

Mona, Ernie@Waterboards

From: Richard Morat <rjmorat@gmail.com>
Sent: Monday, November 30, 2015 5:29 PM
To: Buckman, Michael@Waterboards
Cc: Tauriainen, Andrew@Waterboards; dantejr@pacbell.net; S. Dean Ruiz (dean@hprlaw.net); Dan Kelly (dkelly@somachlaw.com); dohanlon@kmtg.com; Jennifer Spaletta (jennifer@spalettalaw.com); Herrick, John @aol.com; jkrattiger@herumcrabtree.com; jonathan.knapp@sfgov.org; jzolezzi@herumcrabtree.com; kharrigfeld@herumcrabtree.com; lwood@olaughlinparis.com; ngmplcs@pacbell.net; 'pwilliams@westlandswater.org' (pwilliams@westlandswater.org); Akroyd, Rebecca@KMTG; Robert Donlan (red@eslawfirm.com); McGinnis, Robin C.@DWR; smorris@swc.org; Valerie Kincaid (vkincaid@olaughlinparis.com); Kuenzi, Nicole@Waterboards; Farwell Jensen, Jane; McCue, Jean@Waterboards; Mona, Ernie@Waterboards; Riddle, Diane@Waterboards
Subject: Re: Request for Consolidation - WSID and BBID hearings

Parties:

I am a biologist not employed or supported by anyone other than myself. My involvement in the BBID Hearing is to advocate for sustainable water and fishery management.

I object to this proposed consolidation, or more rightly an extension and rescheduling of my participation beyond the week I anticipated and planned for, if it eliminates my ability to present written exhibits and summary testimony.

I set aside the dates of March 21 to March 25 for my participation in what I was informed would be a BBID hearing. I understand the need for efficiency and to not duplicate. However, I am uncertain at this time of my availability on the additional 6 days.

I plan very limited expert testimony NOT on the subject of water availability as you all appear to be considering it. I envision that my time before you would be very brief. I can be accommodated during the week of March 21-25 or very likely on one of the later six days but that will have to be negotiated once I know my availability.

Luckily you caught me as I was leaving the house for the next 4 days during which I will be out of phone or internet contact.

Richard Morat

On Mon, Nov 30, 2015 at 4:41 PM, Buckman, Michael@Waterboards
<Michael.Buckman@waterboards.ca.gov> wrote:

Dear Parties:

The State Water Resources Control Board is in receipt of the request to consolidate the water availability analysis portions for the hearings in The West Side Irrigation District and Byron Bethany Irrigation District proceedings to commence on March 21, 2016, submitted by The West Side Irrigation District, Byron-Bethany Irrigation District, San Joaquin Tributaries Authority, City and County of San Francisco, South Delta Water Agency, Central Delta Water Agency, and Westlands Water District. The Hearing Team has received written concurrence with the general proposal from the Prosecution Team, the Department of Water Resources, and the State Water Contractors. The Board appreciates the parties' coordinated proposal as to how these two hearings may proceed most efficiently and effectively.

The hearing officers consent to the proposed consolidation of the water availability analysis portions of the hearings in both proceedings, to commence on March 21, 2016 (Phase I). The portions of the proceedings that are specific to each case (Phase II) will commence immediately following completion of Phase I. Therefore, all of the parties to both proceedings should hold their availability from March 21 through March 25; March 28 through March 30; April 1; April 4; and April 6. This consolidation and rescheduling of the hearings is **contingent** upon lack of objection from any party. Any comments or objections to the consolidation and rescheduling must be submitted by **noon, Friday, December 4, 2015** to Wr_Hearing.Unit@waterboards.ca.gov. The parties are advised that the hearing officers will impose time limits on testimony and cross-examination as necessary to complete both phases of the hearings within the scheduled time. Such limits will be further discussed during the scheduled 2nd pre-hearing conference.

The hearing officers intend to issue a formal ruling next week describing the issues to be addressed in each phase of the proceedings, and setting revised deadlines as necessary. Revised deadlines will likely mirror those currently set in the Byron Bethany Irrigation District hearing matter. If you have any questions, please contact me at [916-341-5448](tel:916-341-5448), or by email at Michael.Buckman@waterboards.ca.gov.

Michael Buckman

Hearings Unit Chief, Division of Water Rights
State Water Resources Control Board