STATE OF CALIFORNIA
CENTRAL COAST WATER BOARD
Received
JUN 21 2006
895 Aerovista Place, Ste. 101
San Luis Obispo, CA 93401-7906

Michael Thomas
Assistant Executive Officer
Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo Ca. 93401

RE: CDO - R3-2006-1016
John H. & Phyllis M. Mortara - Presentation of Prosecution's Case

Dear Mr. Thomas:

This is in response to request for written arguments regarding a number of procedural items stemming from the replacement of Lori Okum on the Prosecution Team regarding proposed Cease & Desist Orders against individual properties in the Los Osos/ Baywood Park Prohibition Zone.

1. Must the prosecution's case, as presented orally on April 28, 2006, be stricken entirely or to some lesser degree?

   Yes. It should be stricken entirely.

2. If the prosecution is required to present its case again, should it have the opportunity to introduce additional written materials into the record before the Water Board?

   Only if the designated parties are given the same opportunity.

3. If the prosecution is allowed to supplement the written materials that it has introduced, should designated parties be entitled to submit additional written materials?

   Yes

4. If the prosecution case is stricken entirely or to some lesser degree, should the Los Osos °Community Services District be permitted to start its case over?

   Yes

5. Designated parties with personal issues such as childcare and health, that they would like the Water Board Chairman to consider when setting the order of presentation of the individual Cease and Desist Orders, should put such issues in writing for submission by June 23,2006.

5. Answer: I will soon be 88 and the CDO has put severe pressure on me and my wife. We have planned to relocate in a senior living community, but the CDO is preventing us from being able to sell our property at a reasonable market value. High blood pressure since receiving the CDO has caused hospitalization three times since February 2006.

Since we do not have a computer, please mail all pertinent information to the following address: 2248 Inyo St.,Los Osos Ca.93402. I will timely submit my responses by July 21,2006. If you have any questions or comments, feel free to call me at 805-528-7757.

Sincerely,

John H. Mortara

John H. Mortara

Phyllis M. Mortara

PhyllisM. Mortara