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ENV. APPEALS BOARD

**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 No. 07-14; 07-15

**MOTION FOR EXTENSION OF TIME TO FILE PAPERS  
RESPONDING TO PETITIONS FOR REVIEW;  
[PROPOSED] ORDER GRANTING SAME**

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## MOTION

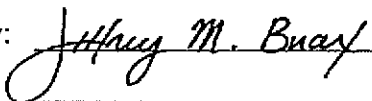
The County of Sonoma and Sonoma County Water Agency ("County") and Alexander Valley Association ("AVA") have petitioned for review of NPDES Permit Number CA0005241 ("Permit"), which the U.S. Environmental Protection Agency, Region Nine ("Region") issued to the Dry Creek Rancheria Band of Pomo Indians ("Permittee") on April 30, 2007. The Environmental Appeals Board has requested that the Region and Permittee respond to the petitions for review by July 23, 2007.

The County, AVA, and Permittee are engaged in a mediation designed to settle all outstanding issues between the parties. A resolution could result in a withdrawal of the petitions for review, obviating the need for the Region and Permittee to respond.

The Permittee has requested a 30-day stay extension of time to respond to the petitions, to pursue the mediation between the parties. The County therefore moves for an extension of the Permittee's and Region's time to respond to the petitions to August 23, 2007. The Petitioners' time to file any requested reply papers would run from August 23, 2007. The AVA, Permittee, and Region concur in this request.

Dated: July 19, 2007

STEVEN M. WOODSIDE, County Counsel

By:  \_\_\_\_\_

JEFFREY M. BRAX  
Deputy County Counsel  
Attorneys for Petitioners  
County of Sonoma and  
Sonoma County Water Agency

**[PROPOSED] ORDER**

For good cause shown, the Environmental Appeals Board hereby extends the Permittee's and Region's time to respond to the Petitions for Review to August 23, 2007.

Date: \_\_\_\_\_

Environmental Appeals Board

PROOF OF SERVICE BY MAIL  
(Code Civ. Proc. §§ 1013a(3) and 2015.5)

I am employed in the County of Sonoma, California; I am over the age of 18 years and not a party to the within action; my business address is 575 Administration Dr., Rm. 105A, Santa Rosa, California. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service.

On July 19, 2007, following ordinary business practice, I served the "**Motion for Extension of Time to File Papers Responding to Petitions for Review; [Proposed] Order Granting Same**" on the parties in said cause, by placing on that date at my place of business, a true copy thereof, enclosed in a sealed envelope, for collection and mailing with the United States Postal Service where it would be deposited with the United States Postal Service that same day in the ordinary course of business, addressed as follows:

Ginette Chapman  
Office of Regional Counsel  
U.S. E.P.A., Region 9  
75 Hawthorne Street, ORC-2  
San Francisco, CA 94105

Dennis J. Whittlesey  
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Holland + Knight  
633 W. 5<sup>th</sup> Street, 21<sup>st</sup> Floor  
Los Angeles, CA 90071

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 19, 2007, at Santa Rosa, California.

  
\_\_\_\_\_  
Ali Ostello

# **FIRST CLASS MAIL**

DICKINSON  
WRIGHT PLLC  
1901 L STREET, N.W., SUITE 800  
WASHINGTON, D.C. 20036-3506

DJW

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**TO:**

U.S. Environmental Protection Agency  
Clerk of the Board  
Environmental Appeals Board  
Colorado Building  
1341 G Street, N.W.  
Suite 600  
Washington, D.C. 20005