

Buckman, Michael@Waterboards

From: Buckman, Michael@Waterboards
Sent: Thursday, July 11, 2013 4:02 PM
To: O'Brien, Kevin; 'daladjem@downeybrand.com'; Rose, David@Waterboards; 'pjmlaw@pacbell.net'; Masuda, Roger@CALWATERLAW; Nancy Isakson (nisakson@mbay.net); 'Norm Groot (norm@montereycfb.com)'; Kevin Piearcy (Pumph20101@hotmail.com)
Cc: 'Nikkel, Meredith (mnikkel@DowneyBrand.com)'; McCue, Jean@Waterboards; Groody, Kathleen@Waterboards; Olson, Samantha@Waterboards; Riddle, Diane@Waterboards; Grober, Les@Waterboards; Evoy, Barbara@Waterboards; Fox, Maria@Waterboards; Douglas, Lisa@Waterboards; Bourgeois, Deborah@Waterboards; Kostyrko, George@Waterboards; Moran, Timothy@Waterboards; Howard, Tom@Waterboards; Trgovcich, Caren@Waterboards; Sawyer, Andy@Waterboards
Subject: Correction: MCWRA Proposed Revocation Hearing - Opportunity to Comment

Ladies and Gentlemen:

Please note a correction to the deadline. The parties to the hearing listed on the [January 16, 2013 Revised Service List](#) may submit comments on the Settlement Agreement as described below no later than **noon on Thursday, July 18, 2013**.

Sincerely,

Michael Buckman
Senior Environmental Scientist
Hearings Unit Chief
Division of Water Rights
State Water Resources Control Board
916.341.5448
MBuckman@waterboards.ca.gov

From: Buckman, Michael@Waterboards
Sent: Thursday, July 11, 2013 2:22 PM
To: O'Brien, Kevin; 'daladjem@downeybrand.com'; Rose, David@Waterboards; 'pjmlaw@pacbell.net'; Masuda, Roger@CALWATERLAW; Nancy Isakson (nisakson@mbay.net); 'Norm Groot (norm@montereycfb.com)'; Kevin Piearcy (Pumph20101@hotmail.com)
Cc: 'Nikkel, Meredith (mnikkel@DowneyBrand.com)'; Buckman, Michael@Waterboards; McCue, Jean@Waterboards; Groody, Kathleen@Waterboards; Olson, Samantha@Waterboards; Riddle, Diane@Waterboards; Grober, Les@Waterboards; Evoy, Barbara@Waterboards; Fox, Maria@Waterboards; Douglas, Lisa@Waterboards; Bourgeois, Deborah@Waterboards; Kostyrko, George@Waterboards; Moran, Timothy@Waterboards; Howard, Tom@Waterboards; Trgovcich, Caren@Waterboards; Sawyer, Andy@Waterboards
Subject: MCWRA Proposed Revocation Hearing - Opportunity to Comment

Ladies and Gentlemen:

The Division of Water Rights Prosecution Team and Monterey County Water Resources Agency signed a Settlement Agreement (attached) in the above-referenced matter and have submitted it to the State Water Board Executive Director for approval.

The first page of "Information Concerning Appearance at a Water Right Hearing" in the November 21, 2012 [Notice of Public Hearing](#) contains the following provision:

SETTLEMENTS: In water right enforcement hearings, a State Water Board staff member or team prosecutes an alleged violation. In such enforcement cases, the prosecution and a party who is the subject of the proposed enforcement action may at their discretion engage in private settlement discussions, or may include any other persons in those discussions. Although other persons may be authorized to participate in the hearing as parties, such a designation does not constitute a ruling that those persons must be allowed to engage in any settlement discussions between the prosecution and the party against whom the agency action is directed. The consent of other parties is not required before the State Water Board, or the Executive Director under State Water Board [Resolution No. 2002-0104](#), can approve a proposed settlement agreement between the prosecution and a party subject to a proposed enforcement action. However, all parties will be given the opportunity to comment on any settlement submitted to the State Water Board or the Executive Director for approval.

Accordingly, the parties to the hearing listed on the attached January 16, 2013 Revised Service List may submit comments on the Settlement Agreement to the address below no later than noon on Thursday, July 17, 2013 with the subject "MCWRA Proposed Revocation Hearing." These comments will be considered by the Executive Director. Parties will be notified if the Executive Director signs the Settlement Agreement.

Division of Water Rights
State Water Resources Control Board
Attention: Jean McCue

P.O. Box 2000, Sacramento, CA 95812-2000 (by mail)

Joe Serna, Jr. -Cal/EPA Building
1001 I Street, 2nd Floor, Sacramento, CA 95814 (by hand delivery)

Fax: (916) 341-5400

Email: wrhearing@waterboards.ca.gov
With Subject of "**MCWRA Proposed Revocation Hearing**"

Questions regarding non-controversial procedural matters (Gov. Code, § 11430.20, subd. (b)) should be directed to Senior Staff Counsel Samantha Olson at (916) 327-8235, or by email to solson@waterboards.ca.gov, or Staff Engineer Jean McCue at (916) 341-5351, or by email to jmccue@waterboards.ca.gov.

Sincerely,

Michael Buckman
Senior Environmental Scientist
Hearings Unit Chief
Division of Water Rights
State Water Resources Control Board
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MBuckman@waterboards.ca.gov