

ITEM: 6

SUBJECT: Delegation of Powers and Duties to the Executive Officer

BOARD ACTION: *Consideration of Adoption of Resolution*

BACKGROUND: Under Resolution R5-2007-0009, Executive Officer Pamela C. Creedon has been authorized by the Central Valley Water Board to issue Administrative Civil Liability Orders where no hearing is required; i.e. when a discharger and the Board's Prosecution Team reach a settlement and the settlement is acceptable to the Executive Officer.

However, if the Executive Officer serves as lead prosecution officer in an enforcement matter, the Executive Officer is precluded from issuing Administrative Civil Liability Orders memorializing a settlement of the enforcement matter due to a potential conflict of interest. This Resolution permits the Executive Officer to delegate her authority to issue Administrative Civil Liability Orders to a deputy in cases where the Executive Officer is serving as lead prosecution officer.

RECOMMENDATION: Adopt the proposed resolution.

Mgmt. Review_____

Legal Review_____

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11020 Sun Center Dr. #200
Rancho Cordova, CA 95670