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**FILED**

DEC - 8 2014

**TERESA A. RISI**  
**CLERK OF THE SUPERIOR COURT**  
**DEPUTY**

*V. Stolorow*

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MONTEREY

MONTEREY COASTKEEPER, a project  
of THE OTTER PROJECT, a non-profit  
organization,

Petitioner-Plaintiff,

v.

MONTEREY COUNTY WATER  
RESOURCES AGENCY, a public agency,

Respondent-Defendant.

*TR* Case No. M108858

**[PROPOSED] ORDER CERTIFYING  
QUESTIONS TO THE CENTRAL COAST  
REGIONAL WATER QUALITY  
CONTROL BOARD**

*TR* Case No. M108858  
**[PROPOSED] ORDER CERTIFYING QUESTIONS TO THE CENTRAL COAST  
REGIONAL WATER QUALITY CONTROL BOARD**

1 Following an initial hearing on Monterey Coastkeeper's petition for writ of mandate in this  
2 matter on November 14, 2014, in Department 14, and having reviewed the papers and heard the  
3 arguments of the parties, the Court hereby enters the following Order.

4 (1) In order to assist its resolution of this matter, the Court certifies the following questions to  
5 the Central Coast Regional Water Quality Control Board ("Board"):

6 (a) Has the Board completed its investigation of whether Monterey County Water  
7 Resources Agency ("MCWRA") activities in and around the Reclamation Ditch and  
8 Blanco Drain watersheds render MCWRA a waste discharger which must file a report of  
9 waste discharge pursuant to California Water Code section 13260 or 13264?

10 (b) If so, what is the Board's determination?

11 (c) If not, when does the Board anticipate making such a determination?

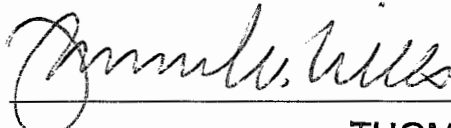
12 (2) The parties are directed to present these certified questions and a copy of this Order to the  
13 Board within 24 hours of entry of the Order and to request a response from the Board within  
14 30 days thereafter.

15 (3) This matter is continued until February 17, 2015 at 10:30 a.m. in Department 14 to review  
16 the Board's responses to the certified questions. The parties shall submit further case  
17 management conference statements five (5) days in advance of that hearing.

18 IT IS SO ORDERED.

19 Dated: \_\_\_\_\_

20 12/8/14

21 

22 Judge of the Superior Court **THOMAS W. WILLS**

1 **PROOF OF SERVICE**

2  
3 LYNDA F. JOHNSTON declares:

4 I am over the age of eighteen years and not a party to this action. My business address is 559  
5 Nathan Abbott Way, Stanford, California 94305-8610.

6 On December 4, 2014, I served the foregoing **LETTER FROM DEBORAH A. SIVAS TO**  
7 **THE HONORABLE THOMAS W. WILLS** and **[PROPOSED] ORDER CERTIFYING**  
8 **QUESTIONS TO THE CENTRAL COAST REGIONAL WATER QUALITY CONTROL**  
9 **BOARD** on all persons named below by placing a true and correct copy thereof in a sealed envelope,  
10 with postage thereon fully prepaid, in the United States Mail at Stanford, California, addressed to each  
11 recipient respectively as follows:

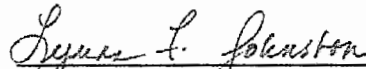
12 Charles J. McKee, County Counsel  
13 Irvan L. Grant, Deputy County Counsel  
14 County of Monterey  
15 168 W. Alisal Street, Third Floor  
Salinas, California 93901-2653

Steven P. Saxton, Esq.  
Nicole E. Granquist, Attorney at Law  
Elizabeth B. Stallard, Attorney at Law  
Downey Brand LLP  
621 Capitol Mall, 18<sup>th</sup> Floor  
Sacramento, California 95814-4731

16 and also by placing a courtesy copy in the course of electronic transmission to each at the following  
17 email addresses:

18 granti@co.monerey.ca.us  
19 ssaxton@downeybrand.com  
ngranquist@downeybrand.com  
estallard@downeybrand.com

20 I declare under penalty of perjury that the foregoing is true and correct, and that this declaration  
21 was executed December 4, 2014 at Stanford, California.  
22

23  
24   
25 LYNDA F. JOHNSTON  
26  
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