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## State Water Resources Control Board

### **POST-HEARING ORDER AND NOTICE**

The State Water Resources Control Board  
Administrative Hearings Office  
held hearing days on October 26-29 and 31,  
November 1 and 3, and December 7-9, 12 and 14-15, 2022,  
and January 31, February 2, and March 1 and 16, 2023,  
in 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 has scheduled a pre-hearing conference for  
**May 9, 2023, starting at 1:00 pm,** and  
additional hearing days for  
**May 10-12 and 15-19, 2023.**

If necessary, the Administrative Hearings Office will schedule additional hearing days.  
All hearing days will be held by Zoom teleconference.

Any interested party may participate in the Zoom teleconferences by using this link:  
<https://waterboards.zoom.us/j/95899889673?pwd=R2lwclZjS2xwdWVRaXg3ZIhtWXg4UT09>  
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**

The purpose of this proceeding, background, hearing issues, and pre-hearing and hearing processes are described in the May 6, 2022 Notice of Public Hearing and Pre-Hearing Conference issued by the State Water Resources Control Board (“State Water Board”) Administrative Hearings Office (“AHO”).

This order and notice follows the AHO hearing days listed above. Except as expressly stated in this order and notice, all provisions of the May 6, 2022 hearing notice and subsequent AHO orders and notices remain in effect.

## **POST-HEARING ORDER AND NOTICE**

### **Pre-Hearing and Hearing Schedule**

The table attached to this order and notice as Exhibit A contains the deadlines and schedule for various pre-hearing action items and the revised schedule for additional hearing days. All parties shall comply with these deadlines and this schedule.

### **Model scenarios and comparisons of results; other analytical calculations and technical methods**

The text in the first paragraph of this section on page 4 of the March 7, 2023 Post-Hearing Order and Notice is corrected as follows:

The parties' technical experts shall answer the following questions for implementation of the second scenario compared to implementation of the first scenario, for each of the following comparisons of model runs for model scenarios: (i) comparisons of scenarios 2A and 3A to scenario 1A; (ii) comparisons of scenarios 1B, 1C and 1D to scenario 1A; (iii) comparisons of scenarios 2B and 3B to scenario 1B; (iv) comparisons of scenarios 2C and 3C to scenario 1C~~3A~~; and (e) comparisons of scenarios 2D and 3D to scenario 1D.

In addition, the following new paragraph is added immediately after the preceding paragraph:

If the technical experts report to the AHO on March 31 (see Exhibit A) that the changes in the regional model at the boundary conditions for the local model due to the proposed Cal-Am slant well pumping at 15.5 mgd are not material, then the parties' technical experts shall use the regional model's boundary condition output files for Scenario 1A to run Scenarios 1A, 2A and 3A of their local models, the regional model's boundary condition output files for Scenario 1B to run Scenarios 1B, 2B and 3B of their local models, the regional model's boundary condition output files for Scenario 1C to run Scenarios 1C, 2C and 3C of their local models, and the regional model's boundary condition output files for Scenario 1D to run Scenarios 1D, 2D and 3D of their local models

### **Types of Exhibits**

In addition to the types of exhibits listed in this section on pages 5-6 of the March 7, 2023 Post-Hearing Order and Notice, the parties' technical experts also shall submit figures showing the capture zones for the Cal-Am slant well pumping for scenarios 2A, 2B, 2C, 2D, 3A, 3B, 3C and 3D.

## Model Files

In addition to the model files listed in this section on page 6 of the March 7, 2023 Post-Hearing Order and Notice, MCWD's technical experts also shall submit published information describing the USGS Soil Water Balance Model Version 2.01 (SWB2.0) and the files these experts used to run this model and to obtain model results.

March 20, 2023  
Date

/s/ ALAN B. LILLY  
Alan B. Lilly  
Senior Hearing Officer

### Enclosures:

- Exhibit A (pre-hearing and hearing schedule)
- service list (copies of notice sent by e-mail only, to all listed e-mail addresses)

## Exhibit A

Court's Reference to State Water Resources Control Board in  
*City of Marina v. RMC Lonestar, et al.*  
 Monterey County Superior Court No. 20CV001387,  
 Administrative Hearings Office's Deadlines and Schedule  
 for Pre-Hearing Action Items and Additional Hearing Days

DATE	DESCRIPTION	FROM/TO
3/17/2023	Well screen data (top and bottom elevations) provided to complete calibration data set  Calibration water level dataset (with well coordinates and screen interval elevations)	From Nelson to Kincaid/Yeh  From Kincaid and Yeh to Durbin
3/20/2023	For Scenarios B, C, D, baseline long-term hydrologic data period proposal	From Cal Am experts to MCWD/City experts
3/20/2023	X and Y coordinates for all pumping wells, well screen elevations, and pumping in local model domain	From Durbin to Kincaid and Yeh
3/21/2023	Extracted information from 2022 Regional Model regarding border conditions, including Salinas River seepage, with and without Cal-Am slant pumping, for difference materiality discussion	From Durbin to all other experts
3/22/2023	SGMA implementation assumptions for Scenario C	From Leffler/Yeh to Durbin and MCWD/City experts
3/22/2023	Regional Model texture data	From Durbin to Kincaid
3/22/2023, 11:59 pm	Report on agreement or disagreement for Scenarios B, C, D baseline long-term hydrologic data period	From all experts, via counsel, to AHO
3/23/2023, 11:59 pm	Provide preliminary opinion or opinions on materiality of the changes in regional model's output files at boundary conditions (including changes in Salinas River seepage) in the local model. To develop this opinion or these opinions, experts will run the 2022 regional model with and without proposed Cal-Am slant well pumping of 15.5 mgd.	From all experts, via counsel, to AHO
3/24/2023	SGMA implementation assumptions for Scenario D	From Kincaid to Durbin and Cal-Am experts

<b>DATE</b>	<b>DESCRIPTION</b>	<b>FROM/TO</b>
3/27/2023	Regional Model outputs for Scenario 1A	From Durbin to all experts
3/28/2023	Regional Model outputs for Scenarios 1B, 1C, 2A, 2B, 2C, 3A, 3B, 3C	From Durbin to all experts
3/30/2023	Regional Model outputs for Scenarios 1D, 2D, 3D	From Durbin to all experts
3/31/2023, 11:59 pm	Provide final opinion or opinions on materiality of boundary conditions changes (including changing in Salinas River seepage) in the regional model's output files at boundary conditions (including Salinas River seepage) in the local model. To develop this opinion or these opinions, experts will run the 2023 regional model with and without proposed Cal-Am slant well pumping of 15.5 mgd.	From all experts, via counsel, to AHO
4/17/2023, 11:59 pm	Calibrated Regional and Local Model files submitted and exchanged	From experts through counsel to AHO and other parties' experts
4/24/2023, 11:59 pm	Model scenario files submitted and exchanged, written proposed direct testimony and related exhibits filed with AHO	From experts through counsel to AHO
4/26/2023, 11:59 pm	Report on meet-and-confer results and any agreements, or each party's positions, regarding amounts of hearing time to be allotted to direct and cross-examination, witness sequencing, and other hearing procedural issues	From counsel to AHO
5/4/2023, 1:00 pm	Written proposed rebuttal testimony and related exhibits filed with AHO	From experts through counsel to AHO
5/8/2023, 1:00 pm	Summary slides filed with AHO and exchanged between parties	From experts through counsel to AHO
5/9/2023, 1:00 pm	Pre-hearing conference to discuss witness sequence, time limits for summaries of direct testimony and cross-examination, and other hearing procedural issues	
5/10-12/2023, 5/15-19/2023,	Next hearing days (each day 9:00 am to 5:00 pm)	

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