From:	Bev De Witt-Moylan
To:	Packard, Harvey@Waterboards; Packard, Harvey@Waterboards
Cc:	Thomas, Michael@Waterboards; bgibson@co.slo.ca.us; fmecham@co.slo.ca.us; ahill@co.slo.ca.us; cray@co.slo.ca.us; darnold@co.slo.ca.us; board@losososcsd.org; cbaltimore@losososcsd.org; rwright@losososcsd.org; lmoothart@losososcsd.org; mochylski@losososcsd.org; Jon Erik Storm
Subject:	Response to your "Discussion/Information" on Agenda Item 14
Date:	Sunday, May 18, 2014 11:23:46 AM
Attachments:	[redacted]Response.docx

Mr. Packard,

Thank you for your recent correspondence. Please find attached and pasted below my response to the packet you sent. Once again I have copied Mr. Michael Thomas in the hope that, as in the past, he can forward my comments to Water Board members.

Having ourselves on numerous occasions experienced involuntary exposure by the CCRWQCB of our personal contact and domicile information over the years, I am especially sensitive to community members who may not wish to have their personal contact information become public record. You will note that I have Bcc'd the few community members for whom we have contact information to protect their privacy.

Sincerely,

Beverley De Witt-Moylan

**My attached correspondence is pasted herewith for your convenience:

Dear Mr. Packard,

Completely out of context and utterly spontaneously you suggested, on January 15, 2014, that my husband, William Moylan, rally our CDO cohorts to ask the Water Board *to remove the CDO's*. With those words you deliberately implied a clear shift in your approach. We felt encouraged that the CCRWQCB had embarked on a new direction.

It was with considerable consternation that we read your proposal related to Agenda Item 14 for the May 2014 CCRWQCB meeting. Your recommendation directly contradicts what you told my husband to do in January. And so we require clarification.

You can, no doubt, appreciate our current confusion. My husband did not misunderstand you. After your January conversation he mentioned noting that you had specifically used the word, *remove* - and not *rescind* - *the CDO's.*

When my husband contacted you to say that it was your responsibility, and not his, to ask the Board *to remove the CDO's,* you agreed. You did not refute or correct his language. We had no reason to believe you had changed your position on encouraging the Board *to remove the CDO's*. (For your convenience those emails appear at the bottom of this message.)

Given that you had unilaterally and unexpectedly raised the issue of CDO removal, your recent Board proposal was disconcerting, In January we truly believed that new Board members and new leadership provided you the opportunity to do the rational, right, and decent thing. Your recent incomprehensible CDO proposal demonstrates that nothing has changed. And so we now wonder at the point of the exercise.

We remain unclear about your motive in approaching my husband in January to suggest he ask the Water Board *to remove the CDO's.* We will appreciate your clarification of this point of concern. We look forward to your prompt response.

Sincerely,

Beverley De Witt-Moylan

From: william < Subject: Los Osos CDO's

Date: February 10, 2014 8:42:54 PM PST

To: hpackard@waterboards.ca.gov

Dear Mr. Packard,

Recently you spoke to me at the CCRWQCB office suggesting that my wife and I join forces with other CDO families to ask the Water Board "to remove" the Cease and Desist Orders they imposed on us in 2006 and 2007.

It is my understanding that the original individual enforcement proposal came from CCRWQCB staff. You were on staff at the time of those hearings that resulted in a 100% successful prosecution rate.

After carefully considering your suggestion, I concluded that the party who proposed individual enforcement is the appropriate party to request its removal. As CCRWQCB Enforcement Coordinator and Advisor to the Board you are in the proper position to ask the Board to remove the individual Cease and Desist Orders that resulted from the prosecution of the "Los Osos 45."

I request that you submit that proposal as soon as possible.

On Feb 24, 2014, at 9:26 AM, Packard, Harvey@Waterboards wrote:

Mr. Moylan,

I agree that it is my job to make a recommendation to the Water Board about the CDOs, and I plan on doing so in a written report to the board for the May 2014 meeting. The board will not take any action at the meeting, but could provide direction to staff.

If you or anyone else interested in the situation would like to provide input toward my recommendation, please provide that information to me by March 31.