



State Water Resources Control Board

NOTICE OF STATUS CONFERENCE

The State Water Resources Control Board
Administrative Hearings Office
issues this notice
regarding the pending petition for change of

the City of Solvang

for water right Permit 15878 (Application 22423),
which authorizes diversions of water from the Santa Ynez River (underflow)
in Santa Barbara County.

**The status conference will be held on
November 15, 2023, beginning at 3:00 p.m.**

Anyone participating in this hearing shall use the following Zoom meeting link:
<https://waterboards.zoom.us/j/92786481140?pwd=b2xXK2ErbTdyenh3ZTFUUEJvSHdZQT09> with Meeting ID: 927 8648 1140 and Passcode: 786867
or call-in information:
+16699009128,,92786481140#,,,,*786867# US (San Jose)

Any person interested in observing this pre-hearing conference without participating may do so by accessing the Live Stream on the AHO YouTube channel with the following link: <https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8I-C7Nig/videos?view=57>. If this link does not work, then any interested person may use the above Zoom meeting link to observe this pre-hearing conference.

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

BACKGROUND

The Administrative Hearings Office (AHO) is conducting a public hearing in the matter of the City of Solvang's (Solvang) petition to change the points of diversion for water right Permit 15878 (Application 22423), which authorizes diversions of underflow from the Santa Ynez River in Santa Barbara County. The public hearing began on November 6, 2023, and will continue in accordance with the schedule in the Notice of Additional Days of Public Hearing issued by the AHO on October 26, 2023.

During the hearing on November 8, California Department of Fish and Wildlife (CDFW) informed the hearing officer that it had identified errors in the written testimony of Mr. Bryan DeMucha (CDFW-101), which errors were carried into associated exhibits CDFW-90, CDFW-91, and five of the presentation slides summarizing Mr. DeMucha's written testimony (CDFW-100). Because of these changes to Mr. DeMucha's written testimony, the hearing officer deferred Mr. DeMucha's oral summary of his written testimony and cross-examination of Mr. DeMucha. On November 9, CDFW filed a Notice of Errata with corrected exhibits CDFW-90, CDFW-91, CDFW-100, and CDFW-101.

STATUS CONFERENCE

The AHO will hold a status conference in this proceeding on the date and at the time listed on the first page of this notice. During this status conference, the hearing officer will address: (1) when Mr. DeMucha will provide an oral summary of his written testimony and be available for cross-examination by the other parties, and (2) whether and how to allow Solvang and other parties the opportunity to submit testimony or other evidence in response to Mr. DeMucha's revised testimony.

The parties do not need to file status conference statements but may if they want to. Any party that wants to file a status conference statement shall file it by e-mail to the AHO at adminhrgoffice@waterboards.ca.gov, and shall include all the e-mail addresses in the service list for this proceeding in the e-mail's cc line.

The AHO will not order a court reporter for this status conference. Any party may order a court reporter at that party's own expense.

PROCEDURAL RULING

During the hearing on November 9, CDFW requested that the hearing officer take official notice of the proposal by the United States Fish and Wildlife Service (USFWS) to list the northwestern pond turtle as a threatened species under the federal Endangered Species Act. The hearing officer directed CDFW to submit by the end of the day on November 16, an exhibit documenting USFWS's action and an associated written request for official notice to which other parties will have the opportunity to respond.

Date: November 13, 2023

/s/ Nicole Kuenzi
Nicole Kuenzi
Presiding Hearing Officer

Enclosure:

-Service List (all service by e-mail only)

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