
State Water Resources Control Board

MEMORANDUM

TO: Eileen Sobeck
Executive Director
Eileen.Sobeck@waterboards.ca.gov

FROM: Nicole L. Kuenzi
Hearing Officer
Administrative Hearings Office
EXEC-AdminHrgOffice@waterboards.ca.gov

SUBJECT: Proposed Order Approving Settlement Agreement for George Speckman Testamentary Trust Draft Cease-and-Desist Order

DATE: December 4, 2020

On June 12, 2020, the Delta Watermaster issued an Amended Draft Cease-and-Desist Order (Amended Draft CDO) to George Speckman Testamentary Trust. The Amended Draft CDO concerned diversions and use of water on a property owned by George Speckman Testamentary Trust (Respondent) on Roberts Island in the Delta. The property is referred to as the "Speckman Ranch." The property and the associated statement of water diversion and use are described in more detail in the enclosed proposed order and settlement agreement.

On August 17, 2020, the AHO issued a Notice of Public Hearing, which set a hearing to consider the issues raised by the Amended Draft CDO. The AHO scheduled the hearing for November 3-4, 2020.

After the AHO issued its Notice of Public Hearing, representatives of the Delta Watermaster and the Respondent continued to meet and confer to discuss the relevant documents and issues. On October 23, 2020, Respondent and the Delta Watermaster executed a Settlement Agreement with respect to the Speckman Ranch issues. A copy of this Settlement Agreement is attached to the enclosed proposed order as Exhibit A. The general terms of the Settlement Agreement are described in the enclosed proposed order.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

After execution of the Settlement Agreement, Respondent and the Delta Watermaster jointly asked the AHO to cancel the hearing on the Amended Draft CDO. The AHO issued a notice cancelling the hearing on October 28, 2020.

The issuance of a decision or order pursuant to a settlement agreement is authorized by Government Code section 11415.60. Section 5 of Board Resolution 2002-0104 authorizes the Executive Director to issue a decision or order by settlement of the parties under section 11415.60. Consistent with these legal authorities, I am transmitting the proposed Order Approving Settlement Agreement to you for your consideration, and, if it is acceptable to you, for your approval.

Encl: 2020-12-02 Proposed Order Approving Settlement Agreement (with settlement agreement attached)

cc w/encl: (see attached service list)

SERVICE LIST

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