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## State Water Resources Control Board

### NOTICE OF CANCELLATION OF PUBLIC HEARING

The State Water Resources Control Board has canceled the Public Hearing on a Water Right Petition for Long-term Transfer under Permit 16482 (Application 17512) of the **Department of Water Resources**

The **Public Hearing** was originally scheduled to commence on **Monday, August 22, 2011, at 9:00 a.m.** and to continue, if necessary, on **Tuesday, August 23, 2011 at 9:00 a.m.** in the

Coastal Hearing Room  
Joe Serna, Jr. Cal/EPA Building  
1001 I Street, Second Floor  
Sacramento, CA

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#### **SUBJECT OF THE CANCELED HEARING**

The State Water Resources Control Board (State Water Board or Board) scheduled the hearing to receive evidence to assist the Board in determining whether it should approve, subject to terms and conditions, a petition for long-term transfer of 10,000 acre-feet of water per year under Permit 16482 (Application 17512) from the Department of Water Resources (DWR) to portions of the Westlands Water District, the majority of which is served solely by the U.S. Bureau of Reclamation's Central Valley Project. DWR's petition requests that the long-term transfer be effective from May 1, 2011 through April 30, 2027. The impetus of the hearing was an unresolved protest received on October 28, 2010, from the California Water Impact Network, the California Sportfishing Protection Alliance, and AquAlliance (collectively, protestants), which is unresolved.

On August 2, 2011, the State Water Board received a letter dated July 29, 2011 from Jon Rubin, counsel for Westlands Water District, in which Mr. Rubin referenced a July 26, 2011 letter to Hearing Officer Spivy-Weber from the Center for Biological Diversity, representing California Water Impact Network, California Sportfishing Protection Alliance, and AquAlliance (CBD et al.). In the July 26, 2011 letter, CBD et al. indicated they no longer intend to present a case-in-chief at the upcoming hearing for this matter due to insufficient resources.

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CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

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The State Water Board Division of Water Rights staff sent a letter to CBD et al. on August 4, 2011, asking for a response regarding CBD et al.'s intent to participate in the hearing. In follow-up discussions with CBD et al.'s representative, Adam Lazar, on August 16, 2011, the hearing team advised Mr. Lazar that, at the hearing officer's direction, the hearing would be canceled if no representative(s) of the protestants notified the hearing team by close of business on August 17, 2011, that they intended to participate at the hearing. On August 17, 2011, Mr. Lazar advised the hearing officer that neither CBD nor the protestants have the resources sufficient to appear at the evidentiary hearing. Accordingly, the hearing is no longer required to be held and is canceled. Cancellation of the hearing has no affect on the protestants' protest, however, which remains active and will be addressed as the petition continues to be processed by the Division of Water Rights.

**IF YOU HAVE ANY QUESTIONS**

Questions concerning this notice may be addressed to Staff Counsel David Rose at (916) 341-5196, or by email at [drose@waterboards.ca.gov](mailto:drose@waterboards.ca.gov); or to Senior Water Resources Engineer Patricia Fernandez at (916) 319-9141, or by email at [pfernandez@waterboards.ca.gov](mailto:pfernandez@waterboards.ca.gov).

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August 19, 2011

Date:

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Jeanine Townsend  
Clerk to the Board

