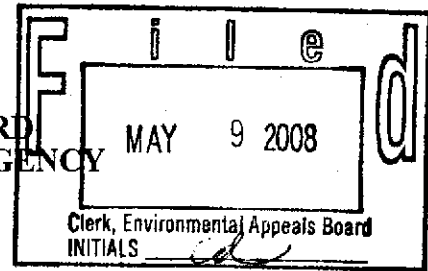


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re: )  
Dry Creek Rancheria )  
NPDES Permit No. CA-0005241 )

NPDES Appeal Nos. 07-14 & 07-15

**ORDER SCHEDULING STATUS CONFERENCE**

By Order dated May 7, 2008, the Environmental Appeals Board ("Board") issued an order scheduling oral argument in the above-captioned matter for June 13, 2008. Prior to this argument, however, the Board requires an update on the status of any ongoing settlement discussions. As recently as February 15, 2008, Petitioners, the County of Sonoma and Sonoma County Water Agency, and the Alexander Valley Association, have represented to this Board that settlement discussions have occurred in this matter, and that the parties "have reached preliminary agreement on key terms." Motion for Extension of Time to File Papers Responding to Petitions For Review (Feb. 15, 2008).

Accordingly, the Petitioners, U.S. EPA Region 9, and the Permittee (the Dry Creek Rancheria Band of Pomo Indians), are hereby ordered to participate in a status conference. The status conference will be conducted at 1:00 p.m. Eastern Daylight Time on Thursday May 22, 2008, in the Administrative Courtroom, U.S. Environmental Protection Agency, EPA East Building, Room 1152, 1201 Constitution Avenue, N.W., Washington, D.C. Counsel who wish to participate in this status conference via the EPA video-conferencing equipment in the Administrative Courtroom shall contact the Clerk of the Board, at (202) 233-0122, no later than May 16, 2008, to make arrangements for use

of such equipment. Further, all participants shall provide the Board in writing with the names of counsel who will be participating in the status conference no later than May 16, 2008.

So ordered.

Dated: *May 9, 2008*

ENVIRONMENTAL APPEALS BOARD

By: *Charles Sheehan*  
Charles Sheehan  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Scheduling Status Conference in the matter of Dry Creek Rancheria, NDPES Appeal Nos. 07-14 & 07-15, were sent to the following persons in the manner indicated:

First Class Mail:

Jeffrey M. Brax  
Deputy County Counsel  
County of Sonoma  
575 Administration Dr., Rm. 105A  
Santa Rosa, CA 95403-2881

Dennis J. Whittlesey  
Margaret A. Coughlin  
H. Scott Althouse  
Dickinson Wright, PLLC  
1901 L Street N.W., Ste. 800  
Washington, D.C. 20036

Donald M. Clary  
Michelle Hickey  
Holland & Knight  
633 W. 5<sup>th</sup> Street, 21<sup>st</sup> Floor  
Los Angeles, CA 90071

Pouch Mail:

Ginette Chapman  
Office of Regional Counsel  
U.S. EPA Region 9 (ORC-2)  
75 Hawthorne St.  
San Francisco, CA 94195

Thomas Hagler  
Office of Regional Counsel  
U.S. EPA Region 9 (ORC-2)  
75 Hawthorne St.  
San Francisco, CA 94195

Inter-office Mail:

James Curtin (MC- 2355A)  
EPA, Office of General Counsel

Dated: MAY - 9 2008

  
\_\_\_\_\_  
Annette Duncan  
Secretary