee
Town Administrative Center
Second Floor Conference Room
10183 Truckee Airport Road
Truckee, CA 96161

Open meeting

3:00 p.m.

Adjourn to closed session

3:05 p.m.

Open session and adjourn meeting

Approximately 5:00 p.m.

***Note:** The Board is conducting this meeting using teleconference equipment that will permit Board members to participate from the two locations shown above. Two Board members will be participating from the Victorville location and three Board members will be participating from the Truckee location. A quorum of the Board will be present for this meeting.

The purpose of this meeting is to conduct a closed session. Immediately after opening the meeting, the Board will adjourn to closed session to discuss one or more of the items shown below. Following the closed session, the Board will return to open session to adjourn the meeting. The public may attend the open session portions of the meeting at either location. However, no public comment on the agenda items will be accepted and there will be no public forum at this meeting.

Both meeting rooms are accessible to people with disabilities. If you have special accommodations or language needs, please contact Laurie Applegate at least 5 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.

California Environmental Protection Agency



Recycled Paper

Thursday, May 17, 2007 – 3:00 p.m.**1. CLOSED SESSION¹**

- a. **Discussion of Litigation: County Sanitation District No. 14 of Los Angeles County v. Regional Water Quality Control Board, Lahontan Region, Los Angeles County Superior Court Case No. BS095981. Authority: Government Code Section 11126(e).**
- b. **Discussion of Litigation: County Sanitation District No. 20 of Los Angeles County v. Regional Water Quality Control Board, Lahontan Region, Los Angeles County Superior Court Case No. BS096057. Authority: Government Code Section 11126(e).**
- c. **Discussion of Significant Exposure to Litigation. Authority: Government Code Section 11126(e)(2)(B)(I).**
- d. **Discussion to Decide Whether to Initiate Litigation. Authority: Government Code Section 11126(e)(2)(c)(I).**
- e. **Deliberation on a Decision to be Reached Based Upon Evidence Introduced in a Hearing. The Board may meet in closed session to deliberate on evidence presented at the March 14-15, 2007 meeting concerning: Proposed Cease and Desist Order No. R6V-2004-0038-A01 for County Sanitation District No. 14 of Los Angeles County; and, Proposed Cease and Desist Order No. R6V-2004-0039-A01 for County Sanitation District No. 20 of Los Angeles County. Authority: Government Code Section 11126(c)(3).**

2. ADJOURNMENT

Any party aggrieved by a certain decision of the California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board), may petition the State Water Resources Control Board (State Water Board) to review the decision. The petition must be received by the State Water Board within 30 days of the Lahontan Water Board's meeting at which the action was taken. Copies of the law and regulation applicable to filing petitions will be provided upon request.

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>

¹ 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).

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
John Brissenden	Hope Valley	Water Quality
Jack Clarke, Vice Chair	Apple Valley	Water Supply
R. Keith Dyas	Rosamond	Industrial Water Use
Amy Horne, Ph.D., Chair	Truckee	Rec., Fish and Wildlife
Eric Sandel	Truckee	Water Quality
Susan J. Van Dam	Barstow	Irrigated Agriculture
Vacant		Public
Vacant		County Government
Vacant		Municipal Government

LAHONTAN WATER BOARD STAFF

Harold J. Singer Executive Officer	Robert Dodds Assistant Executive Officer and Ombudsman	David Coupe Counsel to the Board	Laurie Applegate Executive Assistant
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South Lake Tahoe Office: Chuck Curtis, Manager, Cleanup/Planning/TMDL/Enforcement Division
Vacant, Chief, TMDL Unit
Scott Ferguson, Chief, Enforcement & Special Projects Unit
Richard Booth, Chief, UST/DOD/SLIC/Leviathan Unit

Lauri Kemper, Manager, Tahoe/Point and Non-Point Division
Alan Miller, Chief, North Basin Regulatory Unit
Doug Smith, Chief, Tahoe TMDL Unit
Vacant, Chief, Non-Point Source Unit

Victorville Office: Mike Plaziak, Manager, Southern Lahontan Watershed Division
Cindi Mitton, Chief, South Basin UST/DOD/SLIC Unit
Mike Plaziak, Chief, South Basin Regulatory 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 affected by a certain decision of the California Regional Water Quality Control Board, Lahontan Region, (Lahontan Water Board) may petition the State Water Resources Control Board to review the decision. The petition must be received by the State Water Board within 30 days of the Lahontan Water Board's meeting at which the action was taken. Copies of the law and regulations applicable to filing petitions 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).

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

2501 Lake Tahoe Boulevard, South Lake Tahoe, CA 96150 (530) 542-5400
14440 Civic Drive, Suite 200, Victorville, CA 92392 (760) 241-6583

**NOTICE OF PUBLIC MEETING OF THE CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD, LAHONTAN REGION (LAHONTAN WATER BOARD) TO
CONVENE A CLOSED SESSION**

Discussion of Litigation: County Sanitation District No. 14 of Los Angeles County v.
Regional Water Quality Control Board, Lahontan Region, Los Angeles County Superior
Court Case No. BS095981

and

Discussion of Litigation: County Sanitation District No. 20 of Los Angeles County v.
Regional Water Quality Control Board, Lahontan Region, Los Angeles County Superior
Court Case No. BS096057

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board,
Lahontan Region (Lahontan Water Board), will hold a public meeting on May 17, 2007
at 3:00 p.m. at:

California Regional Water Quality Control Board – Lahontan Region Victorville Office –
Conference Room, 14440 Civic Drive, Suite 200

and

Town of Truckee, Town Administrative Center, Second Floor Conference Room, 10183
Truckee Airport Road, Truckee, CA 96161

in order to convene in closed session concerning the items enumerated above. The
Board is conducting this meeting using teleconference equipment that will permit Board
members to participate from the two locations shown above. Two Board members will
be participating from the Victorville location and three Board members will be
participating from the Truckee location. A quorum of the Board will be present for this
meeting.

The Water Board Prosecution Team and District 14 and District 20 have reached a
settlement in response to petitions for Writ of Mandate filed by the two Districts in
Superior Court. The petitions challenged two cease and desist orders: R6V-2004-0038
and R6V-2004-0039. The proposed settlement includes amendments to the compliance
schedules in the orders subject to the petitions.

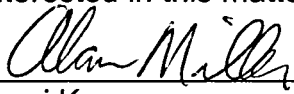
The Board may hold a closed session to consider pending litigation pursuant to Government Code section 11126, subdivision (e).

The public may attend the open session portions of the meeting at either location. However, at this meeting, no public forum will be held and no public comment on the agenda items will be accepted. An agenda announcement for this meeting is available at <http://www.waterboards.ca.gov/lahontan/>.

Oral testimony and comments on (1) the consideration of a settlement for claims of administrative civil liability through the adoption of an administrative civil liability order for County Sanitation District No. 14 of Los Angeles County – Lancaster and County Sanitation District No. 20 – Palmdale; (2) consideration of amended cease and desist order no. R6V-2004-0038-A01 for County Sanitation District No. 14 of Los Angeles County – Lancaster; and (3) consideration of amended cease and desist order no. R6V-2004-0039-A01 for County Sanitation District No. 20 of Los Angeles County – Palmdale may be provided at the May 23-24 Lahontan Water Board Meeting in Lancaster, California. The agenda announcement for the May 23-24 Board Meeting is available at <http://www.waterboards.ca.gov/lahontan/>. However, please note that the written public comment period for these items expired on April 13, 2007.

The meeting facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Laurie Applegate at (530) 542-5414 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 foregoing to the attention of any person whom you know to be interested in this matter.


FOR Lauri Kemper
Division Manager

Date: May 2, 2007