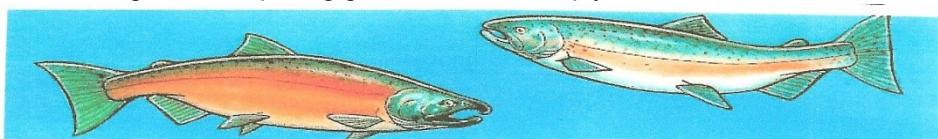




SYNOPSIS OF SOME PROJECTS/ACTIVITIES: Patrick Porgans employs a non-bias fact-finding approach to resolve highly complex issues, across the social and bio-terrestrial spectrum, balancing ecological and socioeconomic concerns, with emphasis on sustainable growth, financially viable development, and government accountability. The following provide a synopsis of the breadth and scope of his experience:

[1] ENVIRONMENTAL IMPACT ASSESSMENT: He is an adept evaluator of the National Environmental Policy Act (NEPA), and the California Environmental Quality Act (CEQA), which includes review, evaluation, and compliance. In 1973, he received certification in “Environmental Impact Reporting and Evaluation and worked closely with officials that authored and implemented CEQA. Porgans utilizes the NEPA and CEQA environmental documentation and review process to identify and mitigate adverse impacts associated with project development. When necessary, he retained counsel and filed litigation compelling government to comply with NEPA and CEQA.



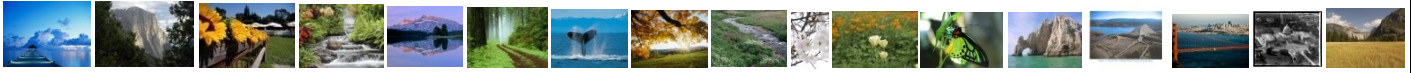
[2] ENDANGERED SPECIES ACT: Since enactment of the federal and state Endangered Species Acts (ESAs) in the 1970s, he assists clients in navigating their way through the regulatory permit and compliance processes. In addition, he has conducted an extensive review of the administration of ESAs, with emphasis on the regulatory agencies performance and enforcement track records. In 2009, he completed a comprehensive forensic accounting of the factors and forces responsible for the collapse of California’s Salmon populations. His research dispelled the fisheries agencies assertion that the collapse was the result of ocean conditions. Porgans retained counsel and filed a 79-page **Sixty-Day Notice** to sue federal and state officials for the collapse of the salmonid populations. He worked closely with federal and state law enforcement agents to compel ESA compliance for ESA “Take” of species in the Russian River watershed; however, government opted to target a few small vintners and failed to go after the big growers.

ESA SELECTIVE-ENFORCEMENT TACTICS: Porgans documented the fact that government officials’ actions and projects are a major source of the decline of aquatic and avian resources in the West. Unfortunately, unlike the “average citizen” caught violating the ESA, government officials have yet to be held accountable for “Take” of species, their sister agencies simply come back and up the “Take” limits. As a result, Porgans developed and implemented a **Plan of Action** to monitor and protect anadromous fisheries in the North Coast region, with the use of satellite, radio-telemetry, and video equipment to monitor stream conditions, in real time, 24/7.

PORGANS EXPERIENCE

Patrick Porgans is a Solutionist, Government Regulatory Specialist, and principal of Porgans & Associates (P/A) a result-oriented and solution-based consulting firm. Since 1973, he has assisted clients in both the private and public sectors on a broad range of issues associated with private development and public projects, sponsored or sanctioned by government entities, throughout the American West. The firm has been at the forefront of myriad of issues that posed significant threats to society, free-enterprise, and the environment. He has developed a leverage based technique, and uses his skills to resolve longstanding conflicts attributable to natural phenomenon and human-induced activities.

During the course of his professional career, he has developed a unique and astute understanding and insight of the regulatory, quasi-judicial, and litigation processes. His experience enables him to effectively assist clients in reconciling their legitimate concerns and objectives, while assessing, mitigating and eliminating adverse impacts attributable to private and government-sponsored projects and actions.



NOAA's National Marine Fisheries Service (NMFS) and the California Coastal Commission staff had the opportunity to experience the operation of the monitoring program, in the field and from their offices. Unfortunately, the pilot project, an ideal prototype, was terminated in the second year for lack of funding due to political reason. However, his efforts helped to influence the NOAA's NMFS to installed more than a dozen stream gages in the Russian River watershed to monitor stream flow for the protection of salmonid, other species, and law abiding water users.

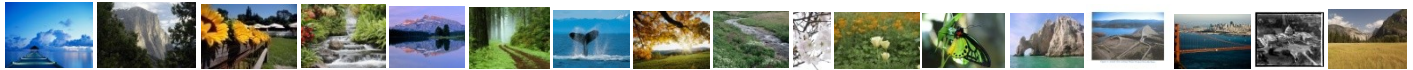
[3] HABITAT PROTECTION, MITIGATION, AND RESTORATION: He is actively involved in protecting private property rights and ensuring the sustainability of terrestrial, avian, and aquatic species and their habitat throughout California; including the Sacramento, Feather, Russian, Yuba, Klamath, San Joaquin rivers, and other waterways' i.e., the San Francisco Bay, Sacramento-San Joaquin Delta, and the Suisun Marsh. His efforts pioneered the way for wide scale protection of habitat protection, mitigation, and restoration throughout the state.

Protection of Fisheries in Streams and Rivers: He was instrumental in getting the fisheries agencies to implement significant improvements in monitoring and enforcement actions to reduce the impacts from aggregate mining operations and streambed alterations. Porgans conducted an extensive review of the performance activities of the California Department of Fish and Game, which revealed that it was understaffed and underfinanced to conduct the type of monitoring activities required to protect fishers and their habitat. He came up with the solution to provide needed funding and staff to effectively monitor and ensure that those conducting work in or near the streams and rivers filed and complied with their respective permits. He worked diligently to get additional Game Warden out in the field, which involved an all-out ground and aerial surveillance program to identify and stop illegal activities in the waters of the state.

[4] FEDERAL CLEAN WATER ACT, SAFE DRINKING WATER ACT, AND CALIFORNIA PORTER-COLOGNE ACT: Porgans ensures that the regulatory agencies effectively administer the provisions of those Acts, and, when necessary, compelled government officials to fulfill their Public Trust responsibilities and legal mandates to protect the waters of the United States. His efforts included taking water samples of surface and groundwater basins throughout the State to detect the levels of pesticide contamination. In the 1980s, Porgans was included in the *Los Angeles Times* series on the "*Poisoning of America*", when samples that he took from Disneyland that shows water coming out of the drinking fountains were contaminated with DBCP; a biocide that was linked as a cause of sterility. His field work sparked a movement by government officials to respond to this public health hazard. Recently, he completed a series of reports on government's failure to effectively carry out its regulatory responsibilities to properly administer the provisions contained in those Acts; his findings were also corroborated by the U.S. Environmental Protection Agency (EPA).

[5] URBAN STORM WATER RUNOFF: In the 1970s, Porgans initiated the signage not to dump toxics into storm drains as it would contaminate surface waters of the state; signage is now posted on storm drains throughout California. This solution has and continues to reduce toxic urban contamination throughout the Golden State. His actions and activities helped dischargers to meet the provisions contained in the State's Porter-Cologne Act for Waste Discharge Requirements and NPDES permits.

[6] URBAN WASTEWATER DISCHARGE: He assisted state and regional water quality control boards to reduce the impacts of untreated sewerage disposal from waste treatment plants and septic systems. Porgans was successful in getting the regional boards to levy stiff fines against municipal treatment plants and waste discharges from urban sources to land/evaporation ponds. His effort effectuated positive changes in Board policy that instituted tighter regulatory constraints on those entities that violated the terms and conditions of their Board issued permits.



[7] AGRICULTURAL DRAINAGE: Source reduction and compliance. Agricultural drainage is one of California's most significant contributions to the degradation of the waters of the State. During the past several decades, his involvement was successful reducing toxic drainage discharges. Porgans has been actively engaged in the formulation and adoption of Basin Plan Amendments, required by the California Porter-Cologne Water Quality Control Act and the federal Clean Water Act as means to ensure that viable measures and solutions are being implemented to protect the beneficial uses of water designated for each of the nine water basin in California.

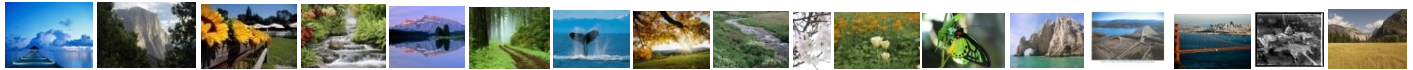
He has conducted extensive research of the California State Water Project (SWP) and the federal Central Valley Project (CVP) and provided documentation that government officials failed to provide the required drainage facilities to deal with agricultural return flows resulting from the millions of acre-feet of water the projects provide to their contractors annually. He also developed a plan to reduce agricultural drainage and the problems associated with this discharge and made it available to the government. The report was entitled, Adaptive Drainage Alleviation Plan (ADAP). In conjunction with the U.S. Fish and Wildlife Service, he successfully petitioned the State Water Resources Control Board to rescind an order adopted by the Central Valley Regional Water Quality Control Board that would have allowed for the development of more than 10,000 acres of evaporation ponds to store toxic agricultural drainage throughout the Great Central Valley. Although drainage facilities were authorized for the SWP and CVP by state and federal legislation in 1960, they have yet to be implemented, and, as of late, government reports contend that the costs are prohibitive and ecological unsound.

During the early 1980s, toxic agricultural drain water stored at the "Kesterson National Wildlife Refuge" was the site of the death of more than 10,000 migratory birds, which died from selenium poisoning. He attended years of hearings held by the State Water Resources Control Board and the Central Valley Regional Water Quality Control Board to terminate drainage into Kesterson. Ultimately, it was the U.S. Interior Department that shut Kesterson down, because it was concerned that it would be sued for killing the waterfowl and violating ESA.

[7] BIOCIDES APPLICATION, REDUCTION AND CLEANUP: Porgans was out on point identifying and quantifying the use and application of pesticides in the Golden State. He conducted an extensive review of the regulatory and enforcement track-record of the California Department of Food and Agriculture (DFG). The findings contained in his assessment were the subject of administrative and legislative hearings, which led the way to major changes in the laissez faire policy, business-as-usual, bureaucratic mentality that prevailed during the 1970s. At which time, the "responsible" officials were essentially clueless as to the extent of the use and impacts associated with carte blanche application of pesticides to growers, farm workers, people and the environment. Subsequent to his research pesticide enforcement authority was removed from DFA. He was a subcontractor-consultant on a statewide Report on Environmental Assessment of Pesticide Regulatory Programs, conducted in the 58 counties of California.

[8] TOXIC PITS ACT: Porgans initiated a public-relations program to inform the public of the unbridled application, use, and wild-west mentality of the "regulators" indifference to exposure and disposal of toxic chemicals. He published a series of fact sheets illustrating the amounts of pesticides being applied, in each county, statewide. He launched a statewide initiative drive that provided a viable solution to reduce use of the 200 million pounds of pesticides that were being applied, by as much as 50 percent. He used government documents to show that as much as 50 to 60 percent of the pesticides applied aurally were lost to drift, which posed a serious unmitigated impact to the public's health and wellbeing and an added financial burden to farmers. He pressured state officials to go out and clean up city airports used as dumpsite for pesticide waste. His fieldwork served as a precursor for the enactment of the Toxic Pits Act.

[9] HAZMAT ISSUES: Porgans assisted in the development of the initial flow-chart that coordinated activities between all of the federal, state, and local government entities with responsibilities for the use, distribution and containment of hazardous materials (HAZMAT), and response to spills and clean up.



[10] GOVERNMENT WATER PROJECT: He conducted forensic accounts of the administration, operation, contracts, water deliveries, energy generation, funding, beneficiaries and costs of government sponsored water projects. Porgans completed an exhaustive independent review and assessment of major water projects in the West; California State Water Project (SWP), federal Central Valley Project (CVP), Central Arizona Project (CAP), Colorado River Water Project, and other major Bureau of Reclamation projects in the West. He provided the documentation and assessment of the SWP that was inclusive in Marc Reisner's book, entitled, *Cadillac Desert*. Porgans conducted a ten-year fact-finding study that proved that the SWP was not paying-for-itself, as promised. He also was instrumental in getting state legislators to hold hearings on the inherent financial and contractual shortcomings of the SWP. His research proved that the major problems facing the Bay-Delta estuary are the result of government's failure to provide the authorized protections that were approved and funded by the State Legislature and California voters back in 1960.

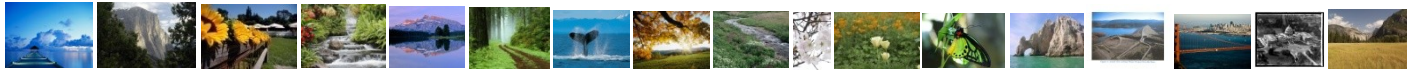
He assisted farmers, reclamation and water districts in obtaining \$120 million for levee improvements and flood control protection in the Delta. He also was successful in getting about \$40 million for farmers in the Delta whose lands and water rights were impaired as a result of officials' failure to provide suitable water quality to meet their legitimate needs to farm sustainably. He successfully stopped the illegal diversions of water from the Delta by the officials "responsible" for operating the SWP and CVP. Hearings were held before the SWRCB, and the evidence showed that those officials illegally diverted about 500,000 acre-feet of water, which is about 25 percent of all the water provided by the Metropolitan Water District of Southern California to its customers annually. The water had an estimated value of \$29 million. He has since monitor the operation of those projects to ensure that they are compliant with the terms and conditions of their respective water right permits and, when necessary, has appeared before the State Water Board to hold the operators of the CVP and SWP accountable when they fail to do so.

[11] WATER RIGHTS: He conducted an extensive review of water rights in California, and throughout the twelve western states. Actively participate in the State Water Resources Control Board quasi-administrative and judicial water right proceedings, as a means to protect clients' water rights, and to institute actions to hold government agencies accountable when they fail to meet the terms and conditions of their respective water right permits and licenses. His research also revealed that the State Water Board has a propensity to selectively enforce water rights violations; targeting small diverters in the Delta, while being complacent about violations by the operators of the SWP and CVP.

[12] WATER TRANSFERS IN THE WEST: Pioneer research as to the implications of water transfers in the West. Provided clients and the public with detailed information as to how billionaires are selling the public back its own water; which was developed and paid for by taxpayers. He obtained a comprehensive list of all water transfers in the West; who sold what water to whom and for how much. His efforts have shed light on the effort underway to privatize the public water supply and how vested interest have devised an ingenious plan to use billions of dollars of General Fund money to purchase water for fish and to buy water for SWP contractors to make up for deficits in the project's supply.

[13] FLOOD CONTROL PROJECTS: Porgans conducted extensive assessments of the construction, administration and operation of federally funded flood control projects throughout California. His research showed that under federal flood control law, the federal government has no enforcement powers over dam operators responsible for providing flood protection for downstream property owners. In the event that they fail to operate the dam in accordance with the law, essentially there is no enforcement, and the only real recourse for the flood victims is to sue the government.

Porgans conducted an independent investigation of the U.S. Army Corps of Engineers oversight of federally funded flood control dams, such as, the State Water Project's Oroville Dam and Reservoir, and found that the California Department of Water Resources, responsible for operating the dam, ironically, DWR is one of the Corps major clients.



In the interest of protecting his clients downstream from major dams, he implemented an Independent Reservoir Monitoring Program to ensure that government officials operate dams in accordance with federally adopted flood control rules and regulations. During flood season he actively monitors the operation of dams, and advises federal officials and dam operators when they are not compliant. He implemented this action as a means to protect clients, he gives the operators formal notice to evacuate water illegally stored in the designated flood storage space in the event of a disaster.

When flood disasters occurred, he uses the documentation (prior notification) of the violation to hold government officials accountable when they failed to operate flood control projects in accordance with federal and state laws. He assisted law firms in gathering and disseminating public records that revealed governments' failure to be compliant, which resulted in massive laws suits, that the court ruled government officials were at fault. The flood victims were awarded more than a half-of-billion dollars for damages. He testified at legislative hearings and successfully promoted the removal of residential zoning and urban development from within the floodplain.

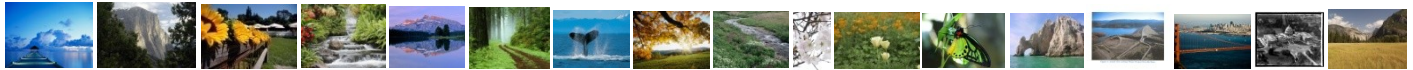
[14] INFRASTRUCTURE-HIGHWAY CONSTRUCTION: He has conducted research on highway right-of-way acquisitions, bidding contracts, and surface road development. On behalf of aggregate and construction companies he conducted extensive analysis of right-of-way projects, and revealed that the bidding processes were rigged, and had CALTRANS establish policy and regulations to stop "double-bidding" practices. His research showed how right-of-way procedures and agents involved in acquiring land for public projects were working both sides of the street; as agents for the government and as private real estate agents purchasing the land and selling the properties to the state.

[15] CLEAN AIR ACT: Administration and Implementation (federal and state). He worked to limit air pollution from both stationary and mobile sources; which included stopping the burning of rice stubble in the Sacramento Valley. He worked in conjunction with others to stop the construction of a coal fire power plant that would have been built and operated in the North Sacramento Valley.

[16] ENERGY PRODUCTION, DISTRIBUTION AND CONSUMPTION: Porgans has been an advocate of clean and renewable energy sources and conservation. He has produced a series of **Fact Sheets** on the production, distribution, use and consumption of energy in California, and the pros and cons of Nuclear energy.

[17] FEDERAL ENERGY REGULATORY COMMISSION (FERC) HYDRO-ELECTRIC RELICENSING PROJECTS: He has been actively involved as a participant in major FERC relicensing projects; such as, the relicensing of the California State Water Project (SWP); assessment of funds to provide mitigation and dam removal. His research revealed how and why the FERC relicensing process is perfunctory.

[19] SURFACE MINING AND RECLAMATION: Federal and state requirements, permits, enforcement and solutions to mitigate and/or eliminate impacts attributable to surface mining, gravel extraction, and promoted viable reclamation plans. He completed a series of reports on mining operations in the U.S. Phosphate Field, located in a portion of five western states. His research showed how those activities have released significant amounts of selenium into the surrounding watershed, and were identified as the source of contamination that resulted in significant deformities in trout that reside in the Yellowstone watershed, which was reported in The New York Times. He assisted government officials and clients in that region to compel government to take action to hold mining companies accountable. Porgans was also instrumental in quantifying the impacts and costs associated with property damages sustained by clients, and developed a formula to have the clients receive a significant amount of money from the mining company for the damages to their health and livestock.



[20] TIMBER HARVEST PLANS: Porgans worked with state legislators back in 1973 to get the Z'berg-Nejedly Forest Practice Act (FPA) approved, which provided for forest resource management, while giving consideration to the public's needs for watershed protection, fisheries and wildlife, and recreational opportunities for future generations. He has since worked with clients to ensure that THPs are compliant and provided viable solutions for the sustainability of California's forests and that such plans do not adversely affect their respective property rights and the waters of the State.

[21] TRIBAL ISSUES: Treaties, Indigenous "Indian" People Rights to Land, Water, hunting grounds, and Scared Sites. He assisted tribes in identifying and restoring land, time-immemorial water rights and sacred lands. Porgans completed a comprehensive review of the 18 un-ratified treaty purportedly made with tribal leaders. In addition, he reviewed the majority of the Spanish and Mexican land grants comprising properties located in California.

[22] MIGRATORY BIRD TREATY ACT: He conducted an assessment of the administration and enforcement of the Act. He took action to protect migratory birds and their habitat from destruction along California's flyway; Sacramento River and its major tributaries. He was involved in holding government accountable for the Kesterson National Wildlife Refuge disaster in the early 1980s. Porgans also took action to reduce the use of evaporation ponds that were responsible for the death and "take" of more than 10,000 migratory birds.

[23] DEPARTMENT OF DEFENSE: Landownership, operations and expansion; successfully deterred DOD from condemning 250,000 acres of range and farmland in southeastern Colorado.

[24] ADMINISTRATION AND USE OF PUBLIC LANDS: Assessment of the use of public lands in the western United States to ensure that public trust resources were being administered and utilized in a manner consistent with the law. Conducted forensic accounting of how much land was under lease and the collection and disbursements of royalties acquired from those leases. He also showed how public funds were being misappropriated.

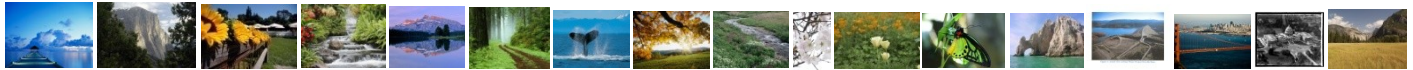
[25] GOVERNMENT ACCOUNTABILITY: Comprehensive assessment and evaluation of government agencies historical performance and compliance requirements, and used the information to deter officials from utilizing selective-enforcement tactics. Assisted, and, when necessary, compel government to perform their duties by a writ of mandate.

[26] GOVERNMENT REGULATORY INTERVENTION: Assisted clients in working their way through the regulatory permitting processes; intervened on behalf of aggregate companies that were being unduly targeted by bureaucrats.

[27] ADAPTIVE RESOURCE UTILIZATION AND SUSTAINABLE DEVELOPMENT: He has been involved in a comprehensive analysis of existing and proposed developments to ensure that the impacts of resource utilization are fully assessed and mitigated on their own merits and conducts threshold analysis to identify cumulative impacts of existing and proposed development. The focus is to quantify and qualify the effect of cumulative impacts on the quality of life, the cost of living, and the additional stressors such development places on safety-net services and the taxpayers.

[28] WEATHER MODIFICATION: Porgans led the way investigating and informing the public of weather modification operations that government and public utilities used as a means to increase precipitation from storm systems. These cloud seeding projects were unregulated at the time, and the impacts associated with weather modifications were unknown. He assisted the California Attorney General's office to implement a policy change that required weather modifiers to obtain permits and file and Environmental Impact Report (EIR). In addition, Porgans worked through the U.S. Forest Service (USFS) in getting an administrative decision that required weather modification operations conducted over wilderness areas to comply with NEPA.

[29] CLIMATE CHANGE: California would be the first U.S. state to impose a "carbon tax" directly on motorists at the fuel pump under proposed plan by a leading Democratic. This is viewed as a "hidden tax"; research is forthcoming.



NORTH COAST INSTREAM FLOW POLICY (ASSEMBLY BILL 2121): Porgans actively participated in the State Water Resources Control Board hearings and provided testimony expressing concerns about the inherent limitations of the Board's adopted policy. Here again, for the most part, it places the monitoring and reporting back in the hands of the water diverters. He explained to the Board that it already has the authority to designate instream flow for fish, which it simply has failed to do, and advised it to install monitoring equipment in the North Coast streams.

WINE COUNTRY FROST PROTECTION POLICY: He participated in the State Water Resources Control Board's Frost Protection hearings, and provided testimony that clearly proved that two of the three frost forecast warnings that were issues in Wine Country, at the time salmon were killed, did not occur. Porgans also worked closely with NOAA National Marine Fisheries Service personnel documenting the fact that unless specific actions were taken to abate this problem there would be reoccurrences of salmon "Take" throughout Wine Country. The Board's adopted policy is currently in litigation, waiting to be heard before the State's Supreme Court.

[30] INFRASTRUCTURE PROJECTS: Assessment and involvement in transportation planning and funding requirements for highway right-of-way and construction.

[31] WASTE MANAGEMENT: Use reduction, recycling/composting, landfill assessment.

[32] PUBLIC FUNDS – SOURCES AND DISTRIBUTION: He conducted forensic accounting of the collection, use and distribution of public funds. Porgans has been successful in recouping hundreds of millions of dollars of public funds that were being misallocated.

[33] U.S. ARMY CORPS: Administration, regulatory authority, and 401 and 404 permit processing and approval. His review of the Corps performance indicated that it selectively enforces its regulations and has falsified documents, involving major landowners in Wine Country.

[34] CONSUMER PROTECTION SERVICES: He instituted action to ensure the protection of public health and safety; toxic cleanup; proper administration of the Endangered Species Act. He has taken action to ensure that the provisions of state and federal water quality rules and regulations are enforced. He has held financial institutions and corporations accountable. Porgans supports and protects "government whistle blowers", and is actively engaged in reporting government and corporate fraud, and when government failed to perform its regulatory, statutory, and Public Trust mandates action was taken to hold them accountable.

[35] GENERAL OBLIGATION AND REVENUE BOND FINANCING: Porgans conducted a Forensic Account of California's General Fund expenditures and the issuance of General Obligation Bonds. His research revealed how billionaires, banking, and lending institutions have devised an ingenious scheme to use public funds that benefit the politically-connected at the expense and the demise of the public's natural, financial resources, education, pensions, jobs, and safety-net services.

EDUCATION: BA Political Science, Antioch University

PUBLICATIONS: Porgans has completed several hundred projects for clients and 75 fact-finding reports on a myriad of issues that have been used to protect clients and improve the quality of life, with emphasis on a sustainable economy and environment.

For more information go to: [linkedin.com/patrickporgans](https://www.linkedin.com/patrickporgans), www.planetarysolutionaries.org or www.californiaprogessreport.com/patrickporgans Note: This final draft is subject to revision and final edit.