
State Water Resources Control Board

PROCEDURAL RULING AND NOTICE OF ADDITIONAL HEARING DAY

The State Water Resources Control Board
Administrative Hearings Office
held hearing days on September 11 through 15, & 26, 2023,
in Phase 3 of the AHO proceeding on the issues the court has referred
to the Board pursuant to Water Code section 2000 in

City of Marina v. RMC Lonestar,
Monterey County Superior Court No. 20CV001387.

**The AHO will hold an additional hearing day
to address procedural matters in this proceeding on
October 12, 2023,
from 9:00 a.m. to 5:00 p.m.**

The hearing will be held by Zoom teleconference.

Any interested party may participate in the Zoom teleconference
of the hearing by using this link:

[https://waterboards.zoom.us/j/95899889673?pwd=R2lwclZjS2xwdWVRaXg3ZlhtWXg4
UT09](https://waterboards.zoom.us/j/95899889673?pwd=R2lwclZjS2xwdWVRaXg3ZlhtWXg4UT09), with Meeting ID: 958 9988 9673 and Passcode: 561435

or by calling in at:

+16699009128,,95899889673#,,,,*561435# US (San Jose)

Any interested member of the public who would like to watch this hearing without
participating may access the Administrative Hearings Office YouTube channel at:

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

BACKGROUND

On May 6, 2022, the State Water Resources Control Board (State Water Board)
Administrative Hearings Office (AHO) issued its Notice of Public Hearing and Pre-
Hearing Conference in this proceeding. The purpose of this proceeding, background,
hearing issues and related information are discussed in that notice.

On September 11 through 15 and September 26, 2023, the AHO held hearing days for
Phase 3 of this proceeding. This order and notice follow those hearing days. Except as

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

expressly stated in this order and notice, all provisions of all prior AHO notices and orders in this proceeding remain in effect.

STATUS CONFERENCE ORDER

Following the hearing days conducted from September 11 through 15 and on September 26, the parties and the hearing officer determined that an additional hearing day is necessary to address outstanding procedural issues including evidentiary objections raised by the parties and the acceptance of exhibits into the evidentiary record. The AHO will conduct an additional day of hearing in Phase 3 of this proceeding on **October 12, 2023, from 9:00 a.m. to 5:00 p.m.** The parties are not required to make their expert witnesses available during this procedural hearing day.

In accordance with the hearing officer's instructions during the hearing, Cal-Am filed with the AHO on September 22, 2023, written evidentiary objections to the Phase 3 rebuttal expert testimony of Michael Tietze. Parties may file with the AHO a written response to Cal-Am's objections to Mr. Tietze's Phase 3 rebuttal testimony before **October 4, 2023, at 5:00 p.m.** In accordance with the hearing officer's direction during the hearing on September 26, Cal-Am was required to file any remaining evidentiary objections to rebuttal testimony and all other parties were required to file any evidentiary objections to rebuttal testimony by **October 3, 2023**. Parties may file written responses to any additional evidentiary motions or objections submitted by Cal-Am or any other party before **October 10, 2023, at 5:00 p.m.**

October 4, 2023
Date

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

Attachment:

Service List (copies of notice sent by e-mail only, to all listed e-mail addresses)

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City of Marina v. RMC Lonestar Court Reference

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