
State Water Resources Control Board

March 28, 2019

VIA ELECTRONIC EMAIL

EL SUR RANCH
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CALIFORNIA DEPARTMENT OF FISH &
WILDLIFE
Kevin Takei
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WATER RIGHT APPLICATION 30166 OF EL SUR RANCH, BIG SUR RIVER IN MONTEREY COUNTY

Dear Messrs. Berliner and Takei:

On December 20, 2018, Hearing Officer Tam Doduc directed El Sur Ranch (ESR) and the California Department of Fish and Wildlife (CDFW) to submit a Hearing Management Plan by January 31, 2019. In response, ESR and CDFW requested an additional 45 days to meet and confer with the other hearing parties regarding the settlement negotiations. The Hearing Officer granted the request and expected to receive an update from the parties by March 18, 2019. On March 14, 2019, ESR and CDFW informed Hearing Officer Doduc that they were unable to meet with all the parties until April 4, 2019, and promised an update by April 30, 2019.

Hearing Officer Doduc has asked me to convey that she is displeased with the ongoing failure to meet deadlines, the requests for additional delay, and the lack of detail offered by the parties as to how this matter should be efficiently brought to a close. She has directed me to provide ESR and CDFW with the following schedule:

By April 14, 2019, ESR and CDFW must submit: 1) an update on the status of the conversations with the other hearing participants concerning the settlement terms, and 2) a complete Hearing Management Plan. A hearing management conference in which all parties are expected to participate, will be held on April 30, 2019. The parties should be prepared to discuss: 1) the contents of the Hearing Management Plan and 2) any other necessary steps in this proceeding not addressed in the Hearing Management Plan. ESR and CDFW must provide an agenda for the discussion of the Hearing Management Plan that includes the name of the person(s) who will be addressing each element.

The hearing team will provide additional details as to the time and location of the April 30, 2019 conference and a telephone number for parties to participate who cannot attend the conference in person, as soon as those details are available.

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

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If have any questions, please contact Jane Farwell-Jensen at jane.farwell-jensen@waterboards.ca.gov or 916-341-5349.

Sincerely,

ORINGIAL SIGNED BY

Michael Buckman
Chief, Hearings Unit

cc: CURRENT SERVICE LIST