
State Water Resources Control Board

STATUS CONFERENCE ORDER AND NOTICE OF NEW STATUS CONFERENCE

The State Water Resources Control Board
Administrative Hearings Office
issues this status conference order and
notice of new status conference
regarding the pending petitions for change and extension of time of

the City of Solvang

for water-right Permit 15878 (Application A022423),
which authorizes diversions of water from the Santa Ynez River (underflow)
in Santa Barbara County.

**The new Status Conference will be held on
September 24, 2020, beginning at 9:30 am.**

BACKGROUND

On March 30, 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 Call regarding the petitions filed by the City of Solvang (“Solvang”) for change and extension of time for water-right Permit 15878 (Application A0022423). The background facts, applicable statutes, hearing issues and proposed pre-hearing and hearing schedules are described in the March 30 notice.

On April 10, 2020, the AHO issued an order amending the March 30 notice. On April 17, 2020, the AHO issued an Updated Service List for this matter. On April 29, the AHO held the pre-hearing conference described in the March 30 notice.

On May 22, 2020, the AHO issued a Pre-Hearing Conference Order and Notice of Status Conference Call. On June 29, 2020, the AHO held the status conference call described in the May 22 order and notice.

During the June 29 status conference call, Solvang’s attorney told the hearing officer that Solvang: (1) intends to withdraw the petition for extension of time Solvang filed on May 7, 2015; and (2) intends to modify the requests for changes in authorized points of diversion in the petition for change Solvang filed on May 7, 2015.

The hearing officer apologizes for his delay in issuing this order and notice. The AHO has been occupied with other matters.

NEW STATUS CONFERENCE SCHEDULE

During the June 29 status conference call, the hearing officer proposed that Solvang have 30 days to file its withdrawal of its time-extension petition and modification of its change petition. Because of the AHO's delays in issuing this order and notice, the hearing officer is giving Solvang some additional time to take these actions and has made corresponding adjustments in the schedule for subsequent actions.

The hearing officer directs the parties to take the following actions by the following deadlines:

August 7, 2020: Solvang shall file and serve its notice of withdrawal of time-extension petition and modification of change petition.

August 11 to September 11, 2020: Solvang shall engage in confidential settlement discussions with other interested parties, to attempt to resolve some or all of the pending protest issues regarding Solvang's modified change petition.

September 14, 2020: Solvang shall file and serve a status conference statement, which shall describe the following:

- (a) the status of Solvang's settlement discussions with other interested parties and the schedule for future actions regarding potential settlements of protest issues (please do not discuss any party's confidential settlement offers);
- (b) Solvang's plan and schedule to prepare any updated hydrological analyses and supplemental California Environmental Quality Act ("CEQA") documents that may be necessary for Solvang's potential new well or wells adjacent to the Santa Ynez River, as described in its modified change petition; and
- (c) Solvang's proposed schedule for future status conferences, completion of settlement discussions, submittal of hearing exhibits and hearing.

September 21, 2020: All other interested parties shall file and service status conference statements, which shall describe the following:

- (a) the status of the party's settlement discussions with Solvang (please do not discuss any party's settlement offers);
- (b) any additional hydrological modeling work the party believes Solvang needs to conduct and any additional CEQA documents the party believes Solvang needs to prepare for its modified change petition;
- (c) the party's proposed schedule for Solvang to conduct any additional hydrological modeling work or prepare any additional CEQA documents; and
- (d) the party's proposed schedule for future status conferences, completion of settlement discussions, submittal of exhibits and hearing.

The hearing officer encourages parties with aligned interests to file joint status conference statements.

NEW STATUS CONFERENCE

The AHO will hold a status conference in this matter on September 24, 2020, beginning at 9:30 am. During the status conference, the hearing officer will discuss the above issues and develop a schedule for future actions in this matter.

Any person interested in observing this status conference without participating may do so by accessing the Live Stream on the AHO YouTube channel with the following link: <https://www.youtube.com/watch?v=pwHzvQgDqvM>. If this link does not work, then any interested person may use the Zoom meeting link listed in the following paragraph to observe this status conference.

Anyone participating in this hearing may do so with the following Zoom meeting link: <https://waterboards.zoom.us/j/95246564761?pwd=ZjJzMUFvT0U4cHFKR3A3R3B3TUFpdz09> with Meeting ID: 952 4656 4761 and Passcode: 587165 or by calling in at: +16699009128,,95246564761#,,,,,0#,,587165#

The hearing officer requests that participants participate by both video and audio, if possible. If this is not possible, then the hearing officer will allow audio-only participation.

Except as explicitly stated in this order and notice, all provisions of the prior notices and orders described in the first paragraph of this order and notice remain in effect.

Date: July 21, 2020

SIGNATURE ON FILE
Alan B. Lilly, Presiding Hearing Officer

Enclosure:
-Service List

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SERVICE LIST

Chip Wullbrandt
Price, Postel & Parma, LLP
200 E. Carrillo St., 4th Fl.
Santa Barbara, CA 93101
cwullbrandt@ppplaw.com
Attorney for City of Solvang

Stephanie Osler Hastings
Jessica L. Diaz
Brownstein Hyatt Farber Schreck, LLP
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101
SHastings@bhfs.com
jdiaz@bhfs.com
Attorneys for Alisal Guest Ranch

Gary M. Kvistad
Brownstein Hyatt Farber Schreck, LLP
1021 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101
Gkvistad@bhfs.com
Attorney for Santa Ynez River Water
Conservation District, ID No. 1

Elisabeth L. Esposito
Brownstein Hyatt Farber Schreck, LLP
1415 L Street, Suite 800
Sacramento, CA 95814
Eesposito@bhfs.com
Attorney for Santa Ynez River Water
Conservation District, ID No. 1

Laurie K. Beale
NOAA Office of General Counsel
GCNW, 7600 Sand Point Way NE
Seattle, WA 98115
laurie.beale@noaa.gov
Attorney-Advisor for NOAA Fisheries

Darren Brumback, Fisheries Biologist
NOAA Fisheries
501 West Ocean Blvd., Suite 4200
Long Beach, CA 90802
darren.brumback@noaa.gov

Maggie Hall
Linda Krop
California Trout
Environmental Defense Center
906 Garden Street
Santa Barbara, CA 93101
mhall@environmentaldefensecenter.org
lkrop@environmentaldefensecenter.org
Attorneys for California Trout

Steven M. Torigiani
Brett A. Stroud
Young Wooldridge, LLP
1800 30th St., 4th Floor
Bakersfield, CA 93314
storigiani@youngwooldridge.com
bstroud@youngwooldridge.com
Attorneys for Santa Ynez River Water
Conservation District

Paeter Garcia, General Manager
Santa Ynez River Water Conservation
District, ID No. 1
P.O. Box 157
Santa Ynez, CA 93460
pgarcia@syrwd.org

Nancee Murray
Lena Germinario
Office of General Counsel
California Department of Fish and Wildlife
P.O. Box 944209
Sacramento, CA 94244-2090
Nancee.murray@wildlife.ca.gov
lena.germinario@wildlife.ca.gov
Attorneys for California Department of
Fish and Wildlife