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## State Water Resources Control Board

### **NOTICE OF STATUS CONFERENCE**

The State Water Resources Control Board  
Administrative Hearings Office  
will hold a Status Conference on  
pending Application 30166 filed by

**El Sur Ranch**

for a permit to appropriate water from  
the Big Sur River in Monterey County.

**The Status Conference will be held on  
October 4, 2024, at 10:00 a.m.**

The status conference will be held by Zoom teleconference.

You may participate in the Zoom teleconference by using the link:  
<https://waterboards.zoom.us/j/98227174169?pwd=1SKGO9r1iQHfap87qRKzvMaAJ9e4Tk.1> with Meeting ID: 982 2717 4169 and Passcode: 378306  
or by calling in at +16699009128,,98227174169#,,, \*378306# US (San Jose)

**Interested members of the public who would like to watch the status conference without participating may do so through the Administrative Hearings Office YouTube channel, accessible by clicking on “Watch AHO Hearings” at:**  
[https://www.waterboards.ca.gov/water\\_issues/programs/administrative\\_hearings\\_office/](https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/)

## **BACKGROUND**

On July 27, 1992, James J. Hill III (Applicant) filed water-right Application 30166 on behalf of El Sur Ranch with the State Water Resources Control Board's (State Water Board or Board) Division of Water Rights (Division) for a permit to appropriate water from the Big Sur River in Monterey County. The Applicant amended Application 30166 in November and December 2005, October 2006, June 2011, and March 2023. The current application is for a water-right permit that would authorize direct diversion of water at a rate not to exceed 5.84 cubic feet per second (cfs) and diversion to storage of up to 810 acre-feet, with an annual maximum combined diversion of 1,320 acre-feet, and a maximum 20-year rolling annual average of 1,087 acre-feet. Additional information about this proceeding is in the Administrative Hearings Office's (AHO) May 23, 2022 Notice of Status Conference.

The State Water Board held a public hearing on Application 30166 in June and July 2011. On December 9, 2021, the Board's Executive Director assigned Application 30166 to the AHO. The AHO held status conferences in this matter on June 30, August 23, September 8, and October 4, 2022; February 1, March 23, April 27, May 24, July 26, October 16, and December 12, 2023; and February 14 and April 23, 2024.

The Applicant submitted a petition to change and Fifth Amended Application 30166 to the Division on March 3, 2023. The petition seeks to amend Application 30166 to include diversion to storage in an off-stream reservoir to be located on the Applicant's property and revision of the place of use to substitute additional irrigated acreage to compensate for the loss of existing pasture from construction of the reservoir. On July 28, 2023 El Sur Ranch filed an amended petition for change and Fifth Amended Application to add fire suppression as a beneficial use.

During the July 2, 2024, status conference, Montrose Environmental informed the AHO that it anticipated providing an administrative draft of the revised Draft Environmental Impact Report to the AHO by October 15, 2024.

## **SCHEDULE**

<b>Task</b>	<b>Date/Deadline</b>
Deadline for applicant to file status conference statement.	<b>September 30, 2024, at 11:59 p.m.</b>
Status conference.	<b>October 4, 2024, at 10:00 a.m.</b>
Target date for Montrose Environmental to submit administrative draft of updated DEIR to AHO.	<b>October 15, 2024, at 11:59 p.m.</b>
[Proposed] Deadline for parties to comment on administrative revised DEIR	<b>December 6, 2024, at 11:59 p.m.</b>
[Proposed] Target date for issuance of public revised DEIR	<b>February 6, 2024, at 11:59 p.m.</b>

[Proposed] Deadline for comments on public revised DEIR	<b>March 24, 2024, at 11:59 p.m.</b>
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**STATUS CONFERENCE STATEMENTS**

The Applicant shall file a status conference statement with the AHO and serve copies of it on the other parties listed in the attached service list by the end of the day on **September 30, 2024**. The status conference statement should address: (1) whether Montrose Environmental is on schedule to submit an administrative draft of the revised DEIR to the AHO by October 15, 2024; (2) the AHO’s proposed schedule for the submission of comments on the administrative draft, the issuance of a public revised DEIR, and submission of comments on the public revised DEIR; and (3) the status of discussions between the Applicant and other parties about resolving protests to the fifth amendment to Application 30166.

If any other party wants to file a status conference statement addressing these or other issues, the party shall file the status conference statement with the AHO and serve copies of it on the other parties listed in the attached service list by the end of the day on **September 30, 2024**. The AHO will post the statements on the Water Board AHO-FTP site in the folder for this matter.

**STATUS CONFERENCE**

The AHO hearing officer will hold a status conference on **October 4, 2024, at 10:00 a.m.** by Zoom teleconference. No in-person appearances will be allowed. The status conference will be held and electronically recorded by Zoom teleconference. 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 be live streamed through the Administrative Hearings Office YouTube channel, accessible by clicking on the link provided below. After the conclusion of the conference, a recording of the YouTube live-stream of the conference will be available on the Administrative Hearings Office YouTube channel. These recordings will include automatic captions for accessibility.

The live stream and recordings may be accessed at the following link:  
<https://www.youtube.com/@swrcbadministrativehearing728/streams>

During the status conference, the hearing officer will discuss the following topics with the Applicant, its representatives, and other parties to the proceeding:

1. Status of discussions between the parties about protest resolution.
2. The proposed schedule for the issuance of CEQA documents and submission of comments outlined above.

3. Scheduling a subsequent status conference.

The hearing officer may address other issues raised by the parties during the status conference or in a status conference statement.

July 22, 2024  
Date

/s/ Sam Bivins  
Sam Bivins  
Senior Hearing Officer

Enclosures:  
- Service List

## SERVICE LIST

Updated December 12, 2023

### By e-mail only

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