



# State Water Resources Control Board



**Linda S. Adams**  
Secretary for  
Environmental Protection

**Executive Office**  
**Tam M. Doduc, Board Chair**  
1001 I Street • Sacramento, California • 95814 • 916.341.5615  
P.O. Box 100 • Sacramento, California • 95812-0100  
Fax 916.341.5621 • [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

**Arnold Schwarzenegger**  
Governor

March 21, 2008

VIA ELECTRONIC MAIL

To: Enclosed Service List of Participants

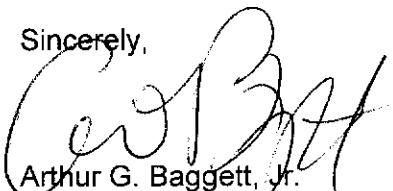
**PRE-HEARING CONFERENCE TO CONSIDER ADOPTION OF A CEASE AND DESIST ORDER AGAINST CALIFORNIA AMERICAN WATER FOR UNAUTHORIZED DIVERSION OF WATER FROM THE CARMEL RIVER IN MONTEREY COUNTY**

The purpose of this letter is to summarize certain matters raised during the pre-hearing conference held on March 19, 2008, regarding the above referenced hearing. I granted the hearing participants three weeks to brief the issues raised in the pre-hearing conference and two additional weeks to file responsive briefs for these issues. The briefs are due by 5:00 p.m. on **Wednesday, April 9, 2008**, and the responsive briefs are due two weeks after that by 5:00 p.m. on **Wednesday, April 23, 2008**. The briefs may be sent via electronic mail to: [wrhearing@waterboards.ca.gov](mailto:wrhearing@waterboards.ca.gov) with a subject of "California American Water Cease and Desist Order Hearing." Shortly after receiving the responsive briefs, I will issue any appropriate rulings on the issues raised in the briefs and decide whether the hearing date will change on or before **Thursday, May 8, 2008**. The meeting to receive public policy statements will still be held on **Tuesday, April 1, 2008**, in Monterey.

Regarding the failure of the Defenders of Wildlife to attend the pre-hearing conference after submitting a late Notice of Intent, I will grant them until the close of business on **Thursday, March 27, 2008**, to submit good cause for their failure to appear in the event that they still intend to participate in the hearing. I will issue my ruling on their participation one week after that day.

If you have any non-controversial, procedural questions, please contact Buck Taylor, Staff Counsel, at (916) 341-5595 or [BGTaylor@waterboards.ca.gov](mailto:BGTaylor@waterboards.ca.gov). For all other issues, please be sure to raise them in writing, with copies to all on the service list. Enclosed is a revised service list.

Sincerely,

  
Arthur G. Baggett, Jr.  
Board Member and Hearing Officer

Enclosure

*California Environmental Protection Agency*

**CALIFORNIA AMERICAN WATER CEASE AND DESIST ORDER  
JUNE 19, 2008 HEARING**

**SERVICE LIST OF PARTICIPANTS  
(March 20, 2008)**

**(PARTICIPANTS TO BE SERVED WITH WRITTEN TESTIMONY, EXHIBITS  
AND OTHER DOCUMENTS.)**

**(Note: The participants whose E-mail addresses are listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.)**

California American Water  
Jon D. Rubin  
Diepenbrock Harrison  
400 Capitol Mall, Suite 1800  
Sacramento, CA 95814  
(916) 492-5000  
[jrubin@diepenbrock.com](mailto:jrubin@diepenbrock.com)

State Water Resources Control Board  
Reed Sato  
Water Rights Prosecution Team  
1001 I Street  
Sacramento, CA 95814  
(916) 341-5889  
[rsato@waterboards.ca.gov](mailto:rsato@waterboards.ca.gov)

Public Trust Alliance  
Michael Warburton  
Resource Renewal Institute  
Room 290, Building D  
Fort Mason Center  
San Francisco, CA 94123  
[Michael@rri.org](mailto:Michael@rri.org)

Sierra Club – Ventana Chapter  
Laurens Silver  
California Environmental Law Project  
P.O. Box 667  
Mill Valley, CA 94942  
(415) 383-7734  
[larrysilver@earthlink.net](mailto:larrysilver@earthlink.net)  
[jqwill@dcn.davis.ca.us](mailto:jqwill@dcn.davis.ca.us)

Carmel River Steelhead Association  
Michael B. Jackson  
P.O. Box 207  
Quincy, CA 95971  
(530) 283-1007  
[mjatty@sbcglobal.net](mailto:mjatty@sbcglobal.net)

Calif. Sportfishing Protection Alliance  
Michael B. Jackson  
P.O. Box 207  
Quincy, CA 95971  
(530) 283-1007  
[mjatty@sbcglobal.net](mailto:mjatty@sbcglobal.net)

City of Seaside  
Russell M. McGlothlin  
Brownstein, Hyatt, Farber, Schreck  
21 East Carrillo Street  
Santa Barbara, CA 93101  
(805) 963-7000  
[RMcGlothlin@BHFS.com](mailto:RMcGlothlin@BHFS.com)

The Seaside Basin Watermaster  
Russell M. McGlothlin  
Brownstein, Hyatt, Farber, Schreck  
21 East Carrillo Street  
Santa Barbara, CA 93101  
(805) 963-7000  
[RMcGlothlin@BHFS.com](mailto:RMcGlothlin@BHFS.com)

Monterey Peninsula Water Management  
District  
David C. Laredo  
De Lay & Laredo  
606 Forest Avenue  
Pacific Grove, CA 93950  
(831) 646-1502

City of Sand City  
James G. Heisinger, Jr.  
Heisinger, Buck & Morris  
P.O. Box 5427  
Carmel, CA 93921  
(831) 624-3891

Pebble Beach Company  
Thomas H. Jamison  
Fenton & Keller  
P.O. Box 791  
Monterey, CA 93942-0791  
(831) 373-1241  
[TJamison@FentonKeller.com](mailto:TJamison@FentonKeller.com)

City of Carmel-by-the-Sea  
Donald G. Freeman  
P.O. Box CC  
Carmel-by-the-Sea, CA 93921  
(831) 624-5339 ext. 11

Monterey County Hospitality Association  
Bob McKenzie  
P.O. Box 223542  
Carmel, CA 93922  
(831) 626-8636  
[info@mcha.net](mailto:info@mcha.net)  
[bobmck@mbay.net](mailto:bobmck@mbay.net)

California Salmon and Steelhead Association  
Bob Baiocchi  
P.O. Box 1790  
Graeagle, CA 96103  
(530) 836-1115  
[rbaiocchi@gotsky.com](mailto:rbaiocchi@gotsky.com)

Planning and Conservation League  
Jonas Minton  
1107 9<sup>th</sup> Street, Suite 360  
Sacramento, CA 95814  
(916) 719-4049  
[jminton@pcl.org](mailto:jminton@pcl.org)

National Marine Fisheries Service  
Christopher Keifer  
501 W. Ocean Blvd., Suite 4470  
Long Beach, CA 90802  
(562) 950-4076  
[christopher.keifer@noaa.gov](mailto:christopher.keifer@noaa.gov)

**LIST OF PARTICIPANTS MAKING POLICY STATEMENTS ONLY**

**(DO NOT SERVE THE FOLLOWING PARTICIPANTS WITH WRITTEN TESTIMONY,  
EXHIBITS AND OTHER DOCUMENTS)**

City of Monterey  
Fred Meurer, City Manager  
Colton Hall  
Monterey, CA 93940  
(831) 646-3886  
[meurer@ci.monterey.ca.us](mailto:meurer@ci.monterey.ca.us)

Division of Ratepayer Advocates  
Andrew Ulmer  
505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2056  
[eau@cpuc.ca.gov](mailto:eau@cpuc.ca.gov)

California Department of Fish and Game  
Chandra Ferrari  
1416 Ninth Street, 12<sup>th</sup> Floor  
Sacramento, CA 95814  
(916) 654-3819  
[cferrari@dfg.ca.gov](mailto:cferrari@dfg.ca.gov)

Defenders of Wildlife  
Josh Basofin  
1303 J Street, Suite 270  
Sacramento, CA 95814  
(916) 313-5800 ext. 108  
[jbasofin@defenders.org](mailto:jbasofin@defenders.org)