
State Water Resources Control Board

SUPPLEMENTAL AND AMENDED NOTICE OF STATUS CONFERENCE

The State Water Resources Control Board
Administrative Hearings Office
will hold a Status Conference
on the pending application (A030531B) of

the City of Stockton

for a permit to appropriate water from the
San Joaquin River originating from wastewater discharges by the City.

**The Status Conference will begin on
July 15, 2021, at 9:30 am**

and will be held by Zoom teleconference.

You may participate in the Zoom teleconference by using the link:
<https://waterboards.zoom.us/j/97180966436?pwd=NmNGd0FZTThDQm81MUhvTjBwMndiUT09> with Meeting ID: 971 8096 6436 and Passcode: 202883 or
+16699009128,,97180966436#,,,,*202883# US (San Jose)

Interested members of the public who would like to watch this hearing without participating may do so through the Administrative Hearings Office YouTube channel, accessible by clicking on “Watch AHO Hearings” at:

https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8l-C7Nig?view_as=subscriber

BACKGROUND

On April 28, 2021, the State Water Resources Control Board (State Water Board), Administrative Hearings Office (AHO), issued a notice of status conference for this proceeding. That notice described the relevant background, including the histories of water-right Applications A030531, A030531A and A030531B of the City of Stockton (City), the State Water Board Executive Director’s assignment of Application A030531B to the AHO, the status conference that was set for June 1, 2021, the need to file notices of intent to appear, the procedures to submitting documents to the AHO, the initial

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

administrative record, and related matters. That information is not repeated here. Except as amended by this notice, all provisions of the April 28, 2021 notice remain in effect.

CITY OF STOCKTON REQUEST FOR CONTINUANCE

On May 4, 2021, the City's attorney sent the AHO's Presiding Hearing Officer a letter. That letter referred to the history of Application A030531B and stated that the City is scheduled to consider and adopt its 2020 Urban Water Management Plan in early June, and that this approval is likely to update the City's long-range planning for Application A030531B. The letter asked the AHO to set a new deadline for the City's submittal of its status conference statement and a new date for the status conference.

The AHO's hearing officer has considered these facts and this request and now amends the status conference issues and schedule to the following:

STATUS CONFERENCE ISSUES

The AHO hearing officer will hold a status conference on the date and at the time specified on the first page of this supplemental and amended notice. Because of the current COVID-19 pandemic, no in-person appearances will be allowed. The status conference will be electronically recorded by Zoom teleconference. The hearing officer will prepare a status conference order after the conference. The AHO will not retain a court reporter for the status conference. Any party may arrange for a court reporter at the party's own expense.

The status conference will address the following issues:

- (1) What is the status of the City's 2020 Urban Water Management Plan?
- (2) What is the plan and schedule in the City's 2020 Urban Water Management Plan for permitting actions under Application 30531B?
- (3) What is the plan and schedule in the City's 2020 Urban Water Management Plan for the construction of facilities to divert water under the water-right permit that might be granted under Application 30531B?
- (4) Does the City still want to pursue Application 30531B?
- (5) If so, what is the status of the City's work on Application 30531B and schedule for future actions regarding the application, including the City's schedule for preparing and completing the CEQA document for the application?

- (6) Should the AHO schedule a public hearing to consider whether the State Water Board should cancel, reject, or deny Application 30531B under Water Code section 1276 or section 1335, or California Code of Regulations, title 23, sections 683 or 840?
- (7) If so, when should the hearing be held and what is an appropriate schedule for pre-hearing submittals of exhibits and written proposed testimony and for the hearing?
- (8) Are there any other procedural issues that the City or any other party would like to discuss during the pre-hearing conference? If so, what are these issues?

NOTICES OF INTENT TO APPEAR

Any person or entity who wants to participate in this status conference must file a Notice of Intent to Appear (NOI), using the form in this notice, with the AHO before the deadline listed below. The AHO encourages parties to agree to accept electronic service (by e-mail) of all documents regarding this proceeding. If a party is not willing to do this, then the party may check the appropriate box on the NOI form. If this box is not checked, then the AHO will assume that the party agrees to accept electronic service. Parties that do not agree to accept electronic service will experience delays in receiving documents by U.S. Mail from the AHO and other parties.

If the AHO does not receive an NOI from the City indicating the City's intent to participate in the status conference before the deadline specified below, then the AHO may transmit a proposed order to the Board that would cancel Application 30531B without a hearing.

STATUS CONFERENCE STATEMENTS

On or before the deadline listed below for the City, the City shall submit and serve a status conference statement that separately addresses each of the status conference issues listed above. The City also shall upload a copy of its 2020 Urban Water Management Plan to the AHO-FTP2 site, as discussed below, on or before this deadline.

On or before the deadline listed below for other participants, each other participant shall file a status conference statement that addresses the issues listed above that the participant wants to address. Parties with common interests are encouraged to file joint status conference statements.

NOI and Status Conference Deadlines and Schedule

Deadline for filing NOIs	May 20, 2021, 4:00 pm
City's deadline for filing its status conference statement and uploading its 2020 Urban Water Management Plan	June 22, 2021, 4:00 pm
Other participants' deadline for filing their status conference statements	July 7, 2021, 4:00 pm
Status conference date and time.	July 15, 2021, 9:30 am

SUBMITTAL OF DOCUMENTS TO AHO AND OTHER PARTIES

All documents submitted to the AHO, including NOIs and status conference statements, shall be addressed and submitted by one of the following methods (with proofs of service, as discussed above):

By Email (preferred method):	AdminHrgOffice@waterboards.ca.gov With Subject Line "City of Stockton Application 30531B"
By Mail:	State Water Resources Control Board Administrative Hearings Office P. O. Box 100 Sacramento, CA 95812-0100
By Hand Delivery (see instructions below):	Joe Serna Jr. CalEPA Building Administrative Hearings Office c/o Water Rights Records Unit 1001 I Street, 2nd Floor, Room 114 Sacramento, CA 95814

Service of documents by hand-delivery may be more difficult or delayed due to building or office closures during the COVID-19 pandemic. Please plan ahead if you wish to hand deliver documents. Any hand-delivered submittals must be date-and-time stamped by the Division of Water Rights Records Unit personnel before the submittal deadline. Persons delivering submittals to the Water Rights Records Unit must first check in with CalEPA Building lobby security personnel on the first floor of the CalEPA Building and obtain authorization to go to the Water Rights Records Unit on the second floor.

Parties should transmit copies of their filings to the other parties listed in the attached service list. E-mail transmittals are acceptable for parties with listed e-mail addresses.

ADMINISTRATIVE RECORD

The AHO has copied documents from the public records maintained by the State Water Board's Division of Water Rights relevant to this proceeding and has included them in

the initial administrative record. The AHO has posted files of these documents to its FTP site. Instructions regarding how to access the FTP site are on the AHO's webpage at:

https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/docs/2020_05_05_notice_ftp2.pdf

In addition to the YouTube live recording, the AHO will make a Zoom recording of the status conference and will include this recording in the administrative record.

Any interested person or party may contact the Division of Water Rights Records Unit by e-mail at DWR@waterboards.ca.gov or by telephone at (916) 341-5300 to make arrangements to review and copy documents in the Division's public files for Applications 30531, 30531A and 30531B. If the AHO holds a hearing in this matter, then interested parties may submit as hearing exhibits copies of such documents that are not already in the administrative record.

CITY'S SUBMITTAL OF 2020 URBAN WATER MANAGEMENT PLAN

On or before the deadline listed above, the City shall upload its 2020 Urban Water Management Plan to the AHO-FTP2 site. Instructions for accessing this FTP site are posted at the link listed above for the AHO's FTP site. After the City uploads this plan to the AHO-FTP2 site, the AHO will move it to the AHO-FTP site. Any other party then will be able to download this plan from that site. The City does not need to transmit copies of its 2020 Urban Water Management Plan to other parties.

May 6, 2021

SIGNATURE ON FILE
Alan B. Lilly, Presiding Hearing Officer

Enclosure:
- Service List

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By U.S. Mail and E-Mail (if listed):

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