



# California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Linda S. Adams  
Secretary for  
Environmental  
Protection

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114  
Phone (916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>

FILE

Arnold  
Schwarzenegger  
Governor

28 April 2009

James Pedri  
Assistant Executive Officer  
Central Valley Regional Water Quality Control Board  
415 Knollcrest Drive  
Redding, CA 96002

Mr. Albert Garland  
Tehama Market Associates, LLC  
1802 North Carson Street, Suite 212  
Carson City, NV 89701

Timothy O'Laughlin, Esq.  
O'Laughlin & Paris LLP  
2571 Sierra Sunrise Terrace, Suite 210  
Chico, CA 95973

**Re: Administrative Civil Liability Order No. R5-2007-0054 (Tehama Market Associates, LLC and Albert Garland)**

The California Regional Water Quality Control Board, Central Valley Region, (Regional Water Board) met in closed session on April 24, 2009 to confer with its legal counsel regarding the Superior Court's April 6, 2009 ruling in Tehama Market et al v. CVRWQCB, Butte Co. Sup. Ct. No. 141395.

The discussion was authorized by Government Code section 11126(e)(2)(A). The Regional Water Board conferred only with the legal counsel and management that are acting in an advisory capacity in this matter: Phil Wyels, Assistant Chief Counsel, Emel Wadhvani, Staff Counsel, and Pamela Creedon, Executive Officer. Members of the Regional Water Board's enforcement team for this matter, which is led by James Pedri, Assistant Executive Officer, were not present during the closed session.

In closed session, the Regional Water Board authorized its Executive Officer to vacate Order No. R5-2007-0054 upon receipt of the court's final judgment. The Regional Water Board also determined that it is appropriate for the Enforcement Team to enter into settlement discussions, if any, with petitioners. Any proposed settlement of this matter is subject to the approval of the Executive Officer. If the Enforcement Team desires to schedule a proceeding before the Regional Water Board to reconsider the evidence and findings regarding laches, it should schedule that proceeding so that it occurs no later than the Regional Water Board's August meeting, subject to petitioners' and petitioners' counsel's availability.

Sincerely,

Pamela C. Creedon  
Executive Officer

*California Environmental Protection Agency*

cc: Cecilia Dennis, Deputy Attorney General, Office of the Attorney General, San Francisco Office  
Emel Wadhvani, Staff Counsel, State Water Resources Control Board  
Phil Wyels, Assistant Chief Counsel, State Water Resources Control Board