

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
U.S. ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re: Buena Vista Rancheria Wastewater Treatment Plant NPDES Permit No. CA 0049675)	
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NPDES Appeal Nos. 10-05 – 10-07 & 10-13

**EPA REGION IX MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO
PETITIONERS' MOTIONS TO STAY ISSUANCE OF NOTICE TO PROCEED**

Region IX of the United States Environmental Protection Agency ("Region") hereby requests an extension of time to file its response to the Motions to Stay Issuance of a Notice to Proceed filed by Petitioner Amador County on July 15, 2011 and by Petitioner Ione Band of Miwok Indians on July 19, 2011. The Region respectfully requests an extension to file its response until Friday, August 19, 2011, which is 32 and 21 days, respectfully, after the date the responses are originally due (July 25, 2011 for Amador County motion, and July 29, 2011 for Ione Band motion). At that time, in an effort to conserve agency resources, the Region will file one response to the motions as they both concern the Notice to Proceed and raise similar issues.

The basis for this request is the current absence of relevant staff working on the Region's response to the appeals, which has reduced the available time to draft and engage in internal review of the Region's response to the Motions to Stay. The relevant Region staff are either currently out of the office on vacation or soon leaving for vacation, but will be returning in time to complete the Region's response by the requested extension date of August 19, 2011. Given these schedules, the Region is concerned that it may not have sufficient time for effective internal agency coordination and review prior to the filing deadline.

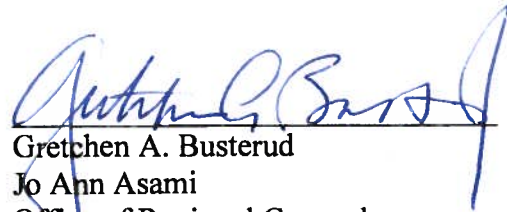
In its July 5, 2011 letter to the Board (and copied to all Petitioners), the Region stated it intended to issue a Notice to Proceed pursuant to the governing Memorandum of Agreement under the National Historic Preservation Act no sooner than 21 days from the date of the letter (i.e. July 26, 2011). In view of the Petitioners' Motions to Stay and this request for an extension to respond to those motions, the Region will issue such Notice to Proceed no earlier than 21 days after filing its response to the two motions and in that response, will address the Region's view on the appropriate way to proceed with the Notice to Proceed.

The Region has contacted all Petitioners to inform them of the Region's intent to seek an extension of time until August 19, 2011. Counsel for Petitioners Amador County, Friends of Amador County, and the Ione Band of Miwok Indians do not oppose the Region's motion for an extension of time. The Region has not yet received a response to an email sent to Petitioner Glenn Villa, Jr..

For the foregoing reasons, the Region respectfully requests that its Motion for Extension of Time to respond to the Petitioners' motions to stay be granted and that the EAB extend the deadline for the Region's response to August 19, 2011.

Respectfully submitted,

July 21, 2011



Gretchen A. Busterud
Jo Ann Asami
Office of Regional Counsel
EPA Region IX (ORC-2)
75 Hawthorne Street
San Francisco, CA 94105
(415) 972 -3903
busterud.gretchen@epa.gov

Of Counsel:
Dawn Messier
Tod Siegal
Office of General Counsel, U.S. EPA
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the U.S. Environmental Protection Agency Region IX's Motion for Extension of Time to File Response to Petitioners' Motions to Stay (signed copy), was filed electronically with the Environmental Appeals Board with copies e-mailed to:

Mr. Arnold D. Samuel
General Counsel
Buena Vista Rancheria of Me-Wuk Indians
P.O. Box 62283
Sacramento, CA 95816
Arnold@buenavistatribe.com

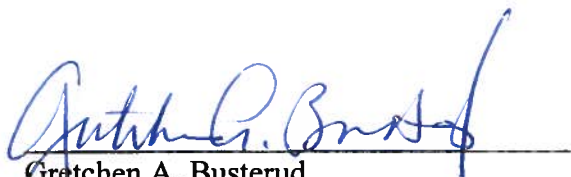
Ms. Cathy Christian
Mr. Kurt R. Oneto
Nielsen, Merksamer, Parrinello, Gross & Leoni, LLP
Legal Counsel for County of Amador
1415 L Street, Suite 1200
Sacramento, CA 95814
cchristian@nmgovlaw.com

Mr. Jerry Cassesi
Chairman, Friends of Amador County
100 Cook Road
Ione, CA 95640
lucydog@wildblue.net
Mr. James Marino
Counsel to Friends of Amador County
jmarinolaw@hotmail.com

Mr. Glen Villa, Jr.
901 Quail Court
Ione, CA 95640
glenvilla@sbcglobal.net

Mr. William Wood
Holland & Knight LLP
Legal Counsel for Ione Band of Miwok Indians
633 W. Fifth Street, 21st Floor
Los Angeles, CA 90071
William.wood@hklaw.com

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Gretchen A. Busterud
Office of Regional Counsel
U.S. EPA, Region IX