

**STATEMENT OF QUALIFICATIONS
MARC JEFFREY DEL PIERO**

EDUCATION

1978 Santa Clara University School of Law-Doctor of Jurisprudence (J.D.)
1975 Santa Clara University-Bachelor of Arts in History (B.A.)

CERTIFICATIONS/LICENSES

State Bar of California, 1980 (SBN 91644)
U.S. Army Armor School-Certificate of Completion, Armor Officer Basic
Course, Fort Knox, Kentucky, 1979

SELECTED MEMBERSHIPS AND PROFESSIONAL ORGANIZATIONS

California Bar Association, 1980-present
Monterey County Agricultural and Historical Land Conservancy, 1984-present
The King Foundation for Constitutional Studies (2015-2017)
Monterey Bay National Marine Sanctuary Advisory Council, 1992-1999
California State Water Archives Board, 1998-2001
Monterey Bay Unified Air Pollution Control District, 1981-1992
Monterey County Transportation Commission, 1979-1992
Central Valley Project (USBR), San Felipe Division, 1981-1986
Monterey County Water Resources Agency Board of Directors, 1981-1992
County Supervisors Association of California, 1981-1992

EXPERIENCE

ATTORNEY/TRUSTEE/CONSULTANT

From 1999 to 2013, Mr. Del Piero served as chief counsel for the Mendocino County Russian River Flood Control and Water Conservation District. He was responsible for over sixty water supply contracts with the majority of all vintners and agri-business companies in the Ukiah Valley. He actively worked to preserve the District's water rights for its urban, residential, and agricultural constituencies. He was also actively involved in protecting the anadromous fisheries and water quality of the Russian River. Mr. Del Piero developed several major public utility and water development projects for his other public agency clients. He served as Counsel for Pajaro-Sunny Mesa Community Services District (PSMCS D) from 1999 to 2010 and assisted that agency in completing a large pipeline construction project and the annexation of 15 separate private water systems into the PSMCS D boundaries. He also coordinated planning for the district's desalination plant.

Mr. Del Piero was certified as a Temporary Judge by the judges of the Monterey County Superior Court in January, 2007 for a three-year term. In 2008, he was appointed by the

United States Trustee (U.S. Department of Justice) for the U.S. Bankruptcy Court (Northern California) as a Chapter 7 Bankruptcy Trustee.

As a recognized expert in California groundwater rights law and the public trust doctrine, Mr. Del Piero has taught classes on California groundwater rights, including classes on the public trust doctrine sponsored by the State Water Resources Control Board. From 1992 to 2011, Mr. Del Piero taught California Water Law at Santa Clara University School of Law. He has also testified as an expert witness on water quality and water rights issues.

In 1984, Mr. Del Piero founded, served as the first Chairman (six years), and continues to serve on the Board of Directors of the Monterey County Agricultural Land Conservancy, a large farmland preservation trust. The Conservancy has permanently protected and preserved over 31,000 acres of Monterey County farmland and open space from the threat of urban sprawl and development. The Conservancy continues to work cooperatively with landowners and farming interests to economically enhance and preserve the viability of agriculture while reducing carbon emissions and preserving our state's open space areas.

Throughout 2003, Mr. Del Piero was engaged by Interstate Technology and Resources Council (ITRC), a nationwide environmental affairs agency representing 47 state governments, to oversee the preparation of uniform protocols addressing the rehabilitation and redevelopment of previously contaminated "brownfields" sites.

He currently is a member of the California Stewardship Council for the American Farmland Trust, the largest agricultural land trust in the nation.

Mr. Del Piero has represented and advised public agencies, non-profit organizations, private entities with significant water rights and water quality issues, and agri-business enterprises. His work as an attorney and mediator encompasses business disputes, real estate and land use development disputes involving CEQA issues, coastal zone resources, environmental resources protection, and agricultural land use issues.

January 1992 – April 1999

MEMBER, CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

Mr. Del Piero served for over seven years as the attorney member of the California State Water Resources Control Board ("SWRCB"). The SWRCB is the statutory agency charged with protecting all of California's water supplies, the quality of its waters, and its environmental resources, including the Sacramento-San Joaquin Delta. The SWRCB, which implements and enforces both the federal Clean Water Act and California's Porter-Cologne Act, also allocates surface water supplies for fishery, agricultural, urban consumption, and environmental purposes throughout the state.

Twice appointed by the Governor and confirmed unanimously by the California State Senate, Mr. Del Piero conducted extensive and numerous water rights and water quality hearings affecting the Central Valley Project (CVP) and the State Water Project, federal and state endangered species and fisheries issues, urban water quality and supply demands, agricultural irrigation water demands, Delta water quality requirements, and "public trust" issues. He is perhaps best known for Decision 1631, the "Mono Lake Decision," and WR

95-4 (the “Big Bear” decision). Both addressed significant public trust issues that were resolved by the SWRCB. The Mono Lake hearing lasted for 44 days, involved 14 parties and 19 attorneys, and ended twenty years of litigation and controversy between the Los Angeles Department of Water and Power and the Committee to Save Mono Lake/National Audubon Society. This decision, which required the City of Los Angeles to increase lake levels and restore much of the lake’s tributary ecosystems, set a significant precedent for the protection and restoration of public trust resources in California streams. It also guaranteed a sustainable, long-term water supply for the City of Los Angeles.

Mr. Del Piero was appointed as the California Environmental Protection Agency’s Dredging Coordinator for all dredging and related water quality and port issues in the State. This assignment included particular emphasis on protection of the San Francisco Bay and the Delta of the Sacramento-San Joaquin Rivers. He served on the 20-member group with the U.S. Army Corps of Engineers that prepared the Long Term Dredging Disposal Plan for all harbors in San Francisco Bay. Further, Mr. Del Piero led three separate training task forces to Chile between 1995 and 1998 at the invitation of US EPA and the Chilean National Commission on the Environment. He conducted numerous classes on the development of water supply and water quality regulations, seawater desalination, and regulatory enforcement strategies.

Del Piero represented the SWRCB on the Governor’s Interagency Task Force on Wetlands that developed mitigation and restoration policies for wetlands lost due to development. For six years, he chaired the statewide task force that established state guidelines and standards for the development, use, and reuse of both desalinated seawater and reclaimed wastewater in new developments. Additionally, the SWRCB operates California’s underground storage tank cleanup program, and he represented the Board on the state task force on clean-up strategies for the gasoline additive MTBE in 1999.

Mr. Del Piero represented the California Environmental Protection Agency for seven years on the National Oceanic and Atmospheric Administration’s (NOAA) Monterey Bay National Marine Sanctuary Advisory Council.

January 1981 – January 1992

COUNTY SUPERVISOR, MONTEREY COUNTY BOARD OF SUPERVISORS

Mr. Del Piero served for three consecutive terms on the Monterey County Board of Supervisors, and served as Chair in 1982 and 1988. Elected in 1981 to represent Northern Monterey County, the City of Marina, and the City of Salinas, he is recognized as a specialist in coastal resources management and planning. He was responsible for the development of five public sanitary sewer systems, four public water systems, three congregate nutrition and service centers for senior citizens, two flood control districts, and a daycare facility for the children of migrant workers. He co-authored the first local ordinance regulating the development of seawater desalination plants in 1989.

With then Monterey County Supervisor Sam Karas and then Carmel Mayor Clint Eastwood, Supervisor Del Piero raised significant funds to develop a replacement housing program for homeless migrant farm workers after the Loma Prieta earthquake. He has participated in writing numerous general plans and local coastal plans for Monterey

County, and was the founder and Monterey County representative on the Central Coast Regional Studies Program, a four-year effort by six coastal counties to develop environmental and economic studies to control the potential impacts of the Interior Department's then proposed off-shore oil lease plans. Del Piero was appointed by then Congressman Leon Panetta and served on the founding committee that developed the plan for the Monterey Bay National Marine Sanctuary, then the largest marine sanctuary in the United States.

Mr. Del Piero also served on the Monterey Bay Unified Air Pollution Control District, a multi-county air pollution control agency, for eleven years. During his tenure as chair, the District adopted the first local air toxics rule in California and adopted the first air pollution regulation requiring coordination of urban growth with air emission goals.

Mr. Del Piero served for six years on the Board of Directors of the San Felipe Division of the Central Valley Project. This water system, operated by the U.S. Bureau of Reclamation, serves four counties and the Silicon Valley area.

January 1978 – 1981

MONTEREY COUNTY PLANNING COMMISSION

Mr. Del Piero served for three years on the Monterey County Planning Commission. During that time, he helped prepare and gained certification for the North Monterey County Local Coastal Plan that developed regulations to preserve and protect the Elkhorn Slough National Estuarine Reserve. He also participated in the drafting and approval of the Big Sur Local Coastal Plan that guaranteed the preservation of over 70 miles of one of the most ecologically significant coastal areas on the Pacific Rim.