

State Water Resources Control Board

August 20, 2025

Re: Procedural Ruling on Request to Postpone Status Conference and Associated Deadlines (Hearing on the Proposed Sites Reservoir Project)

TO ALL PARTIES:

On August 8, 2025, the Administrative Hearings Office (AHO) issued a Notice of Status Conference to be held on September 4 to discuss possible permit terms for any water right permit issued by the Board for Application 25517X01 related to proposed updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento San Joaquin Delta (Bay-Delta Plan) and to address California Endangered Species Act requirements. The AHO invited comment from the parties in status conference statements on (1) the draft terms included in the August 8 Notice, and (2) whether to hold open the evidentiary record to allow parties to submit additional evidence relevant to the draft terms.

This procedural ruling addresses the August 13 request by Friends of the River, the Winnemem Wintu Tribe, California Indian Environmental Alliance, California Sportfishing Protection Alliance, Center for Biological Diversity, San Francisco Baykeeper, Save California Salmon, Water Climate Trust, and Chhé'ee Fókkaa Band of Northeastern Pomo, for an extension of the August 25, 2025 deadline to submit status conference statements until September 15, and a corresponding rescheduling of the September 4, 2025 status conference until September 24. (2025-08-13 NGO-Tribal Time Extension for Sites Terms.) The SDWA Parties, including San Joaquin County, and T&M King Farms joined the request. (2025-08-14 SDWA Ltr to AHO re Extension for Sites Terms; 2025-08-15 T&M King Farms email to AHO.) The Protestants reference the hearing on the proposed Delta Conveyance Project, the hearing on the Yuba Accord, and the workshop and comment period on the Draft Bay-Delta Plan that are pending before the State Water Board, as the reason for the requested extension. The Sites Project Authority opposes the Protestants' request for extension. (2025-08-13 Sites email to AHO.)

When the Protestants submitted their request, the State Water Board intended to hold a workshop on the Draft Bay-Delta Plan on September 8 and 9. Comments on the Draft Bay-Delta Plan were due on September 10. On August 15, after submission of the request for postponement of the status conference in this proceeding, the State Water Board postponed the scheduled workshop dates and comment deadline for the Draft Bay-Delta Plan until September 25 and 26, and September 29, respectively.

I conclude that September 4 remains an appropriate date to conduct this status conference. The hearing on the proposed Delta Conveyance Project adjourned on August 18 for two weeks and the deadlines associated with the Bay-Delta Plan Update are now postponed. Most importantly, however, the comments invited through the status conference statements and during the status conference will not be the only or the last opportunity for the parties to comment on all of the permit terms associated with any approval of the water right application. The purpose of the status conference is primarily to assist the AHO to decide whether to close the evidentiary record. This decision must be made as soon as possible to allow time to plan any additional hearing dates and to avoid unnecessary delay in the preparation of a draft decision for the Board's consideration. After the evidentiary record is closed, the parties will have an opportunity to comment and present argument on the draft decision circulated to the parties, including any permit terms if the decision would approve the water right application, and the parties will have a subsequent opportunity to comment and present argument on any revisions to the draft decision before it is adopted by the Board.

In recognition that some of the Protestants are also participating in the AHO hearing on the Yuba Accord which is being conducted this week, I will **grant** a short extension of the deadline for status conference statements from August 25 until **August 28**.

Date: August 20, 2025



Nicole L. Kuenzi
Presiding Hearing Officer
Administrative Hearings Office

Attachments:

- Attachment 1 - Service List

SERVICE LIST

Andrew M. Hitchings
Aaron A. Ferguson
Kelley M. Taber
Michelle E. Chester
Crystal Rivera
Pennie MacPherson
ahitchings@somachlaw.com
aferguson@somachlaw.com
ktaber@somachlaw.com
mchester@somachlaw.com
crivera@somachlaw.com
pmacpherson@somachlaw.com
Attorneys for Sites Project Authority

Alycia Forsythe (Sites Project Authority)
Angela Bezzone (MBK Engineers)
aforsythe@sitesproject.org
bezzone@mbkengineers.com

Frances Tinney
John Buse
Center for Biological Diversity
ftinney@biologicaldiversity.org
jbuse@biologicaldiversity.org

Chris Shutes
Sarah Vardaro
California Sportfishing Protection
Alliance
blancapaloma@msn.com
sarah@calsport.org

Steven L. Evans
CalWild
sevens@calwild.org

Richard Morat
rjmorat@gmail.com

Clarke F. Ornbaun
clarkeornbaun@yahoo.com

Keiko Mertz
Jann Dorman
Ronald Stork
Gary Bobker
Friends of the River
keiko@friendsoftheriver.org
janndorman@friendsoftheriver.org
RStork@friendsoftheriver.org
gbobker@friendsoftheriver.org

Osha R. Meserve
Soluri Meserve, A Law Corporation
osha@semlawyers.com
legal@semlawyers.com
Attorney for County of San Joaquin

Barbara Vlamis
Michael B. Jackson, Esq.
James Brobeck
AquAlliance
barbarav@aqualliance.net
mjatty@sbcglobal.net

Ben King
T&M King Farms LLC
bking@pacgoldag.com

Jenna Rose Mandell-Rice
State Water Contractors
jrm@vnf.com

Miles Krieger
Kira Johnson
Best Best & Krieger
Miles.Krieger@bbklaw.com
Kira.Johnson@bbklaw.com
Attorneys for State Water Contractors

Chief Caleen Sisk
Gary Mulcahy
Winnemem Wintu Tribe
caleenwintu@gmail.com
gary@ranchriver.com

S. Dean Ruiz
John Herrick
Dante J. Nomellini, Jr.
Dante J. Nomellini, Sr.
Brett G. Baker
dean@mohanlaw.net
jherlaw@aol.com
dantejr@pacbell.net
ngmplcs@pacbell.net
brettgbaker@gmail.com
Attorneys for Central Delta Water Agency, et al.

Adam Keats
California Water Impact Network
adam@keatslaw.org

Barbara Barrigan-Parrilla
Cintia Cortez
Spencer Fern
Restore the Delta
barbara@restorethedelta.org
cintia@restorethedelta.org
spencer@restorethedelta.org

Caty Wagner
Molly Culton
Sierra Club
caty.wagner@sierraclub.org
molly.culton@sierraclub.org

Konrad Fisher
Daniel Estrin
Monti Aguirre
Water Climate Trust, Waterkeeper
Alliance, and International Rivers
k@waterclimate.org
destrin@waterkeeper.org
monti@internationalrivers.org

Allison Mitchell, Esq.
Amy Aufdemberge, Esq.
Allison Jacobson
Lisa Holm
United States Department of Interior
Bureau of Reclamation
allison.mitchell@sol.doi.gov
Amy.Aufdemberge@sol.doi.gov
ajacobson@usbr.gov
lholtm@usbr.gov

Erick Soderlund, Esq.
Janice Wu, P.E.
Department of Water Resources
Janice.Wu@water.ca.gov
Erick.Soderlund@water.ca.gov

Eric Buescher
Ashley Overhouse
Scott Artis
Barry Nelson
San Francisco Baykeeper, Defenders of
Wildlife, Golden State Salmon
Association, and The Bay Institute
eric@baykeeper.org
aoverhouse@defenders.org
scott@goldenstatesalmon.org
barry@westernwaterstrategies.com

Lowell Ashbaugh
Fly Fishers of Davis
ashbaugh.lowell@gmail.com

Regina Chichizola
Kasil Willie
Save California Salmon
regina@californiasalmon.org
kasil@californiasalmon.org

Matthew Clifford
Trout Unlimited Inc.
mclifford@tu.org

Donald B. Mooney
Friends of the River,
California Sportfishing Protection
Alliance,
and Sierra Club
dbmooney@dcn.org

Mark Rockwell
Northern California Council of
Fly Fishers International
mrockwell1945@gmail.com

Glen Spain
Pacific Coast Federation of
Fishermen's Association et al.
fish1ifr@aol.com
lisa@pcffa.org
georgebradshaw707@gmail.com
sarahjanebates@gmail.com
fjegger@gmail.com

Maggie Foley
Kristin Peer
Bartkiewicz, Kronick & Shanahan
mef@bkslawfirm.com
kbp@bkslawfirm.com
Attorney for Contra Costa Water District

Angela Smelser
Elston Bill
Chairman Wayne Mitchum
Vice Chairperson Amanda Mitchum
Colusa Indian Community Council
asmelser@colusa-nsn.gov
m1bigman@icloud.com
mitchum530@gmail.com
amitchum@colusa-nsn.gov

Adrian Covert
The Historic Klamath, Pier 9,
The Embarcadero, San Francisco
acovert@bayareacouncil.org

Theresa Moore
Chee ee Fokaa Band of Northeastern
Pomo
theresajmoore@gmail.com
zmcfarla@calpoly.edu

Laverne Bill
Nathan Bill
Paskenta Band
lbill@paskenta.org
nbill@paskenta.org

Margaret Rosenfeld
Elaina Erola
margaret@fsrlegal.net
admin@fsrlegal.net
Attorney for Colusa Tribe

Administrative Hearings Office
Sites-WR-Application@waterboards.ca.gov