


## Lahontan Regional Water Quality Control Board

**TO:** Sue Genera, Executive Assistant



**FROM:** Lauri Kemper, PE, Assistant Executive Officer

**DATE:** January 6, 2016

**SUBJECT:** Transmittal of Prosecution Team Written Materials - Witness List, Summaries of Witness Testimony, and Referenced Documents, for Consideration of Administrative Civil Liability Complaint No. R6T-2015-0058, Sheila M. Miner, APN No. 077-332-42-11, Spalding Tract Subdivision, Eagle Lake, Lassen County

Pursuant to the December 11, 2015, Hearing Procedures, I am submitting to you one original, 15 copies, and an electronic copy of the Lahontan Water Board Prosecution Team's above-referenced documents. Additionally, I am providing one copy each to Kim Niemeyer and Sheila M. Miner.

Enclosures:

1. Lahontan Water Board Prosecution Team's Witness List
2. Lahontan Water Board Prosecution Team's Summaries of Witness Testimony
3. Lahontan Water Board Prosecution Team's Documents Included by Reference

cc (w/enclosures):

Sheila M. Miner  
Kathy Olson, Ace Attorney Services, Inc.

cc (w/enclosures via email):

Chris Gallagher, General Manager, Spalding Community Services District  
Virginia Bruce, Spalding Community Services District  
Doug Ames, Director, Lassen County Environmental Health Department  
Dan Schlueter, Assessor, Lassen County Assessor's Office  
Madalene Ransom, State Water Resources Control Board  
David Boyers, State Water Resources Control Board, Office of Enforcement  
Vanessa Young, State Water Resources Control Board, Office of Enforcement  
Kim Niemeyer, State Water Resources Control Board, Office of Chief Council

LAS/ma/T: PT Materials-Trans Ltr  
File Under: Spalding Tract-Miner, Sheila

KIMBERLY COX, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

**ENCLOSURE 1**

LAHONTAN WATER BOARD PROSECUTION TEAM'S  
LIST OF WITNESSES

## **LIST OF WITNESSES**

1. Lisa Scorallo, Engineering Geologist, Enforcement and Special Projects Unit, Lahontan Regional Water Quality Control Board
2. Catherine Pool, PE, Senior Water Resource Control Engineer, Enforcement and Special Projects Unit, Lahontan Regional Water Quality Control Board
3. Scott C. Ferguson, PE, Supervising Water Resource Control Engineer, Regulatory and Compliance Division, Lahontan Regional Water Quality Control Board
4. Lauri Kemper, PE, Assistant Executive Officer, Lahontan Regional Water Quality Control Board
5. Madalene Ransom, Research Program Specialist II, State Water Resources Control Board
6. Kathy Olson, Process Server, Ace Attorney Services, Inc.
7. Doug Ames, Director, County of Lassen, Environmental Health Services Department
8. Dan Schlueter, Assessor, County of Lassen, Office of Assessor
9. Chris Gallagher, General Manager, Spalding Community Services District
10. Virginia Bruce, Spalding Community Services District

**ENCLOSURE 2**

LAHONTAN WATER BOARD PROSECUTION TEAM'S  
SUMMARIES OF WITNESS TESTIMONY

**SUMMARY OF TESTIMONY OF LISA SCORALLE, CATHERINE POOL,  
SCOTT C. FERGUSON AND LAURI KEMPER, LAHONTAN WATER BOARD**

- *Water Quality Control Plan For The Lahontan Region* (Basin Plan) prohibition;
- Lahontan Water Board Cease and Desist Order No. R6T-2015-0002;
- Discharger owns property in Spalding Tract;
- Evidence supporting violation of the Cease and Desist Order;
- Notice of Violation issued August 4, 2015;
- Administrative Civil Liability Complaint No. R6T-2015-0058;
- *State Board Enforcement Policy, May 20, 2010*, and application of the administrative civil liability methodology and supporting information;
- Reasons to impose Administrative Civil Liability; and
- Recommendation to the Water Board.

**SUMMARY OF TESTIMONY OF MADALENE RANSOM, STATE WATER  
RESOURCES CONTROL BOARD**

- Economic Benefit Determination

## **SUMMARY OF TESTIMONY OF KATHY OLSON, ACE ATTORNEY SERVICES, INC.**

- Process Service of Water Board Orders and other documents upon Ms. Sheila M. Miner

**SUMMARY OF TESTIMONY OF DOUG AMES, DIRECTOR, LASSEN COUNTY  
ENVIRONMENTAL HEALTH DEPARTMENT**

- Explanation of documents copied from County of Lassen Environmental Health Department's records.



**SUMMARY OF TESTIMONY OF DAN SCHLUETER, ASSESSOR,  
LASSEN COUNTY OFFICE OF ASSESSOR**

- Explanation of documents copied from the County of Lassen Office of Assessor's records.

**SUMMARY OF TESTIMONY OF CHRIS GALLAGHER AND VIRGINIA BRUCE,  
SPALDING COMMUNITY SERVICES DISTRICT**

- Explanation of documents provided by the Spalding Community Services District.

**ENCLOSURE 3**

LAHONTAN WATER BOARD PROSECUTION TEAM'S  
LIST OF DOCUMENTS INCLUDED BY REFERENCE

## LIST OF DOCUMENTS INCLUDED BY REFERENCE

1. *Water Quality Control Plan for the Lahontan Region (Basin Plan)*
  - Document Location: Lahontan Water Board offices and web site ([http://www.waterboards.ca.gov/lahontan/water\\_issues/programs/basin\\_plan/references.shtml](http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml))
  
2. *Report on the Water Quality Status of Eagle Lake with Consideration of Possible Eutrophication Changes, April 1981*
  - Document Location: Lahontan Water Board offices
  
3. *Response to Petition-Adopted Cease and Desist Orders for the Property Owners of the Stones-Bengard Subdivision and Spalding Tract, Eagle Lake Basin, Lassen County, October 31, 1992*
  - Document Location: Lahontan Water Board offices
  
4. Water Board Files for Spalding Tract Property Owner Sheila Miner, APN 077-332-42-11, named in Cease and Desist Order No. R6T-2015-0002 and Administrative Civil Liability Complaint No. R6T-2015-0058 (excluding all privileged documents).
  - Document Location: Lahontan Water Board offices