

## **Mona, Ernie@Waterboards**

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**From:** Farwell, Jane@Waterboards  
**Sent:** Tuesday, April 23, 2013 10:38 AM  
**To:** kobrien@downeybrand.com; bcougar@downeybrand.com; ccampbell@bakermanock.com; sdunn@somachlaw.com; Conant, Ernest@YOUNGWOOLDRIDGE; Amy.Aufdemberge@sol.doi.gov; tmaus@co.santa-barbara.ca.us; dan.hytrek@noaa.gov; Murray, Nancee@Wildlife; dmarshall@co.santa-barbara.ca.us; Gregory.Wilkinson@Bbklaw.com; kkraus@environmentaldefensecenter.org  
**Cc:** Buckman, Michael@Waterboards; Heinrich, Dana@Waterboards; Mona, Ernie@Waterboards  
**Subject:** Cachuma Project - notification of ex parte communication  
**Attachments:** Alagona Cooper Capelli et al 2013 Santa Ynez Steelhead History.pdf; CachumaServList3\_28\_2012.pdf

To Cachuma Service List (attached):

This email is being sent to notify you on February 20, 2013, the State Water Resources Control Board (State Water Board) received the attached report by Alagona et. al, [A History of Steelhead and Rainbow Trout \(Oncorhynchus mykiss\) in the Santa Ynez River Watershed, Santa Barbara County, California](#) from Mark Capelli at the National Oceanic and Atmospheric Administration (NOAA).

Per Gov. Code section 11430.50 the report will be made a part of a record of the hearing regarding the U.S. Bureau of Reclamation Water Right Permits 11308 and 11310 (Applications 11331 and 11332) To Determine Whether Any Modifications in Permit Terms and Conditions Are Necessary to Protect Public Trust Values and Downstream Water Rights On the Santa Ynez River Below Bradbury Dam (Cachuma Reservoir). The State Water Board does not intend to rely on the report because it was not introduced as an exhibit at the proceeding.

As a reminder, during the pendency of this proceeding, and commencing no later than the issuance of the hearing notice, there shall be no ex parte communications between State Water Board members or State Water Board hearing team staff and any of the other participants regarding substantive or controversial procedural matters within the scope of the proceeding. (Gov. Code, §§ 11430.10-11430.80.).

Sincerely,

Jane Farwell  
Environmental Scientist