
State Water Resources Control Board

CORRECTED FOURTH AMENDED NOTICE OF PUBLIC HEARING

The State Water Resources Control Board
Administrative Hearings Office will hold a Public Hearing
on the pending petition for Assignment of State-filed Application 25517
and accompanying water right Application 25517X01 and the Petitions
for Release from priority of State-filed Applications 25513, 25514,
25517 (unassigned portion), 22235, 23780, and 23781 in favor of
water right Application 25517X01 of

Sites Project Authority.

The Public Hearing began on
August 19, 2024, at 9 a.m., and continued on August 27-29,
September 3, 6, 9-11, 16, 18, 23, and 24,
and will continue on September 30, and
October 2, 8-10, and 21-23, and November 4, 2024,
and January 9, 10, 14-16, 21, 24, and 28-30, 2025
(additional dates for rebuttal and surrebuttal to be added if
necessary),
beginning each day at 9 a.m.

The hearing will be held by Zoom teleconference on all days ~~and~~
~~will be held in-person (with the option to participate by Zoom)~~
~~on October 2, 2024,~~
~~at Joe Serna Jr. CalEPA Building, Coastal Hearing Room,~~
~~1001 I Street, Second Floor, Sacramento, California.~~

Representatives of parties and other people who want to participate in this hearing may
access these Zoom teleconferences by using the following link and call-in information:

Zoom Teleconference (join link: <https://bit.ly/aho-sites-zoom>)
Call-in number: 1-669-900-9128
Meeting ID: 925 6751 4898 (Passcode: 830366)

Interested members of the public who would like to watch this hearing without participating may do so through the Administrative Hearings Office YouTube channel at: <https://www.youtube.com/@swrcbadministrativehearing728/featured>.

~~Although a quorum of the State Water Resources Control Board is expected to be present at the hearing on October 2, and some members in excess of a quorum may participate remotely as authorized by Government Code section 11123.2, the Board will not take any final action.~~

The in-person option originally noticed for the October 2, 2024, hearing day is cancelled. All parties must appear by Zoom teleconference to participate in the hearing. A quorum of the State Water Resources Control Board will not be present.

For more information, contact the Administrative Hearings Office at sites-wr-application@waterboards.ca.gov or at (916) 341-6940. This notice is available on the State Water Resources Control Board's webpage at: https://waterboards.ca.gov/board_info/calendar/.

PURPOSE OF HEARING

The purpose of this hearing is to receive evidence to be considered in determining whether the State Water Resources Control Board (State Water Board or Board) should approve the petition for partial assignment of state-filed Application 25517, accompanying water right Application 25517X01, and petitions for release from priority of state-filed Applications 25513, 25514, 25517 (unassigned portion), 22235, 23780, and 23781 in favor of water right Application 25517X01 filed by the Sites Project Authority, and, if so, what specific terms or conditions should be included in any approvals.

Additional background information about this proceeding and the procedures applicable to this hearing are in the June 5, 2024 Amended Notice of Public Hearing and Pre-Hearing Conference, which is incorporated herein. The procedures and deadlines in the June 5 Amended Notice of Hearing remain in effect unless explicitly revised in this Third Amended Notice of Hearing.

HEARING SCHEDULE AND DEADLINES

Deadlines / Schedule	Date and Time
Additional case-in-chief hearing days (as necessary).	September 23, 24, 30, 2024, and October 2, 8-10, and 21-23, and November 4, 2024, starting at 9:00 a.m. (and additional days as necessary).
Deadline for parties to file rebuttal exhibits and updated exhibit identification indices.	December 6, 2024.
Rebuttal portion of hearing.	January 24, 28-30, 2025, starting at 9:00 a.m.

The schedule for the rebuttal portion of the hearing remains contingent on the issuance of incidental take permits for construction and operation of the proposed Sites Reservoir Project by California Department of Fish and Wildlife, which is expected to occur in October 2024. The hearing officer directs the Authority to immediately notify the Administrative Hearings Office (AHO) if the Authority's expectation changes as to when it is likely to receive the incidental take permits.

AHO WEBPAGE AND NOTICES

Subject to legal limitations, including the requirements for Internet website accessibility in Government Code section 11546.7, the AHO will post all notices and other documents regarding these proceedings on the AHO's Internet webpage at www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/

HEARING LIVE-STREAM AND RECORDING

The hearing will be live-streamed through the AHO's YouTube channel, accessible by clicking on the link provided below. The live-stream will consist of a morning session and an afternoon session. To view the morning session, click the link identified as "morning." The morning session will conclude at the lunch break. To view the afternoon session, click the link identified as "afternoon." The afternoon session will begin after the lunch break.

After the conclusion of the hearing, a recording of the morning and afternoon YouTube live-stream sessions will be available on the AHO's YouTube channel. These recordings will include automatic captions for accessibility.

The live-stream and recordings may be accessed at the following link by clicking on Live and Videos, respectively:

<https://www.youtube.com/@swrcbadministrativehearing728/featured>.

Date: September 27, 2024



Nicole L. Kuenzi,
Presiding Hearing Officer
Administrative Hearings Office

Attachments:
Service List

SERVICE LIST

Andrew M. Hitchings
Aaron A. Ferguson
Kelley M. Taber
Michelle E. Chester
Crystal Rivera
Pennie MacPherson
ahitchings@somachlaw.com
aferguson@somachlaw.com
ktaber@somachlaw.com
mchester@somachlaw.com
crivera@somachlaw.com
pmacpherson@somachlaw.com
Attorneys for Sites Project Authority

Alycia Forsythe (Sites Project Authority)
Angela Bezzone (MBK Engineers)
aforsythe@sitesproject.org
bezzone@mbkengineers.com

Frances Tinney
John Buse
Center for Biological Diversity
ftinney@biologicaldiversity.org
jbuse@biologicaldiversity.org

Chris Shutes
Sarah Vardaro
California Sportfishing Protection
Alliance
blancapaloma@msn.com
sarah@calsport.org

Steven L. Evans
CalWild
sevans@calwild.org

Richard Morat
rjmorat@gmail.com

Clarke F. Ornbaun
clarkeornbaun@yahoo.com

Keiko Mertz
Jann Dorman
Ronald Stork
Gary Bobker
Doug Maner
Friends of the River
keiko@friendsoftheriver.org
janndorman@friendsoftheriver.org
RStork@friendsoftheriver.org
gbobker@friendsoftheriver.org
earth1stdoug@gmail.com

Osha R. Meserve
Soluri Meserve, A Law Corporation
osha@semlawyers.com
Attorney for County of San Joaquin

Barbara Vlamis
Michael B. Jackson, Esq.
James Brobeck
AquAlliance
barbarav@aqualliance.net
mjatty@sbcglobal.net

Ben King
T&M King Farms LLC
bking@pacgoldag.com

Jenna Rose Mandell-Rice
State Water Contractors
jrm@vnf.com

Miles Krieger
Kira Johnson
Best Best & Krieger
Miles.Krieger@bbklaw.com
Kira.Johnson@bbklaw.com
Attorneys for State Water Contractors

Chief Caleen Sisk
Gary Mulcahy
Winnemem Wintu Tribe
caleenwintu@gmail.com
gary@ranchriver.com

S. Dean Ruiz
John Herrick
Dante J. Nomellini, Jr.
Dante J. Nomellini, Sr.
Brett G. Baker
dean@mohanlaw.net
jherrlaw@aol.com
dantejr@pacbell.net
ngmplcs@pacbell.net
brettgbaker@gmail.com
Attorneys for Central Delta Water Agency, et al.

Adam Keats
California Water Impact Network
adam@keatslaw.org

Barbara Barrigan-Parrilla
Ivan Senock
Cintia Cortez
Spencer Fern
Restore the Delta
barbara@restorethedelta.org
ivan@restorethedelta.org
cintia@restorethedelta.org
spencer@restorethedelta.org

Erin Woolley
Jason John
Caty Wagner
Molly Culton
Sierra Club
erin.woolley@sierraclub.org
jason.john@sierraclub.org
caty.wagner@sierraclub.org
molly.culton@sierraclub.org

Konrad Fisher
Daniel Estrin
Monti Aguirre
Water Climate Trust, Waterkeeper
Alliance, and International Rivers
k@waterclimate.org
destrin@waterkeeper.org
monti@internationalrivers.org

Allison Mitchell, Esq.
Amy Aufdemberge, Esq.
Allison Jacobson
Ray Sahlberg
United States Department of Interior
Bureau of Reclamation
allison.mitchell@sol.doi.gov
Amy.Aufdemberge@sol.doi.gov
ajacobson@usbr.gov
RSahlberg@usbr.gov

Erick Soderlund, Esq.
Janice Wu, P.E.
Department of Water Resources
Janice.Wu@water.ca.gov
Erick.Soderlund@water.ca.gov

Eric Buescher
Ashley Overhouse
Scott Artis
Barry Nelson
San Francisco Baykeeper, Defenders of
Wildlife, Golden State Salmon
Association, and The Bay Institute
eric@baykeeper.org
aoverhouse@defenders.org
scott@goldenstatesalmon.org
barry@westernwaterstrategies.com

Lowell Ashbaugh
Fly Fishers of Davis
ashbaugh.lowell@gmail.com

Regina Chichizola
Kasil Willie
Save California Salmon
regina@californiasalmon.org
kasil@californiasalmon.org

Matthew Clifford
Trout Unlimited Inc.
mclifford@tu.org

Donald B. Mooney
Friends of the River,
California Sportfishing Protection
Alliance,
and Sierra Club
dbmooney@dcn.org

Mark Rockwell
Northern California Council of
Fly Fishers International
mrockwell1945@gmail.com

Glen Spain
Pacific Coast Federation of
Fishermen's Association et al.
fish1ifr@aol.com
lisa@pcffa.org
georgebradshaw707@gmail.com
sarahjanebates@gmail.com
fjegger@gmail.com

Patrick Porgans
Planetary Solutionaries
pp@porganssolutions.com

Maggie Foley
Kristin Peer
Bartkiewicz, Kronick & Shanahan
mef@bkslawfirm.com
kbp@bkslawfirm.com
Attorney for Contra Costa Water District

Angela Smelser
Elston Bill
Chairman Wayne Mitchum
Vice Chairperson Amanda Mitchum
Colusa Indian Community Council
asmelser@colusa-nsn.gov
m1bigman@icloud.com
mitchum530@gmail.com
amitchum@colusa-nsn.org

Adrian Covert
The Historic Klamath, Pier 9,
The Embarcadero, San Francisco
acovert@bayareacouncil.org

Theresa Moore
Zach McFarlane
Chee ee Fokaa Band of Northeastern
Pomo
theresajmoore@gmail.com
zmcfafila@calpoly.edu

Laverne Bill
Nathan Bill
Paskenta Band
lbill@paskenta.org
nbill@paskenta.org

Administrative Hearings Office
Sites-WR-Application@waterboards.ca.gov