
State Water Resources Control Board

NOTICE OF DRAFT PROPOSED ORDER

The State Water Resources Control Board
Administrative Hearings Office
held a Public Hearing on August 13, 2020
on the pending petitions of

the County of Sacramento and the Sacramento County Water Agency

to change water-right Licenses 1062 and 4060 (Applications A001061 and A014494),
which authorize diversions of water from the Sacramento River
in Sacramento County,
and related issues regarding whether these licenses should be revoked.

On March 17, 2020, the Administrative Hearings Office (“AHO”) of the State Water Resources Control Board (“State Water Board” or “Board”) issued a Notice of Public Hearing and Pre-Hearing Conference regarding the petitions filed by the County of Sacramento and the Sacramento County Water Agency (jointly referred to in that notice and this order as “Sacramento County”) to change water-right Licenses 1062 and 4060 (Applications A001061 and A014494). As stated in that notice, this hearing also considered whether the State Water Board should revoke these licenses. The applicable statutes, hearing issues and pre-hearing and hearing schedules are described in detail in the March 17 notice.

On April 22, the AHO held the pre-hearing conference described in the March 17 notice. On May 20, 2020, the AHO issued a Supplemental Notice of Hearing and Pre-Hearing Conference Order.

On August 13, 2020, the AHO held its public hearing on these petitions by Zoom teleconference. On September 2, 2020, the AHO issued a post-hearing order.

On September 28, 2020, the parties filed their post-hearing closing briefs and the matter was deemed submitted to the AHO under Water Code section 1114, subdivision (c)(1).

On December 21, 2020, the AHO issued a notice of extension of the December 27, 2020 deadline for transmittal of proposed order to January 26, 2021.

The AHO has updated the administrative record in this matter to include files with copies of some additional documents in the Division of Water Rights Records Unit’s

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

paper files for Applications A001061 and A014494, to re-organize the licensee reports for the two licenses into separate folders, and to edit some of the filenames. The updated administrative record is posted on the AHO-FTP site.

The AHO releases the attached draft proposed order for review and comments by the parties to this proceeding. Any comments on the proposed order shall be submitted to the AHO on or before **March 1, 2021, at 4:00 pm**. The parties shall submit their comments by uploading them to the AHO-FTP2 site using the same process the parties used to submit their closing briefs.

After the deadline for comments has passed, the AHO will post copies of all comments it receives on the AHO-FTP site.

The prior submission of this matter to the AHO for preparation of a proposed order is vacated. The matter will be deemed re-submitted on March 1, 2021. The AHO will prepare its final proposed order and transmit it to the Clerk of the Board (with copies to the parties) after that date.

Date: January 22, 2021

SIGNATURE ON FILE
Alan B. Lilly, Presiding Hearing Officer

Enclosure:
-Service List

SERVICE LIST

Amy L. Aufdemberge
USDOI Bureau of Reclamation
2800 Cottage Way, Rm. E-1712
Sacramento, CA 95825
Amy.Aufdemberge@sol.doi.gov
Attorney for U.S. Dept. of the Interior,
Bureau of Reclamation

Aaron Ferguson
Somach, Simmons and Dunn
500 Capitol Mall, Suite 1000
Sacramento, CA 95814
aferguson@somachlaw.com
Attorney for Sacramento County and
Sacramento County Water Agency

Erick D. Soderlund
Department of Water Resources
1416 Ninth Street
Sacramento, CA 95814
erick.soderlund@water.ca.gov
Attorney for Department of Water
Resources

(all transmittals via e-mail only)