Linda Adams
*Cal/EPA Secretary*

# California Regional Water Quality Control Board
## Central Coast Region

Internet Address: http://www.waterboards.ca.gov/centralcoast
895 Aerovista Place – Suite 101, San Luis Obispo, CA 93401-7906
Phone: (805) 549-3147 ♦ FAX: (805) 543-0397

Arnold Schwarzenegger
*Governor*

| IN THE MATTER OF: | ORDER REGARDING: |
|---|---|
| **PROPOSED CEASE AND DESIST ORDERS AGAINST INDIVIDUAL PROPERTY OWNERS AND RESIDENTS IN THE LOS OSOS/BAYWOOD PARK PROHIBITION ZONE** | **PRELIMINARY NOTICE OF RULING REGARDING PRESENTATION OF EVIDENCE SUPPORTING THE ISSUANCE OF INDIVIDUAL CEASE AND DESIST ORDERS FOR RESIDENTS OF LOS OSOS AND BAYWOOD PARK** |

To: Designated Parties (by Certified Mail) and Interested Parties

Having read the briefs submitted by designated parties, and consulted with the Board's Counsel, I have determined that the Prosecution Team shall be required to present its entire case from the beginning. All previous evidence and testimony prepared or presented by the Prosecution Team, including proposed Cease and Desist Orders, staff technical analysis, agenda materials, and supporting documentation shall be stricken from the record.

The Prosecution Team shall have until **5:00 p.m. on Friday, September 8, 2006** to submit replacement documentation, including proposed Cease and Desist Orders reflecting the current recommendation of the Prosecution Team and any documentary evidence that the Prosecution Team intends to rely on to support the issuance of individual Cease and Desist Orders. The Prosecution Team shall clearly identify any evidence or document that was **not** included in the original submissions to facilitate review by other Designated Parties and by the Water Board. Other Designated Parties will be allowed not less than 30 days to submit responses to the Prosecution Team's allegations and recommendations, *i.e.*, **by 5:00 p.m. on Friday, October 13, 2006.**

By the end of August 2006, the Water Board Chairman will issue a more detailed Procedural Order establishing new timelines for the hearing on individual Cease and Desist Orders in late October or November of this year and addressing other procedural matters, such as the timelines for the submission of documentary evidence by Designated Parties and the allocation of time to individual Designated Parties to present oral testimony at the hearing. That Order will offer the Designated Parties, other than the Prosecution Team, the opportunity to modify, replace, or supplement their respective evidentiary submittals to address the materials and documentation submitted by the Prosecution Team (Designated Parties will be required to identify any new evidence or documents not previously submitted).

If you have questions, please call Michael Thomas at (805) 542-4623, or via e-mail at mthomas@waterboards.ca.gov.

for Michael Thomas
Jeffrey Young, Chairman
Central Coast Water Board

Date: August 4, 2006

S:\Seniors\Shared\WDR\WDR Facilities\San Luis Obispo Co\Los Osos\enforcement\Individual CDOs\08-04-06 Preliminary Hearing Notice.doc