
State Water Resources Control Board

STATUS CONFERENCE RULING AND NOTICE OF FEBRUARY 15, 2022 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
February 15, 2022, at 9:00 am**

and will be held by Zoom teleconference.

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/

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 County Russian River Flood Control and Water Conservation Improvement District (Mendocino District). Additional background information about Mendocino District’s

petition for partial assignment and application for a permit to appropriate water is included in the August 20 notice.

The AHO held a status conference in this matter on November 2, 2021. Mendocino District, Sonoma County Water Agency, Friends of the Eel River, and California Sportfishing Protection Alliance (CSPA) participated in the status conference. During the status conference, the hearing officer and the participants addressed the issues identified in the August 20 notice.

STATUS CONFERENCE RULING FOLLOWING NOVEMBER 2, 2021 STATUS CONFERENCE

The AHO hearing officer directs Mendocino District to take the following actions before the next status conference on February 15, 2022:

- Meet with Sonoma County Water Agency to discuss potential changes to Mendocino District's project and potential changes to water-right Applications 12919C and 12920B. The hearing officer encourages, but is not requiring, Mendocino District to also meet with Friends of the Eel River, CSPA, and other protestants to the petitions and applications to discuss these potential changes before the next status conference.
- Develop a draft initial schedule with interim deadlines for actions that Mendocino District must take before the State Water Board acts on the District's petitions for partial assignment of State-Filed Applications 12929 and 12920 and water-right Applications 12919C and 12920B. The AHO hearing officer intends to schedule status conferences at regular intervals to monitor Mendocino District's progress in meeting these interim deadlines but expects that the initial schedule may change as Mendocino District further develops its proposed project. The actions with associated interim deadlines in the draft initial schedule must include:
 - Actions necessary to develop and finalize changes, if any, to the proposed project.
 - Completion of any amendments to the petitions for partial assignment of State-Filed Applications 12929 and 12920 and water-right Applications 12919C and 12920B.
 - Completion of environmental documentation under CEQA for the proposed project.
 - Completion of a water availability analysis for water-right Applications 12919C and 12920B.
 - Completion of good faith efforts to resolve protests to the petitions for partial assignment of State-Filed Applications 12929 and 12920 and water-right Applications 12919C and 12920B.

Mendocino District shall submit its draft initial schedule to the AHO by **12:00 p.m. (noon) on February 8, 2022**. Any other party may respond to Mendocino District's draft initial schedule in writing by filing a statement with the AHO by **12:00 p.m. on February 14, 2022**. The parties will also have the opportunity to comment orally on Mendocino District's draft initial schedule during the February 15 status conference. The AHO will post the draft initial schedule and any written statements received by the AHO on the Water Board AHO FTP site in the folder for this matter.

NOTICE OF FEBRUARY 15, 2022 STATUS CONFERENCE

The AHO hearing officer will hold a status conference on the date and at the time specified on the first page of this notice by Zoom teleconference. 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 November 2 status conference and will invite comments from any other participants on Mendocino District's draft initial schedule.

UPDATED SERVICE LIST

An updated service list is attached to this notice which includes those people and entities that filed a Notice of Intent to Appear or otherwise advised the AHO that they want to be on the service list for this matter. If you identify any errors in this service list or if you want to be added to the service list, contact the AHO in writing by e-mail at AdminHrgOffice@waterboards.ca.gov, or send a letter addressed to:

State Water Resources Control Board
Administrative Hearings Office
P.O. Box 100 Sacramento, CA 95814-0100

If any party or interested person wants to communicate with the AHO regarding a procedural or substantive issue related to this proceeding, including any update to the service list, then the party or interested person shall make the communication in writing, and, except as otherwise stated in this notice, shall serve all parties listed on the service list for this proceeding with copies of the communication, and shall include a proof of service demonstrating such service with the written communication to the AHO.

Date: November 9, 2021

SIGNATURE ON FILE
Nicole Kuenzi, Hearing Officer

Attachments:
- Service List

SERVICE LIST

Updated November 5, 2021

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