



# United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Southwest Region

2800 Cottage Way

Room E-1712

Sacramento, California 95825-1890

IN REPLY  
REFER TO:

March 23, 2012

Division of Water Rights  
State Water Resources Control Board  
Attention: Jane Farwell  
1001 I Street, 2nd Floor  
Sacramento, California 95814

Subject: Notice of Public Hearing January 23, 2012  
U.S. Bureau of Reclamation Water Right Permits 11308 and 11310  
Consideration of Inclusion of Final Environmental Impact Report into Hearing Record  
Board Letter Ruling, March 14, 2012

Dear Ms. Farwell:

This letter responds to the State Water Resources Control Board (Board) subject letter that ruled on the motion filed by Santa Ynez River Water Conservation District Improvement district No. 1, the Cachuma Conservation Release Board, and the Santa Ynez River Water Conservation District (the Cachuma Water Agencies) to strike certain rebuttal testimony proposed by California Trout (CalTrout) and the National Marine Fisheries Service (NMFS) for the hearing scheduled for March 29 and 30. The Board ruling maintained the scope of the hearing, consistent with the Board's Notice of Public Hearing, and also has allowed for sur-rebuttal witnesses to be heard provided that an outline of testimony is received no later than noon on March 26, 2012.

Based on the Board's ruling, Reclamation will not be offering any sur-rebuttal witnesses and stands on the testimony and closing arguments that Reclamation provided during the main phases of these Cachuma hearings, and therefore, has no objection to the inclusion of the Board's 2011 Final Environmental Impact Report being entered into the administrative record.

Should you have any questions, or require any additional information, please do not hesitate to contact me.

Sincerely,



Amy L. Aufdemberge  
Attorney for Reclamation

cc: Cachuma Hearing Service List (attached)  
Dana Heinrich, Esq.  
David Rose, Esq.

**CERTIFICATE OF SERVICE**

RE: Notice of Public Hearing January 23, 2012  
U.S. Bureau of Reclamation Water Right Permits 11308 and 11310  
Consideration of Inclusion of Final Environmental Impact Report into Hearing Record  
Board Letter Ruling, March 14, 2012

I, the undersigned, hereby certify that on March 26, 2012, I served the attached letter by transmitting a true copy via electronic mail at Sacramento, California, addressed as follows:

Cachuma Conservation Release Board Mr. Kevin O'Brien Downey Brand LLP 621 Capitol Mall, Floor 18 Sacramento, CA 95814 kobrien@downeybrand.com bcougar@downeybrand.com	City of Solvang Mr. Christopher L. Campbell Baker, Manock & Jensen 5260 N. Palm Avenue, Suite 421 Fresno, CA 93705 ccampbell@bakermanock.com
Santa Ynez River Water Conservation District, Improvement District No. 1 Mr. Gregory K. Wilkinson Best, Best & Krieger, LLP 3750 University Avenue, Suite 400 Riverside, CA 92501 Gregory.Wilkinson@Bbklaw.com	City of Lompoc Ms. Sandra K. Dunn Somach, Simmons & Dunn 500 Capitol Mall Suite 1000 Sacramento, CA 95814 sdunn@somachlaw.com
Santa Ynez River Water Conservation District Mr. Ernest A. Conant Law Offices of Young Wooldridge 1800 - 39th Street, Fourth Floor Bakersfield, CA 93301 econant@youngwooldridge.com	California Trout, Inc. c/o Ms. Karen Kraus Environmental Defense Center 906 Garden Street Santa Barbara, CA 93101 kkraus@edcnet.org

by placing a true copy enclosed in a sealed envelope via U.S. Postal Service certified mail at Sacramento, California, addressed as follows:

Ms. Terri Maus-Nishich, Assistant CEO Santa Barbara County CEO's Office 105 E. Anapuma Street, 4th Floor Santa Barbara, CA 93101	Dan Hytrek NOAA Office of General Counsel Southwest Region 501 West Ocean Blvd., Suite 4470 Long Beach, CA 90802-4213
Department of Fish and Game Office of General Counsel Nancee Murray 1416 Ninth Street, 12th Floor Sacramento, CA 95814	County of Santa Barbara Mr. Dennis Marshall, County Counsel 105 E. Anapamu Street Santa Barbara, CA 93101

1 I certify under penalty of perjury that the foregoing is true and correct. Executed on the  
2 26<sup>th</sup> day of March 2012, at Sacramento, California.

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5 James L. Hines  
6 Administrative Assistant  
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