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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, COMPLEX CIVIL DIVISION

SANTA BARBARA CHANNELKEEPER,
a California non-profit corporation,

Plaintiff,

v.

STATE WATER RESOURCES
CONTROL BOARD, a California State
Agency;
CITY OF SAN BUENAVENTURA, a
California municipal corporation,

Defendants.

Case No. 19STCP01176

Judge: Honorable William F. Highberger

**INITIAL DISCLOSURES OF PLAINTIFF
SANTA BARBARA CHANNELKEEPER**

Action Filed: Sept. 19, 2014
FAC Filed: Sept. 7, 2018
Trial Date: Not Set

CITY OF SAN BUENAVENTURA, a
California municipal corporation,

Cross-Complainant

v.

DUNCAN ABBOTT, an individual, et al.

Cross-Defendants.

1 **PRELIMINARY STATEMENT**

2 Santa Barbara Channelkeeper (“Channelkeeper”) makes the following California Code of
3 Civil Procedure (“CPP”) Section 842 initial disclosures. Channelkeeper makes these disclosures
4 to the best of its knowledge based on the information reasonably available. Consistent with CPP
5 Section 842(d)(1), Channelkeeper will modify, amend, retract and/or supplement disclosures
6 made herein if new information becomes available. Investigation and research are continuing,
7 which along with discovery, may lead to the identification of additional witnesses, parties, and
8 documents that may support Channelkeeper’s claims.

9 **DISCLOSURES**

10 **A. Individuals Likely To Have Discoverable Information**

11 Channelkeeper makes the following CPP Section 2016.090(a)(11) disclosures of
12 individuals likely to have information relating to Channelkeeper’s claims:

- 13 1. Ben Pitterle. Mr. Pitterle may be contacted through counsel for Channelkeeper.
- 14 2. Staff at the California State Water Resources Control Board (“SWRCB”), 1001 I Street
15 in Sacramento, California 95814, info@waterboards.ca.gov, (916) 341-5272.
- 16 3. Staff for the City of Ventura, 501 Poli Street in Ventura, California 93001, (805) 667-
17 6500.
- 18 4. Staff at the California Department of Fish and Wildlife (“CDFW”), 1416 9th Street (12th
19 Floor) in Sacramento, California 95814, (916) 445-0411.

20 **B. Documents That May Support Plaintiff’s Claims**

21 Channelkeeper makes the following disclosures of documents and electronically stored
22 information, electronic copies of which are being sent by mail concurrently with this disclosure:

- 23 1. A true and correct copy of the SWRCB’s Combined Response Memorandum of Points
24 and Authorities in Support of Motions for Judgement on the Pleadings filed in the
25 Superior Court of Sacramento County in Civil Case No. 34-210-80000583 on March 3,
26 2014.
- 27 2. A true and correct copy of the SWRCB’s Notice of Preparation and Public Scoping
28 Meeting relating to Russian River Frost Protection Regulation dated October 27, 2010.
3. A true and correct copy of the SWRCB’s Amicus Curiae Brief in Support of the United
States’ Motion for Partial Summary Judgement filed in the United States Court of Federal

- 1 Claims in Case No. 05-168 L on January 30, 2007.
- 2 4. A true and correct copy of the United States Environmental Protection Agency's ("EPA")
3 Draft Ventura River Reaches 3 and 4 Total Maximum Daily Loads for Pumping and
4 Diversion-Related Water Quality Impairments dated December 2012.
- 5 5. A true and correct copy of excerpts of the Los Angeles Regional Water Quality Control
6 Board's ("Regional Board") Water Quality Control Plan (Basin Plan) for the Coastal
7 Watersheds of Los Angeles and Ventura Counties.
- 8 6. A true and correct copy of the San Francisco Estuary Institute's Historical Ecology of the
9 Lower Santa Clara River, Ventura River, and Oxnard Plan: an Analysis of Terrestrial,
10 Riverine, and Coastal Habitats.
- 11 7. A true and correct copy of the National Marine Fisheries Service's ("NMFS") Draft
12 Biological Opinion for the Army Corps of Engineer's Permitting of the City of Ventura's
13 Foster Park Well Facilities Repairs on the Ventura River, File No. 200501739-JWM dated
14 August 29, 2007.
- 15 8. A true and correct copy of excerpts of NMFS 's Southern California Steelhead Recovery
16 Plan (Recovery Plan) dated January 2012.
- 17 9. A true and correct copy of California's Department Fish & Game Steelhead Population
18 Assessment in the Ventura River/Matilija Creek Basin 2011 Data Summary dated June 30,
19 2012.
- 20 10. A true and correct copy of the SWRCB's Final California 2010 Integrated Report (303(d)
21 List/305(b) Report) for Reach 3 of the Ventura River Supporting the Pumping and
22 Diversion Impairments Listing.
- 23 11. A true and correct copy of the SWRCB's Final California 2010 Integrated Report (303(d)
24 List/305(b) Report) for Reach 4 of the Ventura River Supporting the Pumping and
25 Diversion Impairments Listing.
- 26 12. A true and correct copy of the EPA's letter approving the SWRCB's amendments to the
27 Basin Plan containing Total Maximum Daily Loads (TMDLs) for listed water quality
28 impairments in California's Ventura River (Ventura TMDL) and response to comments on
the Ventura TMDL dated June 28, 2013.
13. A true and correct copy of the SWRCB's Basin Plan amendment to incorporate the
Ventura TMDL into the Basin Plan dated December 6, 2012.

- 1 14. A true and correct copy of the SWRCB's response to request for documents pursuant to
2 the Public Records Act dated May 3, 2013.
- 3 15. A true and correct copy of Ventura's Preliminary Hydrogeological Study, Surface
4 Water/Groundwater Interaction Study dated June 2013.
- 5 16. A true and correct copy of a Summary of Biological Opinion Timeline. This document
6 was provided by Ventura in response to an April 16, 2013 request for documents pursuant
7 to the Public Records Act.
- 8 17. A true and correct copy of a letter sent by Ventura to the SWRCB relating to Ventura's
9 water right statement no. S010335 dated November 30, 2011.
- 10 18. A true and correct copy of a letter including CDFW Draft Instream Flow
11 Recommendations for Lower Ventura River and Coyote Creek, Ventura County, dated
12 February 26, 2021.
- 13 19. A true and correct copy of the October 2004 Ventura River Watershed Monitoring
14 Program Quality Assurance Project Plan.
- 15 20. A true and correct copy of an addendum to the 2004 Ventura River Watershed Monitoring
16 Program Quality Assurance Project Plan.
- 17 21. A true and correct copy of an Ventura River Watershed Monitoring Program Quality
18 Assurance Project Plan Addendum relating to Santa Barbara Channelkeeper's Stream
19 Team Citizen Monitoring Program Data for Ventura, Goleta, and Carpinteria Watersheds
20 dated June 14, 2019.
- 21 22. A true and correct copy of a Channelkeeper comment letter regarding the 303(d) List
22 portion of the 2014 and 2016 California Integrated Report dated July 7, 2017.
- 23 23. A true and correct copy of the NMFS Comment Letter regarding CDFW's Draft Instream
24 Flow Regime Recommendations for the Lower Ventura River dated March 29, 2021.
- 25 24. A true and correct copy of the methods and QAQC description for the Channelkeeper's
26 Ventura River Monitoring Program dated March 1, 2013.
- 27 25. A true and correct copy of the Ventura Water Production Calendar Source Report ranging
28 from 2002 to March 2013.
- 26 26. A true and correct copy of the Ventura Water Calendar Year Source Report from 2013 to
2018.
- 27 27. A true and correct copy of the United States Geological Service's Foster Park gauge data
28 from 2013 to 202.

- 1 28. A true and correct copy of Ventura Water Foster Park Intake BPS Flow Totalizer data
- 2 from January 2013 to August 2018.
- 3 29. A true and correct copy of Foster Park production verses flow summary chart.
- 4 30. A true and correct copy of summaries for Foster Park production and river flow thresholds
- 5 from 2007 to 2018.
- 6 31. A true and correct copy of Ventura Water Nye Well 7 flow totalizer data from January
- 7 2013 to 2018.
- 8 32. A true and correct copy of Ventura Water Nye Well 8 flow totalizer data from January
- 9 2013 to 2018.
- 10 33. A true and correct copy of Ventura Water Nye Well 11 flow totalizer data from January
- 11 2013 to 2018.
- 12 34. A true and correct copy of a list of current Channelkeeper citizen monitoring team sites in
- 13 Ventura including GPS coordinates, dated 2021.
- 14 35. A true and correct copy of Ventura River sites DS6 and 6.1 showing dissolved oxygen
- 15 plot data from 2013 to 2016.
- 16 36. A true and correct copy of Ventura River site VRWDS6.3 dissolved oxygen data.
- 17 37. A true and correct copy of Ventura River site VRWDS6.3 temperature data.
- 18 38. A true and correct copy of Ventura River site VRW6.15 dissolved oxygen data.
- 19 39. A true and correct copy of Ventura River site VRW6.15 temperature data.
- 20 40. A true and correct copy of Ventura River site VRW006 temperature data.
- 21 41. A true and correct copy of Ventura River site VRW006 dissolved oxygen data.
- 22 42. A true and correct copy of Ventura River site VRW12.9 dissolved oxygen data.
- 23 43. A true and correct copy of Ventura River site VRW12.9 temperature data.
- 24 44. A true and correct copy of Ventura River site VRWDS1 dissolved oxygen data.
- 25 45. A true and correct copy of Ventura River site VRWDS1 temperature data.
- 26 46. A true and correct copy of Ventura River site VRWDS6 dissolved oxygen data.
- 27 47. A true and correct copy of Ventura River site VRWDS6 temperature data.
- 28 48. A true and correct copy of Ventura River site VRW06.1 dissolved oxygen data.
49. A true and correct copy of Ventura River site VRW06.1 temperature data.
50. A true and correct copy of Channelkeeper's Ventura River Stream Team bacteria data
- from 2001 to 2018.

- 1 51. A true and correct copy of Channelkeeper’s Ventura River Stream Team chemistry data
2 from 2001 to 2018.
- 3 52. A true and correct copy of Channelkeeper’s Ventura River Stream Team nutrient data
4 from 2001 to 2018.
- 5 53. A true and correct copy of Channelkeeper’s Ventura River Stream Team site condition
6 data from 2001 to 2018.

7
8 Date: 1 June 2021

SYCAMORE LAW, INC.

9
10 By: /S/

11 DANIEL COOPER
12 Sycamore Law, Inc.
13 Attorneys for Petitioner and Plaintiff
14 SANTA BARBARA CHANNELKEEPER
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Initial Disclosure & Production Log
Ventura Adjudication



Line	Document Description	Bates Start	Bates End	Date Produced	Set #
1	SWRCB Combined Response to Civil Case No. 34-2010-80000583 (dated March 3, 2014)	SB000001	SB000024	06/01/2021	1
2	SWRCB's Notice of Preparation and Public Scoping Meeting relating to Russian River Frost Protection Regulation (dated October 27, 2010)	SB000025	SB000032	06/01/2021	1
3	SWRCB's Amicus Curiae Brief (Case No. 05-168 L dated January 30, 2007)	SB000033	SB000085	06/01/2021	1
4	EPA Draft Ventura River Reaches 3 and 4 Total Maximum Daily Loads for Pumping and Diversion-Related Water Quality Impairments (dated December 2012)	SB000086	SB000155	06/01/2021	1
5	Los Angeles Regional Water Quality Control Board's (Regional Board) Water Quality Control Plan (Basin Plan) for the Coastal Watersheds of Los Angeles and Ventura Counties (1994)	SB000156	SB000195	06/01/2021	1
6	San Francisco Estuary Institute's Historical Ecology of the lower Santa Clara River, Ventura River, and Oxnard Plain: an analysis of terrestrial, riverine, and coastal habitats (dated August 2011)	SB000196	SB000343	06/01/2021	1
7	National Marine Fisheries Service's (NMFS) Draft Biological Opinion for the Army Corps of Engineer's (dated August 29, 2007)	SB000344	SB000401	06/01/2021	1
8	NMFS 's Southern California Steelhead Recovery Plan (dated January 2012)	SB000402	SB000964	06/01/2021	1
9	2013 Robles Fish Passage Facility Progress Report Casitas Municipal Water District	SB000965	SB001024	06/01/2021	1
10	SWRCB's Final California 2010 Integrated Report (303(d) List/305(b) Report) for Reach 3 of the Ventura River (April 10, 2013)	SB001025	SB001032	06/02/2021	1
11	SWRCB's Final California 2010 Integrated Report (303(d) List/305(b) Report) for Reach 4 of the Ventura River (July 15, 2014)	SB001033	SB001038	06/01/2021	1
12	EPA Approval Letter re. SWRCB's amendments to the Basin Plan containing TMDLs (dated June 28, 2013)	SB001039	SB001043	06/01/2021	1
13	SWRCB's Basin Plan amendment to incorporate the Ventura TMDL (dated December 6, 2012)	SB001044	SB001069	06/01/2021	1
14	SWRCB's response to request for documents (dated May 3, 2013)	SB001070	SB001072	06/01/2021	1
15	Ventura's Preliminary Hydrogeological Study, Surface Water/Groundwater Interaction Study (dated June 2013)	SB001073	SB001418	06/01/2021	1

Initial Disclosure & Production Log
Ventura Adjudication

16	Summary of Biological Opinion Timeline from city of Ventura (dated September 18, 2008)	SB001419	SB001423	06/01/2021	1
17	Ventura Water Letter to SWRCB relating to Ventura's water right statement no. S010335 (dated November 30, 2011)	SB001424	SB001444	06/01/2021	1
18	CDFW Draft Instream Flow Recommendations – Lower Ventura River and Coyote Creek, Ventura County (letter dated February 26, 2021)	SB001445	SB001482	06/01/2021	1
19	Ventura River Watershed Monitoring Program Quality Assurance Project Plan (October 2004)	SB001483	SB001514	06/01/2021	1
20	Quality Assurance Project Plan Addendum SBCK's Stream Team Citizen Monitoring Program Data	SB001515	SB001516	06/01/2021	1
21	Ventura River Watershed Monitoring Program Quality Assurance Project Plan Addendum: SBCK Stream Team Citizen Monitoring Program Data for Ventura, Goleta, and Carpinteria Watersheds (dated June 14, 2019)	SB001517	SB001519	06/01/2021	1
22	SBCK Comment Letter re. 303(d) List portion of the 2014 and 2016 California Integrated Report (dated July 7, 2017)	SB001520	SB001572	06/01/2021	1
23	NMFS Comment Letter re. CDFW's Draft Instream Flow Regime Recommendations for the Lower Ventura River (March 29, 2021)	SB001573	SB001602	06/01/2021	1
24	Channelkeeper Ventura River Monitoring Program: Methods and QAQC Description (dated March 1, 2013)	SB001603	SB001605	06/01/2021	1
25	Ventura Water Production Calendar Source Report 2002- March 2013	SB001606	SB001618	06/01/2021	1
26	Ventura Water Calendar Year Source Report 2013- 2018	SB001619	SB001624	06/01/2021	1
27	USGS Foster Park Gauge Data 2013-2021	SB001625	SB001686	06/01/2021	1
28	Ventura Water Foster Park Intake BPS Flow Totalizer January 2013 to August 2018	SB001687	SB001731	06/01/2021	1
29	Foster Park Production vs. Flow Chart	SB001732	SB001732	06/01/2021	1
30	Foster Park Production and River Flow Threshold Summaries (2007 - 2018)	SB001733	SB001735	06/01/2021	1
31	Ventura Water Nye Well 7 Flow Totalizer Data January 2013- 2018	SB001736	SB001780	06/01/2021	1
32	Ventura Water Nye Well 8 Flow Totalizer Data January 2013- 2018	SB001781	SB001825	06/01/2021	1
33	Ventura Water Nye Well 11 Flow Totalizer Data January 2013- 2018	SB001826	SB001870	06/01/2021	1
34	SBCK Ventura Stream Citizen Monitoring Team Sites 2021	SB001871	SB001871	06/01/2021	1

Initial Disclosure & Production Log
Ventura Adjudication

35	Ventura River Sites DS6 and 6.1 Dissolved Oxygen Plot Data 2013-2016	SB001872	SB001872	06/01/2021	1
36	Ventura River Site VRWDS6.3 Dissolved Oxygen Data	SB001873	SB002159	06/01/2021	1
37	Ventura River Site VRWDS6.3 Temperature Data	SB002160	SB002768	06/01/2021	1
38	Ventura River Site VRW6.15 Dissolved Oxygen Data	SB002769	SB002815	06/01/2021	1
39	Ventura River Site VRW6.15 Temperature Data	SB002816	SB002862	06/01/2021	1
40	Ventura River Site VRW006 Temperature Data	SB002863	SB003467	06/01/2021	1
41	Ventura River Site VRW006 Dissolved Oxygen Data	SB003468	SB003589	06/01/2021	1
42	Ventura River Site VRW12.9 Dissolved Oxygen Data	SB003590	SB003987	06/01/2021	1
43	Ventura River Site VRW12.9 Temperature Data	SB003988	SB004385	06/01/2021	1
44	Ventura River Site VRWDS1 Dissolved Oxygen Data	SB004386	SB004826	06/01/2021	1
45	Ventura River Site VRWDS1 Temperature Data	SB004827	SB005286	06/01/2021	1
46	Ventura River Site VRWDS6 Dissolved Oxygen Data	SB005287	SB005773	06/01/2021	1
47	Ventura River Site VRWDS6 Temperature Data	SB005774	SB006267	06/01/2021	1
48	Ventura River Site VRW06.1 Dissolved Oxygen Data	SB006268	SB006814	06/01/2021	1
49	Ventura River Site VRW06.1 Temperature Data	SB006815	SB007730	06/01/2021	1
50	SBCK Ventura River Stream Team Bacteria Data 2001-2018	SB007731	SB007784	06/01/2021	1
51	SBCK Ventura River Stream Team Chemistry Data 2001-2018	SB007785	SB008002	06/01/2021	1
52	SBCK Ventura River Stream Team Nutrient Data 2001-2018	SB008003	SB008103	06/01/2021	1
53	SBCK Ventura River Stream Team Site Condition Data 2001-2018	SB008104	SB008116	06/01/2021	1