
State Water Resources Control Board

NOTICE OF SITE VISIT

in connection with the hearing being held by
the State Water Resources Control Board,
Administrative Hearings Office
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.

November 2, 2022, 9:00 am

BACKGROUND

The purpose of this proceeding, background, hearing issues and pre-hearing and hearing processes are described in the May 6, 2022 Notice of Public Hearing and Pre-Hearing Conference issued by the State Water Resources Control Board (“State Water Board”) Administrative Hearings Office (“AHO”). Except as expressly stated in this notice, all provisions of the May 6, 2022 hearing notice, the June 1, 2022 order and notice, and the September 2, 2022 order remain in effect.

PURPOSE OF SITE VISIT; ITINERARY AND SCHEDULE

The AHO has scheduled this site visit so the AHO hearing officer and AHO staff (collectively, “AHO personnel”) may view the relevant facilities and topographical features. The AHO may use information obtained during this site visit to inform the AHO’s preparation of the draft and final reports of referee in this matter. AHO personnel will prepare an audio+video recording at each site visit stop and take photographs. The AHO will add these recordings and photographs to the administrative record for this proceeding.

AHO personnel plan to follow this itinerary and schedule:

November 2, 2022, at 9:00 am: AHO personnel will meet with representatives of the parties at the City of Marina City Hall, at 211 Hillcrest Ave., Marina, CA 93933.

After introductions and roll call, I plan for the site visit to follow the following tentative itinerary. I may make adjustments to this tentative itinerary based on what I see or comments from the site visit participants.

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

-Marina Coast Water District (“MCWD”) Wells 29, 30 and 31. Stop at one well. View other two wells either from that stop or at separate stops. I will ask someone to point out the locations of MCWD Wells 34 and 35.

-MPWSP Monitoring Well 6. If it is not easy to drive to this monitoring well, then I will ask someone to point out its location from one of our other stops.

-MCWD Wells 10, 11 and 12. Stop at one well. View other two wells either from that stop or at separate stops.

-MPWSP Monitoring Well 7.

-CEMEX Property. Monitoring Wells 1, 3 and 4. Cal-Am test slant well. Sites of proposed Cal-Am slant wells. Cal-Am’s technical witnesses’ estimated boundaries of slant well’s capture zones. At the beginning of this part of the site visit, a CEMEX representative will provide a safety briefing and personal protective equipment (hard hats and safety vests) to all site visit participants.

-Site of proposed desalination plant.

-Monitoring Wells 5, 8 and 9. If it is not easy to drive to these monitoring wells, then I will ask someone to point out their locations from one or more of our other stops.

-Castroville, at location specified by Cal-Am. The purpose of this stop will be to view the wells from which pumping would be reduced or eliminated as in lieu recharge pursuant to the Return Water Settlement Agreement.

HAZARDS

People who participate in this site visit may be in close proximity to other people, and, as a result, may be exposed to COVID-19 or other infectious diseases. The AHO requests that no one who has tested positive for COVID-19 within 10 days before the site visit or has COVID-19 symptoms participate in the site visit, and that each person participating in the site visit (regardless of vaccination status or prior COVID-19 symptoms) wear a well-fitting mask whenever that person is within 6 feet of anyone else.

The AHO’s understanding is that some of the stops may be on well-traveled roads and that people crossing these roads, or who are at the turnouts or parking lots along these roads, may be subject to risks associated with moving vehicles, including risks of serious injury, illness and death. Such known or unknown risks could result in serious injury, illness or death.

CEMEX may require people participating in the part of the site visit that will be on CEMEX property to sign a waiver and release form that describes additional risks.

The AHO is neither requiring nor inviting anyone to participate in any part of this site visit. Rather, the AHO is providing notice of this site visit to all parties and because this site visit will be part of the AHO's public proceeding in this matter. Decisions by a party or a party's representatives not to participate in any part of this site visit will not adversely affect the AHO's treatment of that party in the draft and final reports of referee orders the AHO prepares for this proceeding, or in any other AHO notices or orders in this proceeding.

Everyone participating in this site visit will be responsible for his or her own transportation.

The AHO and the State of California are not assuming any responsibility to, or liability for, anyone who decides to participate in any part of this site visit. Any person who decides to participate in, or observe, any part of this site visit will be doing so based on his or her own free will and personal decision, having been notified of the risks described in this notice and having decided to assume these risks.

SIGN-UPS

The AHO and the parties have indicated that the following people may attend this site visit. The AHO requests that any party that plans to have any different people attend this site visit advise the AHO by e-mail, with copies to everyone on the service list, of such additional people.

State Water Resources Control Board

Alan Lilly
Kyle Wooldridge
Regina Graziano

City of Marina

Mayor Bruce Delgado
Layne Long
Larisa Meisenheimer
Skip Spaulding

Marina Coast Water District

Rem Scherzinger
Vera Nelson
Chip Wilkins
Ruth Stoner Muzzin

RMC Pacific Materials, d/b/a CEMEX

James Neudecker
Steve Grace

California-American Water Company

Ian Crooks
Michael Betz
Robert Donlan

The AHO requests that anyone who is not associated with any party advise the AHO as soon as possible by e-mail to adminhrgoffice@waterboards.ca.gov if he or she plans to participate in the site visit.

Nov. 1, 2022
Date

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

Enclosures:
-Service List (copies sent by e-mail only)

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