



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

May 28, 2014

CERTIFIED MAIL NO.  
7004-2510-0003-9148-3681  
Return Receipt Required

Nathan Dawood  
P. O. Box 393  
East Irvine, CA 92650  
andceo@gmail.net

CERTIFIED MAIL NO.  
7004-2510-0003-9148-3698  
Return Receipt Required

Younan and Sandra Dawood  
P. O. Box 970  
Smith River, CA 95567  
sandrashawdawood@sbcglobal.net

Dear Mrs. and Messrs. Dawood:

### FAILURE TO SUBMIT NOTICE OF INTENT TO APPEAR AT PUBLIC HEARING CONCERNING THE IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UPON AND ADOPTION OF CEASE AND DESIST ORDER AGAINST YOUNAN A. DAWOOD AND SANDRA C. DAWOOD – NAPA COUNTY

Younan A. Dawood and Sandra C. Dawood (collectively the Dawoods) have failed to submit to the State Water Resources Control Board (State Water Board or Board) a Notice of Intent to Appear at the July 22, 2014 Public Hearing to determine whether to issue a cease and desist order (CDO) against and whether to impose administrative civil liability (ACL) upon the Dawoods.

The Dawoods were served with an ACL complaint and draft CDO on March 16, 2012. In a letter dated March 26, 2012, the Dawoods acknowledged receipt of the ACL complaint and draft CDO and requested a hearing. On April 15, 2014, Kathleen Groody, of my staff, sent a letter to the Dawoods informing them that a hearing was tentatively scheduled for July 22, 2014, and directing them to inform her of any conflicts within ten days. Ms. Groody received no response.

On or about May 2, 2014, the Dawoods received a Notice of Public Hearing (Notice), informing them that a public hearing would take place on July 22, 2014, and directing them to complete an enclosed Notice of Intent to Appear and submit it to Ms. Groody no later than 12:00 p.m. on May 22, 2014. The Notice further stated: **"If the Dawoods fail to submit a Notice of Intent to Appear by the deadline specified in this notice, the State Water Board will deem the request for a hearing regarding the issuance of a cease and desist order and imposition of administrative civil liability to be withdrawn, and the Board may adopt the draft CDO and impose administrative civil liability in the amount of \$12,100 without further notice."** **Consequently, the State Water Board deems the Dawoods' hearing request withdrawn and may adopt the draft CDO and impose ACL upon them in the amount of \$12,100 without**

FELICIA MARCUS, CHAIR | 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)

**further notice.** If the Dawoods did not intend to withdraw their hearing request, they must immediately submit a Notice of Intent to Appear to:

By Mail: Division of Water Rights  
State Water Resources Control Board  
Attention: Michael Buckman  
P.O. Box 2000, Sacramento, CA 95812-2000

By Hand Delivery: Joe Serna, Jr.-Cal/EPA Building  
1001 I Street, 2<sup>nd</sup> Floor, Sacramento, CA 95814

By Fax: (916) 341-5400

By Email: [wrrhearing@waterboards.ca.gov](mailto:wrrhearing@waterboards.ca.gov)  
With Subject of "Dawood Draft CDO and ACL Hearing"

In completing the Notice of Intent to Appear, the Dawoods must check one of the following boxes: 1) "I/we plan to call the following witnesses to testify at the hearing" and/or 2) "I/we intend to participate by cross-examination or rebuttal only." If the Dawoods plan to call witnesses, they must identify each one on the Notice of Intent to Appear and provide his or her: 1) name, 2) subject of proposed testimony, 3) estimated length of direct testimony, and 4) status as an expert witness. Please note that there are spaces on the Notice of Intent to Appear to provide this information.

**If I do not receive a Notice of Intent to Appear from the Dawoods by 12:00 p.m. on Friday, June 6, 2014, the State Water Board will immediately issue a notice cancelling the public hearing they requested and may immediately impose ACL upon them and adopt the draft CDO against them without further notice.**

Should the Dawoods desire to settle this matter, they may wish to contact Yvonne West, Senior Staff Counsel in the State Water Board's Office of Enforcement. Ms. West is counsel to the Prosecution Team in this matter and she can be reached by telephone at (916) 322-3626 or by e-mail at [yvonne.west@waterboards.ca.gov](mailto:yvonne.west@waterboards.ca.gov).

Otherwise, if the Dawoods have non-controversial procedural questions, they may contact Carlos Mejia, Staff Counsel in the State Water Board's Office of Chief Counsel. Mr. Mejia is counsel to the Hearing Team in this matter and he can be reached by telephone at (916) 341-5184 or [carlos.mejia@waterboards.ca.gov](mailto:carlos.mejia@waterboards.ca.gov).

Sincerely,



Michael Buckman  
Senior Environmental Scientist  
Hearings Unit

Continues on next page:

ec: State Water Resources Control Board:

Carlos Mejia, Staff Counsel  
Office of Chief Counsel  
[carlos.mejia@waterboards.ca.gov](mailto:carlos.mejia@waterboards.ca.gov)

ec: Yvonne West, Senior Staff Counsel  
Office of Enforcement  
[yvonne.west@waterboards.ca.gov](mailto:yvonne.west@waterboards.ca.gov)

John O'Hagan, Assistant Deputy Director  
Permitting and Enforcement Section  
Division of Water Rights  
[john.o'hagan@waterboards.ca.gov](mailto:john.o'hagan@waterboards.ca.gov)