



Linda S. Adams
Acting Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from U.S. EPA

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Edmund G. Brown Jr.
Governor

February 1, 2011

VIA E-MAIL

Jessica Newman, Esq.
Staff Counsel
Office of Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814-2828

In reply refer to:
WDID 9 33C338574;rstewart
WDID 9 33C338575;rstewart

Dear Ms. Newman:

EVIDENCE AND POLICY STATEMENTS, COMPLAINT NOS. R9-2010-0084 AND R9-2010-0104 FOR ADMINISTRATIVE CIVIL LIABILITY AGAINST JACK EITZEN FOR VIOLATIONS OF STATE BOARD ORDER NO. 99-07-DWQ AND BASIN PLAN PROHIBITIONS 1 AND 14 FROM CONSTRUCTION ACTIVITIES AT 38175 AND 38155 VIA VISTA GRANDE, MURRIETA, CALIFORNIA

In accordance with the amended Hearing Procedures for Administrative Civil Liability (ACL) Complaint Nos. R9-2010-0084 and R9-2010-0104 dated January 26, 2011, issued to Mr. Jack Eitzen; the Prosecution Team of the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) submits the following information:

Evidence

All materials previously distributed to the Designated Parties, including, but not limited to, ACL Complaint No. R9-2010-0084, its technical report, and all attachments thereto, and ACL Complaint No. R9-2010-0104, its technical report, and all attachments thereto.

Legal and Technical Arguments or Analysis

This information has been provided to the Designated Parties with ACL Complaint No. R9-2010-0084 on September 28, 2010 and ACL Complaint No. R9-2010-0104 on November 15, 2010.

Witnesses

The Prosecution Team may call upon the following witnesses if necessary:

California Environmental Protection Agency

Name	Subject	Estimated Testimony Time	Qualifications
Jeremy Haas	Technical and administrative analysis	Ten (10 minutes)	Senior Environmental Scientist
Rebecca Stewart	Technical and administrative analysis	Ten (10 minutes)	Sanitary Engineering Associate
Tony Felix	Technical support	Ten (10) minutes	Water Resource Control Engineer
Chandra Thomas	Technical support	Ten (10) minutes	Program Administrator, County of Riverside, Department of Building and Safety, Environmental Compliance Division

I also intend on presenting and discussing the evidence set forth above as the Prosecution Team's case-in-chief. I estimate this will take no longer than 20 minutes.

Please contact me at (858) 467-2966 or by e-mail at rstewart@waterboards.ca.gov if you have any questions concerning this matter. The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

Respectfully,



REBECCA L. STEWART
Sanitary Engineering Associate

RLS:rls

cc: via email

Mr. Paul Cliff, Lobb & Cliff, LLC, pcliff@lobbcliff.com
Mr. Jack Eitzen, jackeno@hotmail.com
Mr. David Boyers, dboyers@waterboards.ca.gov
Mrs. Catherine Hagan, Esq., chagan@waterboards.ca.gov