November 5, 2026

Re: Procedural Ruling and Amended Schedule

Hearing on the Petitions to Change Water Right Permits 16478, 16479, 16481, and 16482 of the Department of Water Resources for the Proposed Delta Conveyance Project

To All Parties,

The Administrative Hearings Office (AHO) issued a procedural ruling letter on October 7, 2026. The ruling set page limits and deadlines for closing and reply briefs and addressed other procedural matters. This letter amends, supplements, and clarifies that ruling based on the statements by party representatives during the status conference on October 19, 2026. All elements of the October 7 Procedural Ruling Letter not amended by this ruling letter remain in effect. This letter also sets deadlines for the submission of evidentiary objections and responses.

Hearing Issues

The October 7 Procedural Ruling letter stated that the "guidance in this letter for submission of closing briefs is not intended to preclude briefing on other issues nor be an exhaustive list of the sub-issues that are relevant to the Board's consideration. I encourage the parties to address all relevant hearing issues identified in the hearing notices…." The ruling letter then cited the November 18, 2024 Second Amended Hearing Notice. The hearing issues were further amended, however, in the February 28, 2025 Third Amended Hearing Notice. While I continue to encourage the parties to address all relevant hearing issues, the citation should be replaced by a reference to the Third Amended Hearing Notice.

Closing Briefs

Deadlines

The following updated deadlines shall apply to the submission of closing briefs, reply briefs, joint conference statements, and supplemental joint conference statements:

Deadlines / Schedule	Date
Deadline for submission of closing briefs and joint conference statements.	**February 11, 2027**

Deadline for supplemental joint conference statements.	**March 25, 2027**
Deadline for submission of reply briefs.	**April 12, 2027**

Page Limits

As stated in the October 7 Procedural Ruling Letter, the following page limits shall apply to the submission of closing briefs and reply briefs unless the party requests and the AHO approves additional pages of briefing. These page limits do not include the additional page allowances reiterated below.

Party	Closing Brief Page Limit	Reply Brief Page Limit
DWR	120 pages	80 pages
State Water Contractors	30 pages	20 pages
Bureau of Reclamation	18 pages	12 pages
All other parties that submitted evidence.	18 pages	12 pages
All other parties that did not submit evidence.	12 pages	8 pages

In the October 7 Procedural Ruling Letter, I also provided the following additional page allowances:

1. Each protestant identified in Part III of the ruling letter is allowed 5 additional pages in its closing brief, and DWR is allowed 30 additional pages in its closing brief, to respond to the Hearing Team's questions in Part III.

2. Each closing brief that responds to questions listed in Part V of the ruling letter may include 5 additional pages for each topic addressed (General Issues A–E). For example, if DWR addresses all of these topics, DWR may include up to 25 additional pages in its closing brief to respond to the questions in Part V.

These page limits reflect the breadth of evidence and issues to be addressed by each party and the relative number of parties presenting evidence for and against approval of the petitions, the opportunity for parties to combine page allocations and submit joint briefs, and whether the party presented its own evidence to be addressed in the party's closing brief. Parties may choose to combine their page limit allocations and submit joint closing briefs up to 90 pages in length and reply briefs up to 60 pages in length. Party groups for joint submittals must remain the same for closing briefs and reply briefs. Parties may incorporate by reference a portion or all of a brief submitted by another

party, and such incorporation by reference shall not be counted towards the incorporating party's page limit.

Briefs shall be submitted to the AHO on pleading paper (with each line numbered in the left margin) using 12-point font and one-inch margins. If pleading paper is not available, the documents shall be double-spaced.

Requests for Additional Pages

Parties may request to submit briefs that exceed the above page limits. Parties making such a request must identify (1) the number of pages requested for the closing and reply briefs, (2) all parties joining the briefs, (3) the reason for the request, and (4) in general terms, the issues to be addressed. The AHO strongly encourages parties to submit joint briefs and is likely to grant requests that reduce the number and pages of briefs to be submitted overall. The AHO will, however, also consider requests for additional pages submitted by individual parties or smaller party groups. The AHO will consider all such requests and the total pages of briefing that may be submitted to determine whether to grant the requests in whole or in part, in the interests of efficiency, procedural fairness, and robust consideration of the issues presented. The deadline for parties to submit requests for additional pages is **December 1, 2026**.

Evidentiary Objections

The deadline for parties to submit any remaining evidentiary objections to exhibits that have been offered into the evidentiary record, including DWR's surrebuttal exhibits and AHO exhibits, is **December 1, 2026**. Responses to those objections must be submitted by **December 22, 2026**. Responses may include argument that an objection is not timely.

Written objections should be concise and submitted in table format. Parties shall submit written objections as both a pdf document and a Word document in landscape orientation that contains a column for the objection, a column for responses to the objection, and a column for the hearing officer's ruling. Parties shall file written responses to any evidentiary objections using the same table format as the initial objection.

If a party has not yet offered a previously filed exhibit or exhibit presented during cross-examination into the evidentiary record, the deadline to make such an offer is **November 9, 2026.**

Closing Arguments

During the October 19 pre-hearing conference, Mr. Buescher of San Francisco Baykeeper requested the opportunity for parties to provide oral closing arguments after the submission of closing and reply briefs. The AHO will consider this request further after the submission of closing briefs.

Compiled Schedule

Deadlines / Schedule	Date
Deadline for parties to offer any remaining exhibits into the evidentiary record.	**November 9, 2026**
Deadline to submit any remaining evidentiary objections.	**December 1, 2026**
Deadline for requests for additional pages for closing or reply briefs.	**December 1, 2026**
Deadline to respond to any remaining evidentiary objections.	**December 22, 2026**
Deadline for submission of closing briefs and joint conference statements.	**February 11, 2027**
Deadline for supplemental joint conference statements.	**March 25, 2027**
Deadline for submission of reply briefs.	**April 12, 2027**

Sincerely,



Nicole Kuenzi
Presiding Hearing Officer
Administrative Hearings Office
State Water Resources Control Board

Attachments:

- Attachment 1 – Service List

ATTACHMENT 1
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