
State Water Resources Control Board

REVISED NOTICE OF PUBLIC HEARING and PRE-HEARING CONFERENCE

The State Water Resources Control Board will hold a Public Hearing to determine whether to impose Administrative Civil Liability against

Byron-Bethany Irrigation District

Intake Channel to the Banks Pumping Plant (formerly Italian Slough)
Contra Costa County

The **Pre-Hearing Conference**
will commence on

~~Friday, September 25, 2015~~ **Monday, February 8, 2016**
at 9:00 a.m.

in the Sierra Hearing Room
Joe Serna Jr.-CalEPA Building
1001 I Street, Second Floor
Sacramento, CA

The **Public Hearing** will commence on
~~Wednesday, October 28, 2015 and continue, if necessary,
on October 29 and 30, 2015~~ **Monday, March 21, 2016 and continue, as necessary,
through March 25, 2016**
at 9:00 a.m.

in the Coastal Hearing Room
Joe Serna Jr.-CalEPA Building
1001 I Street, Second Floor
Sacramento, CA

PURPOSE OF HEARING

The purpose of this hearing is for the State Water Resources Control Board (State Water Board or Board) to receive evidence relevant to determining whether to impose administrative civil liability against the Bryon-Bethany Irrigation District (BBID) for alleged unauthorized diversion of water and, if so, whether in the amount of \$1,553,250 or some other amount.

PLEASE TAKE NOTICE OF THE FOLLOWING NEW INFORMATION

Please take note of the following changes/clarifications to the [August 19, 2015 Notice of Public Hearing](#): 1) second pre-hearing conference date; 2) revised hearing dates; and 3) revised deadline for the receipt and service of witnesses' proposed testimony, exhibits, lists of exhibits, qualifications, and statement of service. Please note that the changes described in this notice do not change the hearing requirements as originally noticed, unless expressly noted herein.

PRE-HEARING CONFERENCE

A second pre-hearing conference is set for **Monday, February 8, 2016**. All parties must attend this pre-hearing conference. Failure to attend the pre-hearing conference may result in exclusion from participation in the hearing. The pre-hearing conference will not be used to hear arguments on, or determine the merits of, any hearing issues, other than procedural matters, unless the parties agree to resolve a hearing issue by stipulation. If the Hearing Officer finds this second pre-hearing conference is unnecessary or unlikely to be productive, the conference will be cancelled.

HEARING DATES:

As noted above the hearing has been rescheduled to begin on **Monday, March 21, 2016 and continue, as necessary, through March 25, 2016**. Please note that the start times may be earlier than 9 a.m. on subsequent hearing days if the hearing officer determines it necessary. Notice of any changes in start times will be noted at the conclusion of the previous hearing day.

HEARING DEADLINES

Please note the deadline for receipt and service of witnesses' proposed testimony, exhibits, qualifications, and statement of service is changed as follows:

12:00 noon, Tuesday, January 19, 2016


Deadline for receipt and service of witnesses' proposed testimony, exhibits, lists of exhibits, qualifications, and statement of service.

IF YOU HAVE ANY QUESTIONS

During the pendency of this proceeding, there shall be no *ex parte* communications regarding substantive or controversial procedural matters within the scope of the proceeding between State Water Board members or hearing team members and any of the other participants, including members of the prosecution team. (Gov. Code, §§ 11430.10-11430.80.) Questions regarding non-controversial procedural matters should be directed to Staff Counsel Nicole Kuenzi at (916) 322-4142 or by email to Nicole.Kuenzi@waterboards.ca.gov; or to Jane Farwell-Jensen at (916) 341-5349 or by email to Jane.Farwell-Jensen@waterboards.ca.gov (Gov. Code, § 11430.20, subd. (b).)

October 20, 2015

Date



Jeanine Townsend
Clerk to the Board

Enclosure

