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## State Water Resources Control Board

### **PROCEDURAL RULING AND NOTICE OF ADDITIONAL STATUS CONFERENCE**

The State Water Resources Control Board  
Administrative Hearings Office  
will hold a status conference on  
the petitions for partial assignment of State-Filed Applications 12919 and 12920  
and  
Water-Right Applications 12919C and 12920B of

#### **Mendocino County Russian River Flood Control and Water Conservation Improvement District.**

**The status conference will begin on  
March 21, 2023, at 1:00 p.m.**

and will be held by Zoom teleconference.

This status conference is in addition to the status conference currently scheduled for  
**December 20, 2022, at 9:00 a.m.**

You may participate in the Zoom teleconference by using the link:

<https://waterboards.zoom.us/j/92710898515?pwd=OFhVNSsxbG5wSW5GaVdWeVpFdE5BQT09> with Meeting ID: 927 1089 8515 and Passcode: 531454

or by calling in at:

+16699009128,,92710898515#,,,,\*531454# US (San Jose)

**Interested members of the public who would like to watch this hearing 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 August 20, 2021, the Administrative Hearings Office (AHO) of the State Water Resources Control Board (State Water Board or Board) issued a Notice of Status Conference regarding the petitions for partial assignment of State-Filed Applications 12919 and 12920 and water-right Applications 12919C and 12920B of Mendocino

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

County Russian River Flood Control and Water Conservation Improvement District (Mendocino District). Additional background information about Mendocino District's petitions for partial assignment and application for a permit to appropriate water is included in the August 20 notice.

The AHO held status conferences in this matter on November 2, 2021; February 15, 2022; and August 19, 2022.

The AHO issued a status conference ruling on August 25, 2022, that set the following schedule and deadlines:

- October 15, 2022, at 12 p.m.: Protestants shall submit in writing to the Mendocino District and the AHO, with a copy to the service list, any objections to or comments on the preliminary water availability analysis submitted by the Mendocino District.
- December 15, 2022, at 12 p.m.: Mendocino District shall submit to the Division and the AHO, with a copy to the service list, any amendments to the petitions for partial assignment of state-filed Applications 12919 and 12920 or water-right Applications 12919C and 12920B.
- December 16, 2022, at 12 p.m.: Mendocino District shall submit a status conference statement to the AHO, with a copy to the service list, describing the status of each of the actions that it is directed to take in this status conference ruling.
- January 15, 2023, at 12 p.m.: Mendocino District shall publicly release and submit to the AHO a Notice of Intent or Notice of Preparation for a CEQA document for the petitions for partial assignment of state-filed Applications 12919 and 12920 or water-right Applications 12919C and 12920B, with a copy to the service list.

### **Mendocino District's Request for Extension of Time**

On October 4, 2022, Mendocino District filed a request for extension of time with the AHO. Mendocino District states in its request that in meeting with Sonoma County Water Agency (Sonoma Water), Mendocino District has determined that it could use Sonoma Water's Russian River System Model (RR ResSim) to refine the accuracy of its preliminary water availability analysis. Mendocino District states that running the model, using the results to update the preliminary water availability analysis, and reviewing the revised preliminary water availability analysis with protestants, will require additional time and asks for corresponding extensions (60 to 90 days) of the deadlines set in the AHO's August 25 status conference ruling.

Sonoma Water and California Sportfishing Protection Alliance submitted to the AHO in writing statements that they do not object to the proposed extensions of time requested by the Mendocino District.

## **Amended Schedule and Deadlines**

Based on Mendocino District's commitment to revise its preliminary water availability analysis to increase the accuracy and the lack of objection from any protestant, I am amended the schedule and deadlines as follows:

**December 2, 2022, at 12 p.m.:** Mendocino District shall submit a revised preliminary water availability analysis for the petitions for partial assignment of state-filed Applications 12929 and 12920 and water-right Applications 12919C and 12920B to the AHO, with a copy to the service list.

**December 16, 2022, at 12 p.m.:** Mendocino District shall submit a status conference statement to the AHO, with a copy to the service list, describing the status of each of the actions that it is directed to take in this status conference ruling.

**December 20, 2022, at 9 a.m.:** Status conference.

**January 15, 2023, at 12 p.m.:** Protestants shall submit in writing to the Mendocino District and the AHO, with a copy to the service list, any objections to or comments on the revised preliminary water availability analysis submitted by the Mendocino District.

**March 15, 2023, at 12 p.m.:** Mendocino District shall submit to the Division and the AHO, with a copy to the service list, any amendments to the petitions for partial assignment of state-filed Applications 12919 and 12920 or water-right Applications 12919C and 12920B.

**March 16, 2023, at 12 p.m.:** Mendocino District shall submit a status conference statement to the AHO, with a copy to the service list, describing the status of each of the actions that it is directed to take in this status conference ruling.

**March 21, 2023, at 1 p.m.:** Status conference.

**April 15, 2023, at 12 p.m.:** Mendocino District shall publicly release and submit to the AHO a Notice of Intent or Notice of Preparation for a CEQA document for the petitions for partial assignment of state-filed Applications 12919 and 12920 or water-right Applications 12919C and 12920B, with a copy to the service list.

The AHO will post all information and comments received by the AHO from the Mendocino District and the protestants on the Water Board AHO FTP site in the folder for this matter.

The requests for information in this ruling are made by the AHO pursuant to Water Code sections 1275 and 1334. Failure of the Mendocino District or any protestant to the petitions or applications to provide the requested information by the deadline provided may result in cancellation of the application or protest.

**NOTICE OF MARCH 21, 2023 STATUS CONFERENCE**

The AHO hearing officer will hold a status conference on **March 21, 2023, at 1 p.m.** by Zoom teleconference, in addition to the status conference to be held on **December 20, 2022, at 9 a.m.** 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.

During the status conference, the AHO hearing officer will ask Mendocino District to provide an update on its progress since the December 20 status conference and will invite comments from any other participants.

Parties other than the Mendocino District are not required to file status conference statements. If any other party wants to file a status conference statement, then 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 **March 16, 2023, at 12 p.m.**

Date: October 31, 2022

/s/ Nicole L. Kuenzi  
Nicole Kuenzi, Hearing Officer

Attachments:  
- Service List

## SERVICE LIST

Updated August 19, 2022

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