
State Water Resources Control Board

EIGHTH AMENDED NOTICE OF PUBLIC HEARING AND PROCEDURAL RULING

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 case-in-chief portion of the Public Hearing
**will continue on October 23, 27, 28, & 29, November 10 (site visit),
and November 17, 2025 (as necessary).**

Petitioner's rebuttal portion of the Public Hearing will begin on
February 20, 2026, and continue on
February 23, 24, & 25 and March 2, 5, & 6, 2026.

Protestants' rebuttal portion of the Public Hearing
will begin on **June 1, 2026**,
and continue on **June 4, 5, 8, 9, 11, 15, 18, 23, 24, & 26, 2026.**

If necessary, Petitioner's surrebuttal portion of the Public Hearing will
begin on **August 20, 2026**, and continue on **August 21 & 24, 2026.**

All hearing days begin at 9:00 a.m., unless otherwise indicated,
and will be held by Zoom Webinar. Representatives of parties will receive an individual
invitation to join the hearing by e-mail from 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.**

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

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 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) 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 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. 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.

This 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.

SCOPE OF REBUTTAL

Rebuttal evidence is limited to evidence that is responsive to an opposing party's exhibits or witness testimony previously submitted in this hearing. Parties' rebuttal exhibits and witness testimony must clearly indicate the opposing-party evidence to which the rebuttal evidence is responsive.

On September 29, 2025, San Francisco Baykeeper (Baykeeper) requested to submit additional exhibits and cross-examine George Bradshaw, a witness presenting testimony for Pacific Coast Federation of Fishermen's Association, about the closure of the commercial salmon fishery in 2023, 2024, and 2025. (2025-09-29 Motion for Examination and Testimony re Salmon Fishery Closure.) Baykeeper asserts that this additional evidence and testimony is appropriate and necessary to address potential inaccuracies in the record about the closures elicited through cross-examination of Dr. Rosenfield by counsel for DWR. I denied Baykeeper's request for "friendly" cross-examination of Mr. Bradshaw but will allow Baykeeper to submit exhibits, including written testimony, that addresses the topic with Protestants' rebuttal exhibits. DWR did not object during the hearing to this resolution of the issue. (2025-10-06 Zoom Webinar Recording, 10:37–10:44.)

HEARING SCHEDULE AND DEADLINES

The hearing schedule is revised to add deadlines and hearing dates for the rebuttal portion of the hearing. Petitioner will have the option to submit surrebuttal exhibits, including testimony, and shall inform the hearing officer by the last day of the rebuttal portion of the hearing whether Petitioner intends to do so. The hearing schedule includes dates reserved for surrebuttal for use in the event Petitioner submits surrebuttal testimony.

The deadline for submission by DWR of additional information in accordance with the hearing officer's October 10 letter, which is currently set concurrent with the deadline for submission by DWR of rebuttal exhibits, is subject to revision. The hearing officer will confirm or modify the deadline in a procedural ruling acting on DWR's objections to the request for additional information, to be issued after the discussion about the modeling request that will occur during the hearing on October 27.

Deadlines / Schedule	Date and Time
Hearing continues with remaining parties' cases-in-chief.	October 23, 27, 28, & 29, 2025, starting at 9:00 a.m.
Deadline for remaining parties to submit written offer of exhibits into the evidentiary record.	November 3, 2025.
Site visit.	November 10, 2025.
Hearing day for cross-examination of witnesses presenting testimony during site visit (as necessary).	November 17, 2025, starting at 9:00 a.m.
Deadline for evidentiary objections to offer of exhibits.	November 17, 2025.
Deadline for replies to evidentiary objections to offer of exhibits.	December 1, 2025.
Deadline for Petitioner and aligned parties to submit rebuttal exhibits, updated exhibit identification indices, and proposed order of witness presentation.	December 22, 2025.
Hearing on Petitioner's and aligned parties' rebuttal testimony.	February 20, 23, 24, & 25 and March 2, 5, & 6, 2026, starting at 9:00 a.m.
Deadline for Protestants to submit rebuttal exhibits, updated exhibit identification indices, and proposed order of witness presentation.	April 30, 2026.
Hearing on Protestants' rebuttal testimony.	June 1, 4, 5, 8, 9, 11, 15, 18, 23, 24, & 26, 2026, starting at 9:00 a.m.

Deadline for Petitioner to submit surrebuttal exhibits and updated exhibit identification indices (if requested and approved by hearing officer).	July 24, 2026.
Hearing on Petitioner's surrebuttal testimony (as necessary).	August 20, 21, & 24, 2026, starting at 9:00 a.m.

Date: October 22, 2025



Nicole L. Kuenzi
Presiding Hearing Officer
Administrative Hearings Office
State Water Resources Control Board

Attachments:

- Attachment 1 - Service List

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