

## State Water Resources Control Board

### FIFTH AMENDED NOTICE OF PUBLIC HEARING

The State Water Resources Control Board  
Administrative Hearings Office is holding  
a Public Hearing on the pending Petitions for Change of Water Right  
Permits 16478, 16479, 16481, and 16482  
(Applications 5630, 14443, 14445A, and 17512, respectively) of the

#### Department of Water Resources.

The evidentiary portion of the Public Hearing  
**will continue on May 1** (starting at 1:00 p.m.), **2, 5, 14, 15, 21-23, 27 & 28** and **June 10 & 11, 2025**, and additional dates as necessary.

Policy statements will be **heard in person and by Zoom Webinar**  
**on May 19, 2025, starting at 9:00 a.m.**, at  
Joe Serna Jr. CalEPA Building, Byron Sher Hearing Room,  
1001 I Street, Second Floor, Sacramento, California.

The portion of the hearing for presentation of Protestants' cases-in-chief  
will begin on **August 12 and will continue on August 13, 14, 18 & 25,**  
**and September 2, 5, 9, 10, 11, 15, 29 & 30,**  
**and October 1, 6, 9 & 10, 2025.**

All hearing days begin at 9:00 a.m., unless otherwise indicated,  
and will be held by **Zoom Webinar** except the hearing on May 19, which will be  
conducted in **hybrid format (in person and by Zoom)**. Representatives of parties will  
receive an individual invitation to join the hearing by e-mail from Zoom.

**Interested persons must register in advance  
to join the hearing on May 19 by Zoom.**

**Parties or 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: [bit.ly/aho-youtube](https://bit.ly/aho-youtube).**

Although a quorum of the State Water Resources Control Board is expected to be present during the hearing on May 19, 2025, and some additional Board Members may participate remotely as authorized by Government Code section 11123.2, the Board will not take any final action. For more information, contact the Administrative Hearings Office at [DCP-WR-Petition@waterboards.ca.gov](mailto:DCP-WR-Petition@waterboards.ca.gov) or at (916) 341-6940. This meeting notice is available on the State Water Resources Control Board's webpage at: [https://waterboards.ca.gov/board\\_info/calendar/](https://waterboards.ca.gov/board_info/calendar/).

### **LANGUAGE SERVICES AND ACCESSIBILITY:**

This hearing will be conducted in English. To request translation of a written document, interpretation services for the hearing, or sign language services, please use one of the following options at least **two weeks before the hearing date**:

- Submit a [Language Services Request online](#)
- Call (916) 341-5254
- E-mail [languageservices@waterboards.ca.gov](mailto:languageservices@waterboards.ca.gov)

**Users of a Telecommunications Device for the Deaf (TDD) may contact the California Relay Service at (800) 735-2929 or the teletype (TTY) voice line at (800) 735-2922.**

## **PURPOSE OF HEARING**

The State Water Resources Control Board (State Water Board or Board) Administrative Hearings Office (AHO) is conducting a public hearing about the Delta Conveyance Project. The purpose of the hearing is to gather evidence that the State Water Board will consider to determine whether to approve change petitions filed by the Department of Water Resources (DWR or Petitioner) to add two new points of diversion and rediversion to water right Permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively) (SWP Permits) and, if so, terms and conditions the Board should include in the amended permits.

## **BACKGROUND**

On February 22, 2024, the State Water Board's Division of Water Rights (Division) received petitions for change from DWR to add two new points of diversion and points of rediversion to water right Permits 16478, 16479, 16481, and 16482, which are associated with the State Water Project (SWP). The proposed new points of diversion and points of rediversion would consist of screened intakes 2.3 miles apart located on the lower Sacramento River between Freeport and Sutter Slough. The proposed new intakes are part of the Delta Conveyance Project, which would allow DWR to divert water from the Sacramento River in the northern portion of the Sacramento-San Joaquin Delta Estuary (Delta) and convey the water through a tunnel to existing water distribution facilities in the southern Delta. A more detailed description of the Delta Conveyance Project and the associated petitions for change can be found in the July 31, 2024 Notice of Public Hearing.

## **AHO PROCEEDING**

The AHO issued a Notice of Public Hearing on July 31, 2024, and Amended Hearing Notices on November 18, 2024, and on January 17, February 28, and April 4, 2025. The AHO held pre-hearing conferences on August 13, October 17, and December 16, 2024. The AHO began the public hearing on February 18 with the presentation of oral policy statements by interested persons and entities, and discussion of outstanding procedural issues. After being interrupted on March 24, the hearing continued on April 3, with the Petitioner's presentation of case-in-chief testimony. The hearing is being conducted in accordance with the procedural requirements in the July 31, 2024 Notice of Public Hearing as amended by subsequent rulings and notices.

## **ADDITIONAL HEARING DATES**

The AHO has scheduled additional hearing dates on May 21 through 23, and May 27 and 28, 2025, for presentation of DWR's case-in-chief witnesses.

## **POLICY STATEMENTS**

The AHO and members of the Board will hear policy statements from interested members of the public on **May 19, 2025**. This portion of the hearing continues the presentation of policy statements that began on February 18 and were interrupted on March 24. (2025-03-25 Statement on Public Hearing Incident.) As reflected in the July 31 Notice of Hearing, each oral policy statement or oral summary of written policy

statements shall not exceed 5 minutes. The hearing officer may impose a shorter time limit based on the number of interested persons who request to make an oral presentation.

Members of the public who wish to present a policy statement may do so in person or may join remotely using Zoom. Members of the public may also listen to and watch the proceeding in person or on YouTube at [bit.ly/aho-youtube](https://bit.ly/aho-youtube).

During the presentation of policy statements, the hearing officer will invite those who are present in person at the physical location of the hearing to speak first. Then, the hearing officer will invite those appearing on the Zoom platform to present their policy statements or summaries of written policy statements.

### ***How to Present a Policy Statement in Person:***

Interested members of the public who wish to present a policy statement in person are requested, but not required, to register using the Registration Form <https://forms.office.com/g/2ZQhiQwJYb> and indicate an intent to present a statement in person. The hearing will begin at 9 a.m. at the Joe Serna Jr. CalEPA Building, Byron Sher Hearing Room, 1001 I Street, Second Floor, Sacramento, California. Persons requiring reasonable modification or accommodation for disabilities should promptly (preferably at least 7 days before the hearing) contact the AHO by phone at (916) 341-6940 or by e-mail at [DCP-WR-Petition@waterboards.ca.gov](mailto:DCP-WR-Petition@waterboards.ca.gov).

### ***How to Present a Policy Statement Using Zoom Webinar:***

The AHO, in coordination with the Water Board's Division of Information Technology, has implemented new security procedures to ensure a safer and more secure virtual hearing space. These new security procedures have been in place since April 1, 2025, are effective at maintaining a secure space, and will minimize the risk of any future disruption.

**Advance registration is necessary to participate in the hearing by Zoom Webinar on May 19.** Filing a Notice of Intent form is not necessary to participate in this proceeding under these new procedures.

- To register, anyone who intends to present a policy statement should complete the Registration Form at <https://forms.office.com/g/2ZQhiQwJYb> by the close of business on **Thursday, May 15, 2025**.
- The AHO will send an individualized link to join the webinar to each interested person who has completed the Registration Form **at approximately 8:00 a.m. on Monday, May 19**. This link is specific to the registered person and e-mail address and should not be shared with other users. The same link cannot be used to access the hearing on more than one device.
- If you registered for the proceeding and have not found your individual link to join the hearing before the start of the hearing at 9 a.m., please check your junk and spam mail folders. If you did not receive an individualized link or need other technical assistance, please e-mail [DCP-WR-Petition@waterboards.ca.gov](mailto:DCP-WR-Petition@waterboards.ca.gov).

- To join the hearing on May 19, please click the “Join” link in the personalized e-mail from Zoom. Please consider signing in early to allow time to address any technical issues.
- Each interested person will enter the proceeding as an “Attendee.” Attendees will be able to see and hear video tiles of the hearing officer in the hearing room and other AHO staff, but will not be able to turn on their own camera or microphone features when the proceeding begins.
- The hearing officer will call the name of each interested person who has registered for the hearing when it is that person’s turn to speak. When the hearing officer calls your name, please raise a virtual “Zoom” hand to help AHO staff. The Zoom application may present a pop-up window asking for agreement to be elevated to a “Panelist.” AHO staff will then elevate you to a “Panelist” to present your policy statement. There may be a short pause while the system elevates you. You are not being disconnected. After you finish your statement, AHO staff will return you to Attendee status, and the hearing officer will call the name of the next speaker. After you have presented your policy statement, please exit the Zoom Webinar. You may observe the remainder of the hearing using the YouTube livestream.
- If your device freezes, please restart the device. If you experience technical difficulties during the hearing, please notify staff at [DCP-WR-Petition@waterboards.ca.gov](mailto:DCP-WR-Petition@waterboards.ca.gov). AHO staff will be monitoring the e-mail inbox.
- If you do not plan to speak during the proceeding, please do not attend the Zoom Webinar and instead view the livestream of the proceeding on the AHO’s YouTube channel at [bit.ly/aho-youtube](https://bit.ly/aho-youtube).
- For questions about public participation on May 19, please e-mail the AHO at [DCP-WR-Petition@waterboards.ca.gov](mailto:DCP-WR-Petition@waterboards.ca.gov).

The AHO will hear remaining policy statements from any member of the public unable to appear on May 19, on **August 12, 2025, by Zoom only**.

## **HEARING SCHEDULE AND DEADLINES**

| <b>Deadlines / Schedule</b>                                                                                                                                                                                                                                  | <b>Date and Time</b>                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hearing continues with Petitioner's case-in-chief.                                                                                                                                                                                                           | <b>April 3, 7, 8, 9, 14, 17, 22, 23 &amp; 24, and May 1 (starting at 1:00 p.m.), 2, 5, 14, 15, <b>21-23, 27 &amp; 28</b>, 2025, starting at 9:00 a.m.</b>                      |
| Hearing continues with policy statements, in addition to those heard on February 18.                                                                                                                                                                         | <b>May 19, 2025, starting at 9:00 a.m.</b>                                                                                                                                     |
| Deadline for Petitioner to submit supplemental information concerning historical diversion and use under SWP permits.                                                                                                                                        | <b>May 27, 2025.</b>                                                                                                                                                           |
| Hearing for DWR's supplemental information witness(es).                                                                                                                                                                                                      | <b>June 10 &amp; 11, 2025, starting at 9:00 a.m.</b>                                                                                                                           |
| Deadline for Protestants to submit case-in-chief exhibits, exhibit identification indices, and proposed permit terms or statement of no appropriate conditions for approval.<br><br>Deadline for Petitioner to submit any additional case-in-chief exhibits. | <b>July 11, 2025.</b>                                                                                                                                                          |
| Hearing continues with any remaining policy statements.                                                                                                                                                                                                      | <b>August 12, starting at 9:00 a.m.</b>                                                                                                                                        |
| Hearing continues with Protestants' cases-in-chief.                                                                                                                                                                                                          | <b>August 12, starting at 1 p.m., and August 13, 14, 18 &amp; 25, and September 2, 5, 9, 10, 11, 15, 29 &amp; 30, and October 1, 6, 9 &amp; 10, 2025 starting at 9:00 a.m.</b> |

Date: April 25, 2025

  
Nicole L. Kuenzi  
Presiding Hearing Officer  
Administrative Hearings Office

Attachments:

- Attachment 1 - Service List

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