
State Water Resources Control Board

September 22, 2015

VIA ELECTRONIC MAIL

Tom Howard, Director
State Water Resources Control Board
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Paul Murphey
Division of Water Rights
State Water Resources Control Board
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RE: HODGETTS DRAFT CDO AND ACL HEARING - NOTICE OF PROPOSED SETTLEMENT AGREEMENT BETWEEN PARTIES AND JOINT REQUEST TO POSTPONE HEARING AND STAY HEARING DEADLINES PENDING SETTLEMENT APPROVAL

Dear Mr. Howard and Mr. Murphey:

The State Water Resources Control Board, Division of Water Rights prosecution team and Mr. Mark Hodgetts have entered into a settlement agreement (Agreement), in Enforcement Action ENF01003 – an Administrative Civil Liability Complaint and a draft Cease and Desist Order (CDO) issued to Mr. Hodgetts. The parties have entered into the attached Agreement which includes full payment of the proposed penalty amount of \$35,000 and cease and desist terms as memorialized in the Agreement. The Agreement is presented herein to the Executive Director for his consideration along with a draft order approving the Agreement.

The Parties have not yet provided a copy of the proposed settlement to Rick Rogers, with the National Marine Fisheries Service, who is designated as an interested party in this matter. It is anticipated that the hearing team will provide Mr. Rogers with notice and an opportunity to comment on the proposed settlement in accordance with the hearing procedures.

At this time, the parties are making a joint request that the hearing on this matter, which is currently scheduled for October 5 and 6, be delayed and that all remaining hearing deadlines be stayed pending consideration and hopefully adoption of the Agreement, by the Executive Director.

Sincerely,



Yvonne M. West
Senior Staff Counsel
Office of Enforcement

cc: *(Via Electronic Mail Only)*

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