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## State Water Resources Control Board

### **ORDER AMENDING MARCH 30, 2020 NOTICE OF PUBLIC HEARING AND PRE-HEARING CONFERENCE CALL FOR SOLVANG PETITIONS HEARING**

#### **TO ALL PARTIES:**

On April 9, 2020, the State Water Resources Control Board, Administrative Hearings Office (“AHO”), received a letter signed by representatives of the City of Solvang (“Solvang”), the Alisal Guest Ranch (“Alisal”) and the Santa Ynez River Water Conservation District, Improvement District No. 1 (“Improvement District No. 1”). This letter describes Solvang’s current emergency conditions that have resulted from the COVID-19 crisis and the reasons for delays in the settlement negotiations among Solvang, Alisal and Improvement District No. 1. It requests 180-day extensions of all deadlines and dates in the AHO’s March 30, 2020 Notice of Public Hearing and Pre-Hearing Conference Call for the Solvang Petitions Hearing (“March 30 Hearing Notice”).

#### **CURRENT DEADLINES AND SCHEDULE**

The March 30 Hearing Notice specifies the following deadlines and schedule:

- April 15, 2020, 4:00 pm: deadline for filing Notices of Intent to Appear (“NOIs”)
- April 24, 2020, 4:00 pm: deadline for filing and serving Pre-Hearing Conference Statements
- April 29, 2020, 1:30 pm: pre-hearing conference call
- August 3, 2020, 4:00 pm: deadline for filing exhibits and exhibit identification indices (except for rebuttal exhibits to be filed by next deadline)
- August 24, 2020, 4:00 pm: deadline for filing exhibits rebutting Solvang’s exhibits describing new hydrological modeling work
- August 31, 2020, 9:00 am: hearing begins

#### **REVISED DEADLINES AND SCHEDULE**

Solvang, Alisal and Improvement District No. 1 have stated valid reasons for making some changes to these deadlines and this schedule. However, rather than simply extending all deadlines and dates by 180 days, the AHO wants to receive comments on scheduling issues from representatives of the other two protestants, National Marine Fisheries Service and California Trout, and the AHO wants to develop a revised schedule for deadlines and proceedings in this matter.

The AHO therefore revises the schedule and filing requirements in the March 30 Hearing Notice as follows:

-April 15, 2020, 4:00 pm: This deadline for any Party that wants to participate in the hearing in this matter to file an NOI is not changed, but each Party's NOI does not need to specify the Party's proposed witnesses. Each Party's NOI still must contain all of the other information specified in the NOI form that was enclosed with the March 30 Hearing Notice. The AHO is requiring all parties to file NOIs by this deadline so the AHO can prepare an electronic service list for this matter, to eliminate the need for future mailings of paper copies. The Parties may amend information in their NOIs in the future as necessary because of changes in addresses or representatives.

To reduce the burdens of service of paper copies, each Party does not need to serve paper copies of its NOI on any of the other Parties when it files its NOI with the AHO. After the NOI filing deadline has passed, the AHO will circulate by e-mail an updated service list, with copies of all NOIs, to all Parties that have filed NOIs. The AHO also will e-mail this updated service list (with copies of the NOIs) to all people and entities on the AHO's LYRIS e-mail list, and the AHO will post this updated service list on its webpage (without copies of the NOIs, which do not comply with current ADA accessibility requirements for State Water Board webpage postings).

-April 24, 2020, 4:00 pm: This deadline for Parties to file and serve pre-hearing conference statements is not changed, but these statements do not need to address the pre-hearing conference issues listed in the March 30 Hearing Notice. Instead, these pre-hearing conference statements shall address the following issues:

1. What is the appropriate deadline for Solvang, Alisal and Improvement District No. 1 to file and serve a report on the progress of their settlement negotiations?
2. Should Solvang be required to conduct the new hydrological analyses discussed in the March 30 Hearing Notice's Pre-Hearing Conference Issue 1? If so, what is the appropriate schedule for Solvang to conduct these analyses and circulate a report of them to the other Parties?
3. What is an appropriate deadline for the Parties to submit pre-hearing conference statements addressing the other Pre-Hearing Conference Issues in the March 30 Hearing Notice?
4. What is an appropriate date for another Pre-Hearing Conference?
5. What is an appropriate date for the hearing to begin?

Any Party may address any other issue that the Party believes is relevant in its Pre-Hearing Conference Statement.

-April 29, 2020, 1:30 pm: This date and time for the Pre-Hearing Conference Call is not changed, but the issues that will be discussed during the call are changed to the new

issues listed above for pre-hearing conference statements. The AHO will circulate the call-in information for the Pre-Hearing Conference Call to all Parties that file NOIs. The AHO also will post a notice with the call-in information on the AHO's public webpage and will circulate this notice to the AHO LYRIS e-mail list.

Except as modified by this order, all provisions of the March 30 Hearing Notice remain in effect.

Date: April 10, 2020

SIGNATURE ON FILE  
Alan B. Lilly, Presiding Hearing Officer

Enclosure: Service List

S:\AHO\Water-Right Permitting\City of Solvang (A022423)\Admin Record Documents\Hearing Documents\2020-04-10 Order Revising 03-30-20 Notice of Status Conference and Hearing (City of Solvang).docx

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