
State Water Resources Control Board

July 27, 2023

Administrative Hearings Office's Public Hearing in Court Reference to State Water Board in *City of Marina v. RMC Lonestar*, Monterey County Superior Court No. 20CV001387: Hearing Officer's Ruling on California-American Water Company's Offer of Proof

On February 24, 2023, the California-American Water Company ("Cal-Am") filed an Offer of Proof regarding Sur Sur-Rebuttal. This offer of proof asked me to authorize Cal-Am to submit new testimony rebutting the testimony given by witnesses for Marina Coast Water District ("MCWD") and the City of Marina ("Marina") regarding Cal-Am's NMGWM²⁰²² modeling work. This offer of proof also asked me to authorize Cal-Am to submit new testimony rebutting the testimony of MCWD's and Marina's expert witnesses regarding recharge in the superposition model, changes in the capture zones of Cal-Am's proposed slant wells due to additional recharge, estimates of seawater intrusion based on Cal-Am's NMGWM²⁰²² modeling work, alleged errors in MCWD's and Marina's 2022 modeling work, and additional non-modeling comments.

On March 13, 2023, MCWD and Marina filed a joint opposition to Cal-Am's offer of proof.

I deny Cal-Am's offer of proof. The offered evidence regarding Cal-Am's NMGWM²⁰²² modeling work no longer is relevant to this proceeding, because the parties prepared new models in 2023 and the AHO will consider the results of modeling work using these new models to prepare its draft report of referee. For similar reasons, Cal-Am's other offered evidence also no longer is relevant to this proceeding.

July 27, 2023

/s/ ALAN B. LILLY

Alan B. Lilly
Senior Hearing Officer
Administrative Hearings Office

Enclosure: Service List (copies sent by e-mail only)

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