
State Water Resources Control Board

STATUS CONFERENCE ORDER; NOTICE OF NEW STATUS CONFERENCE

The State Water Resources Control Board
Administrative Hearings Office
will hold a new status conference in the AHO proceeding
on the issues the court has referred
to the Board pursuant to Water Code section 2000 in

City of Marina v. RMC Lonestar,
Monterey County Superior Court No. 20CV001387.

**The new status conference will begin on
May 23, 2023 at 1:30 p.m.**

The new status conference will be held by Zoom teleconference.

Any interested party may participate in the Zoom teleconference
of the new status conference by using this link:

<https://waterboards.zoom.us/j/95899889673?pwd=R2lwcjZjS2xwdWVRaXg3ZlhtWXg4UT09>, with Meeting ID: 958 9988 9673 and Passcode: 561435

or by calling in at:

+16699009128,,95899889673#,,,,*561435# US (San Jose)

Any interested member of the public who would like to watch this new status conference
without participating may access the Administrative Hearings Office YouTube channel
at:

<https://www.youtube.com/@swrcbadministrativehearing728/streams>

BACKGROUND

On May 6, 2022, the State Water Resources Control Board (“State Water Board”) Administrative Hearings Office (“AHO”) issued its Notice of Public Hearing and Pre-Hearing Conference in this proceeding. The purpose of this proceeding, background, hearing issues and related information are discussed in that notice.

On May 15, 2023, the AHO held a status conference in this proceeding. This order and notice follow that status conference. Except as expressly stated in this order, all provisions of all prior AHO notices and orders in this proceeding remain in effect.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

STATUS CONFERENCE ORDER

On or before **May 16, 2023, at 1:00 pm**, Mr. Durbin or one of the attorneys for California-American Water Company (“Cal-Am”) shall upload the regional model files he transmitted to the other technical experts in this proceeding on May 1, 2023. After this upload is completed, one of Cal-Am’s attorneys shall send an e-mail to adminhrgoffice@waterboards.ca.gov, with all the e-mail addresses listed in the service list for this proceeding listed in the e-mail’s cc line, advising the AHO that this upload has been completed.

On or before **May 19, 2023, at 5:00 pm**, the parties’ attorneys shall file a joint status conference statement with the AHO. One of the attorneys shall make this filing by e-mail to adminhrgoffice@waterboards.ca.gov, with all the e-mail addresses listed in the service list for this proceeding listed in the e-mail’s cc line. The joint status conference statement shall state whether or not the parties and their technical experts will be able to meet all the filing deadlines in this order, and, if not, the reasons why they will not be able to meet these deadlines and the parties’ proposed new schedule for these filing deadlines. If the parties do not agree on the proposed schedule, then the joint status conference statement shall state the parties’ different proposals for this schedule.

The following deadlines and hearing dates shall apply:

- (a) deadline for Mr. Durbin to complete all additional regional model files for the Option D scenario described in the table on page 3 of the March 7, 2023 Post-Hearing Order and Notice in this proceeding, based on his discussions with Ms. Nelson, and to transmit them and necessary information regarding them to the other technical experts, and to file them with the AHO: May 17, 2023, 5:00 pm;
- (b) deadline for exchange among the parties of calibrated local model files, and to submit them to the AHO: May 18, 2023, 5:00 pm;
- (c) deadline for submittal to AHO and exchange among the parties of model scenario files, written proposed testimony and related exhibits: May 31, 2023, 5:00 pm;
- (d) deadline for submittal to AHO and exchange among the parties of written proposed rebuttal testimony and related exhibits: June 14, 2023, 5:00 pm;
- (e) deadline for submittal to AHO and exchange among the parties of witnesses’ summary slides: June 20, 2023, 1:00 pm;
- (f) hearing dates: June 26-30, 2023, starting each day at 9:00 am and ending each day at 5:00 pm;
- (g) deadline for submittal to AHO and exchange among the parties of closing briefs and proposed text for the sections and answers in February 6, 2023 draft outline of draft referee’s report for which proposed text has not already been submitted: July 17, 2023, 5:00 pm; and

(h) backup hearing dates (in case technical experts and parties are not able to meet any of the deadlines specified in paragraphs (a) through (e)): July 17-21, 2023.

As I stated during the May 15, 2023 status conference, if I need to make any changes to the deadlines in paragraphs (a) through (e), then I plan to change the hearing dates in paragraph (f) to the backup hearing dates in paragraph (h). If that change occurs, then I also will change the deadline in paragraph (g).

NOTICE OF NEW STATUS CONFERENCE

The AHO will hold a new status conference on the date, and beginning at the time, listed on the first page of this order and notice. The purpose of the new status conference will be to discuss the joint status conference statement that parties' attorneys will be submitting on May 19, 2023, and whether any changes to the schedule specified in this order are necessary.

I do not plan to hold a pre-hearing conference. If any party believes that a pre-hearing conference is appropriate, then that party's attorney shall explain in the party's part of the joint status report why the party believes that a pre-hearing conference is necessary.

May 15, 2023
Date

/s/ ALAN B. LILLY
Alan B. Lilly
Senior Hearing Officer

Attachment:

Service List (copies of notice sent by e-mail only, to all listed e-mail addresses)

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City of Marina v. RMC Lonestar Court Reference

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