

1 MICHAEL J. BARKLEY, CA SBN 122433
2 161 N. Sheridan Ave. #1
3 Manteca, CA 95336
4 209/823-4817 mjbarkl@inreach.com

5 Petitioner, in propria persona
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9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF SACRAMENTO
11

12 _____)	No. 34-2010-80000513
13 Michael J. Barkley,)	
14)	NOTICE OF COMPLIANCE WITH
15 Petitioner,)	CCP §388 & Calif. Publ.Res.Code §§21167.7 ,
16)	21167.6(a), 21167.6.5(a), & 21167.6.5(c)
17 v.)	
18)	
19 State Water Resources Control Board,)	
20)	
21 Respondent.)	
22)	
23)	
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_____)	

24 This is notice that at approximately 4:00 p.m. on 04/12/2010 petitioner complied with California
25 Code of Civil Procedure Section 388 and California Public Resources Code Section 21167.7 by
26 furnishing a copy of the following to the Attorney General of the State of California by handing it to a
27 person who furnished her card as Belinda M. Charters of the Office of the Attorney General and was the
28 person called down to the lobby of the building at 1300 "I" St., Sacramento, CA by the guard to receive
29 service of process for the Attorney General:

- 30 Petition for Writ of Mandate, Exhibit A - Exhibits on-line
- 31 Request for Preparation of Administrative Record
- 32 Written Notice under Public Resources Code Section 21167.5 , with attached proof of service by mail
- 33 Notice of Related Case
- 34 Civil Cover Sheet
- 35 Notice of Case Assignment

1 Guide to the Procedures for Prosecuting Petitions for Prerogative Writs

2 All will please note that these code sections specify “furnish”, not “serve”.

3 On 04/12/2010 petitioner complied with the first sentence in Public Resources Code Section
4 21167.6(a) by filing it with the petition. On 04/19/2010 petitioner complied with the remainder of
5 Public Resources Code Section 21167.6(a) when the process server from Attorney’s Diversified Services
6 served the 7 papers listed above on the respondent. On 04/15/2010 petitioner complied with Public
7 Resources Code Section 21167.6.5(a) when the process server from ADS served those 7 papers on the
8 real party in interest.

9 On April 28, 2010 counsel for State Water Resources Control Board announced that they would
10 not be complying with the requirements of 21167.6.5(b) making it difficult for petitioner to comply with
11 section 21167.6.5(c), Exhibit A attached. Nevertheless, petitioner crafted his own list, see Exhibit A,
12 and will comply with the requirements of 21167.6.5(c) using that list within the time required even
13 though he may have to re-comply using SWRCB’s list when and if SWRCB changes its mind and
14 furnishes such a list.

15 Executed this 3rd Day of May, 2010,

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19 _____
20 Michael J. Barkley, Petitioner, in propria persona
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22 161 N. Sheridan Ave. #1
23 Manteca, CA 95336
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Michael J. Barkley, SBN 122433
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April 29, 2010

Mr. Daniel Fuchs
Office of the Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550

Re: Barkley v. SWRCB filed 04/12/2010

Dear Mr. Fuchs,

Interesting phone call yesterday.

I understand from your comments that SWRCB is not going to comply with the requirements of Public Resources Code Section §21167.6.5(b), thus making it difficult for me to comply with §21167.6.5(c), because it is your position that CEQA does not apply. Should you change your mind, attached is a list off the top of my head of some of the relevant agencies.

FYI, Judge Karlton issued an order yesterday in the Angle case, copy at <http://www.mjbarkl.com/316.pdf>, which, among other things, seems to move one step closer to declaring invalid every SWRCB permit or license within the Stony Creek watershed, including of course any permit under Ap. 18115.

Best wishes,

Michael J. Barkley

cc: Bob Collella, Reclamation

Preliminary list of public agencies having jurisdiction over a natural resource affected by the project, 04/29/2010:

Federal

Interior

- Bureau of Reclamation
- Bureau of Land Management
- U.S. Fish & Wildlife Service
- Bureau of Indian Affairs

Agriculture

- U.S. Forest Service
 - Mendocino National Forest
- Natural Resources Conservation Service/Soil Conservation Service

Commerce

- NOAA/National Marine Fisheries Service

Department of Defense

- U.S. Army Corps of Engineers

State

- State Water Resources Control Board
- Department of Fish and Game
- Department of Water Resources
- California Water Commission
- Department of Transportation
 - [Office of Historic Preservation]
 - [State Historical Resources Commission]
 - [California Archaeological Sites Survey]
- California Department of Forestry and Fire Protection
- California Department of Corrections and Rehabilitation

Boards of Supervisors:

- Tehama
- Glenn
- Colusa

Air Pollution Control Districts

- Tehama
- Glenn
- Colusa

Local Agency Formation Commissions

- Tehama
- Glenn
- Colusa

Local Boards

Elk Creek Community Services District

4E Water District

Stony Creek Water District

[Colusa County Service Area #2--Stonyford]

[Colusa County Service Area #1--Century Ranch]

Elk Creek Soil Conservation District

Stonyford Soil Conservation District

Colusa County Resource Conservation District (incorporating the Stonyford
Resource Conservation District)

Glenn County Resource Conservation District

Tehama County Resource Conservation District

Tehama County Flood Control & Water Conservation District

Colusa County Fish and Game Commission

Colusa County Planning Commission

Glenn County Planning Commission

Tehama County Planning Commission

City of Orland

Orland Planning Commission

Glenn Colusa Irrigation District

Tehama-Colusa Canal Authority, Orland-Artois Water District, et al.

City of Santa Clara, Silicon Valley Electric

School Districts

Stony Creek Joint Unified School District

Orland Unified School District

Hamilton Union Elementary School District

Hamilton Union High School District

Capay Joint Union School District

Lake School District

Plaza School District

Cemetery Districts

Elk Creek Cemetery District

Newville Cemetery District

Orland Cemetery District