



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

June 26, 2012

### TO ALL PARTIES AND INTERESTED PERSONS:

PETITIONS OF (a) MONTEREY COASTKEEPER, SANTA BARBARA CHANNELKEEPER, SAN LUIS OBISPO COASTKEEPER; (b) CALIFORNIA FARM BUREAU FEDERATION, MONTEREY COUNTY FARM BUREAU, SAN BENITO COUNTY FARM BUREAU, SAN LUIS OBISPO COUNTY FARM BUREAU, SAN MATEO COUNTY FARM BUREAU, SANTA BARBARA COUNTY FARM BUREAU, SANTA CLARA COUNTY FARM BUREAU, SANTA CRUZ COUNTY FARM BUREAU; (c) OCEAN MIST FARMS AND RC FARMS; (d) GROWER-SHIPPER ASSOCIATION OF CENTRAL CALIFORNIA, GROWER-SHIPPER ASSOCIATION OF SANTA BARBARA AND SAN LUIS OBISPO COUNTIES, AND WESTERN GROWERS; AND (e) JENSEN FAMILY FARMS, INC. AND WILLIAM ELLIOTT (CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2012-0011 FOR DISCHARGES FROM IRRIGATED LANDS, MONITORING AND REPORTING PROGRAM ORDER NOS. R3-2012-0011-01, R3-2012-0011-02, AND R3-2012-0011-03, AND RESOLUTION NO. R3-2012-0012), CENTRAL COAST WATER BOARD: OPPORTUNITY TO RESPOND TO REQUESTS FOR STAY

### **SWRCB/OCC FILES A-2209(a) – (e)**

The State Water Resources Control Board (State Water Board) has received requests from the petitioners in SWRCB/OCC Files A-2209(b)-(e) above to stay some or all provisions of the listed orders issued by the Central Coast Regional Water Quality Control Board (Central Coast Water Board) on March 15, 2012.

The State Water Board is hereby notifying all parties and interested persons that the requests for stay are being considered and providing an opportunity for parties and interested persons to submit preliminary written responses to the requests for stay by **12:00 noon on Friday, July 13, 2012**. The State Water Board may schedule a hearing on these stay requests, and in the event a hearing is scheduled, the Board may request additional responses at that time.

A stay may be granted only if petitioners allege facts and produce proof of (1) substantial harm to the petitioner or to the public interest if a stay is not granted, (2) a lack for substantial harm to other interested persons and to the public interest if a stay is granted, and (3) substantial questions of fact or law regarding the orders. Any responses must be limited to those issues. Petitioners' submissions in support of the requests for stay may be found at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/petitions.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/petitions.shtml).

The parties to these proceedings are the petitioners listed above and the Central Coast Water Board. Parties may submit legal and policy argument and supporting evidence responding to

CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

the requests for stay. Those petitioners that submitted the requests for stay are not expected to submit additional supporting evidence at this time, nor are they expected to respond to one another's stay requests. Non-party interested persons are limited to the submission of non-evidentiary policy statements. An interested person may request that the State Water Board designate the person as a party as provided in California Code of Regulations, title 23, section 2053, subdivision (b)(2). That subdivision requires a person to submit a statement explaining the basis of the party designation request and why the existing parties do not adequately represent the person's interests. Any requests to be designated as a party must be received by **12:00 noon on Friday, July 6, 2012.**

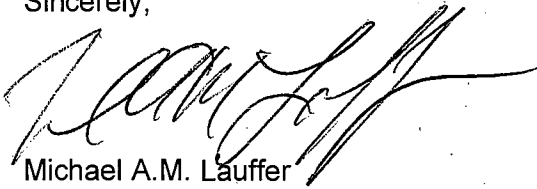
Please note that this letter does **not** constitute a 30-day letter issued pursuant to California Code of Regulations, title 23, section 2050.5, subdivision (a). The State Water Board is not seeking responses to the petitions at this point and is not requesting the administrative record. The State Water Board may do so at a future date. The State Water Board is requesting only responses relevant to the resolution of the stay requests. Responses beyond the scope of the stay requests will not be considered.

All submissions should be directed to the attention of:

Jeannette L. Bashaw, Legal Analyst  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
E-mail: [jbashaw@waterboards.ca.gov](mailto:jbashaw@waterboards.ca.gov)  
Telephone: (916) 341-5155

If you have any questions, you may contact Emel Wadhvani, Staff Counsel, by phone at (916) 322-3622, or by email at [ewadhvani@waterboards.ca.gov](mailto:ewadhvani@waterboards.ca.gov).

Sincerely,



Michael A.M. Lauffer  
Chief Counsel

cc: **[Via U.S. Mail and email]**  
Deborah A. Sivas, Esq.  
Leah Russin, Esq.  
Alicia Thesing, Esq.  
Brigid DeCoursey, Esq.  
Environmental Law Clinic  
559 Nathan Abbott Way  
Stanford, CA 94305-8610  
[dsivas@stanford.edu](mailto:dsivas@stanford.edu)

**[Via U.S. Mail and email]**  
Mr. Steven Shimek  
Monterey Coastkeeper  
The Otter Project  
475 Washington Street, Suite A  
Monterey, CA 93940  
[exec@otterproject.org](mailto:exec@otterproject.org)

Continued next page

cc: **[Via U.S. Mail and email]**  
Mr. Gordon R. Hensley  
San Luis Obispo Coastkeeper  
Environment in the Public Interest  
EPI-Center, 1013 Monterey Street, Suite 202  
San Luis Obispo, CA 93401  
[coastkeeper@epicenteronline.org](mailto:coastkeeper@epicenteronline.org)

**[Via U.S. Mail and email]**  
Ms. Kira Redmond  
Mr. Ben Pitterle  
Santa Barbara Channelkeeper  
714 Bond Avenue  
Santa Barbara, CA 93103  
[kira@sbck.org](mailto:kira@sbck.org)  
[ben@sbck.org](mailto:ben@sbck.org)

**[Via U.S. Mail and email]**  
Nancy McDonough, Esq.  
Kari E. Fisher, Esq.  
Ms. Pamela Hotz  
California Farm Bureau Federation  
Legal Services Division  
2300 River Plaza Drive  
Sacramento, CA 95833  
[kfisher@cfbf.com](mailto:kfisher@cfbf.com)  
[photz@cfbf.com](mailto:photz@cfbf.com)

**[Via U.S. Mail and email]**  
William A. Thomas, Esq.  
Wendy Y. Wang, Esq.  
Best Best & Krieger LLP  
500 Capitol Mall, Suite 1700  
Sacramento, CA 95814  
[william.thomas@bbklaw.com](mailto:william.thomas@bbklaw.com)  
[wendy.wang@bbklaw.com](mailto:wendy.wang@bbklaw.com)

**[Via U.S. Mail and email]**  
Mr. Dale Huss  
Ocean Mist Farms  
10855 Ocean Mist Parkway  
Castroville, CA 95012  
[daleh@oceanmist.com](mailto:daleh@oceanmist.com)

**[Via U.S. Mail and email]**  
Mr. Dennis Sites  
RC Farms  
25350 Paseo del Chaparral  
Salinas, CA 93908  
[dsitesagmgt@aol.com](mailto:dsitesagmgt@aol.com)

**[Via U.S. Mail and email]**  
Theresa A. Dunham, Esq.  
Somach Simmons & Dunn  
500 Capitol Mall, Suite 1000  
Sacramento, CA 95814  
[tdunham@somachlaw.com](mailto:tdunham@somachlaw.com)

**[Via U.S. Mail and email]**  
Ms. Abby Taylor-Silva, Vice President  
Policy and Communications  
Grower-Shipper Association of  
Central California  
512 Pajaro Street  
Salinas, CA 93901  
[abby@growershipper.com](mailto:abby@growershipper.com)

**[Via U.S. Mail and email]**  
Mr. Richard S. Quandt, President  
Grower-Shipper Association of  
Santa Barbara and San Luis  
Obispo Counties  
245 Obispo Street  
P.O. Box 10  
Guadalupe, CA 93434  
[richard@grower-shipper.com](mailto:richard@grower-shipper.com)

**[Via U.S. Mail and email]**  
Mr. Hank Giclas, Senior Vice President  
Strategic Planning, Science  
and Technology  
Western Growers  
P.O. Box 2130  
Newport Beach, CA 92658  
[hgiclas@wga.com](mailto:hgiclas@wga.com)

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cc: (Continued)

**[Via U.S. Mail and email]**

Matthew S. Hale, Esq.  
Hale & Associates  
1900 Johnson Road  
Elizabeth City, NC 27909  
[matt@haleesq.com](mailto:matt@haleesq.com)

**[Via U.S. Mail and email]**

Jensen Family Farms, Inc.  
c/o Matthew S. Hale, Esq.  
1900 Johnson Road  
Elizabeth City, NC 27909  
[matt@haleesq.com](mailto:matt@haleesq.com)

**[Via U.S. Mail and email]**

Mr. William Elliott  
Jensen Family Farms, Inc.  
c/o Matthew S. Hale, Esq.  
1900 Johnson Road  
Elizabeth City, NC 27909  
[matt@haleesq.com](mailto:matt@haleesq.com)

**Mr. Roger Briggs [via email only]**

Executive Officer  
Central Coast Regional Water  
Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
[rbriggs@waterboards.ca.gov](mailto:rbriggs@waterboards.ca.gov)

**Mr. Michael Thomas [via email only]**

Assistant Executive Officer  
Central Coast Regional Water  
Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
[mthomas@waterboards.ca.gov](mailto:mthomas@waterboards.ca.gov)

**Ms. Angela Schroeter [via email only]**

Senior Engineering Geologist  
Central Coast Regional Water  
Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
[aschroeter@waterboards.ca.gov](mailto:aschroeter@waterboards.ca.gov)

**Ms. Lisa McCann [via email only]**

Environmental Program Manager I  
Central Coast Regional Water  
Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401  
[lmccann@waterboards.ca.gov](mailto:lmccann@waterboards.ca.gov)

**Lori T. Okun, Esq. [via email only]**

Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[lokun@waterboards.ca.gov](mailto:lokun@waterboards.ca.gov)

**Frances L. McChesney, Esq. [via email only]**

Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[FMChesney@waterboards.ca.gov](mailto:FMChesney@waterboards.ca.gov)

**Jessica M. Jahr, Esq. [via email only]**

Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[jjahr@waterboards.ca.gov](mailto:jjahr@waterboards.ca.gov)

**Michael A.M. Lauffer, Esq. [via email only]**

Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[mllauffer@waterboards.ca.gov](mailto:mllauffer@waterboards.ca.gov)

**Philip G. Wyels, Esq. [via email only]**

Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[pwyels@waterboards.ca.gov](mailto:pwyels@waterboards.ca.gov)

Lyris List