

**NOTICE OF HEARING
AND SCHEDULE OF WRITTEN SUBMISSIONS**

Appeal Numbers	Proposed Covered Action
C20242-A1 , C20242-A2 , C20242-A3 , C20242-A4	2024-2026 Proposed Geotechnical Activities (C20242)

Appellants:

San Francisco Baykeeper, Winnemem Wintu, Shingle Springs Band of Miwok Indians, California Indian Environmental Alliance, Friends of the River, Center for Biological Diversity, Save California Salmon, California Sportfishing Protection Alliance, Golden State Salmon Association, and Restore the Delta (C20242-A1)

South Delta Water Agency (C20242-A2)

County of Sacramento, Sacramento County Water Agency, Sacramento Area Sewer District, and City of Stockton (C20242-A3)

County of San Joaquin, Central Delta Water Agency, and Local Agencies of the North Delta (C20242-A4)

Respondent(s): Department of Water Resources

PLEASE TAKE NOTICE THAT the Delta Stewardship Council (Council) will hold a hearing on the above-referenced appeals as follows:

Date: December 19, 2024

Time: 9:30 am

Location: California Natural Resources Building
Room 221, Second Floor
715 P Street, Sacramento, CA 95814.

Presiding Officer: Julie Lee, Council Chair

The hearing will be conducted pursuant to Water Code sections 85225, 85225.10, 85225.15, 85225.20, and 85225.25 and California Code of Regulations, title 23, section 5020 et seq. The appellants and certifying agency (respondent) will each be provided an opportunity to make an oral presentation at the hearing. The Delta Protection Commission (Commission) may also make an oral presentation. The presentations will be limited to the issues and facts raised in the appeals. (Cal. Code Regs., tit. 23, §§ 5027 subds. (e)(1), (2), 5028.) Time limits and an order of presentations will be established at least 10 days in advance of the hearing. The Council will make written findings no later than 60 days following the hearing. (Wat. Code, § 85225.25.)

Parties are expected to appear at the hearing in person. If a party requires accommodation, please contact: 2024GeoTechProject@deltacouncil.ca.gov

SCHEDULE OF WRITTEN SUBMISSIONS

Appellants, respondent, and the Commission may provide a written submission to the Council in advance of the hearing, as set forth below. (Cal. Code Regs., tit. 23, §§ 5027 and 5029.) **Late submissions will not be considered.**

Written Submission	Due Date
Appellants	November 27, 2024
Delta Protection Commission	November 27, 2024
Respondent	December 13, 2024

Transmit written submissions to:
2024GeoTechProject@deltacouncil.ca.gov by **no later than 5:00 pm on the date specified in this notice** and **copy all parties on the Service List.** (Cal. Code Reg., tit. 23, § 5021.)

For each appeal, a single written submission on behalf of all appellants named in the respective appeal may be submitted totaling no more than 10 pages. Respondent may submit a single written submission responding to all appeals totaling no more than 40 pages. The Commission may submit a single written submission totaling no more than 10 pages. Pages of any written submission in

excess of the page limits shall not be considered. The written submissions of the parties shall be subject to and comply with California Code of Regulations, title 23, sections 5027 and 5029. Written submissions by appellants and the Commission must reference the specific Delta Plan regulatory policy or policies at issue, include citations to the certified record (*see* Cal. Code Regs., tit. 23, section 5022, subd. (e)(1)), and address how the Certification of Consistency is or is not supported by substantial evidence based on the certified record. (Cal. Code Regs., tit. 23, § 5029, subd. (c)(1).) The respondent's written submission will respond to the allegations raised in the appeals. (Cal. Code Regs., tit. 23, § 5029, subd. (d).)

Each written submission may include a request to supplement the certified record with additional documentation written or information pursuant to California Code of Regulations, title 23, sections 5026 and 5032. To be considered for admission to the record, any documentation that is not part of the certified record submitted by Respondent must be included with the written submission pursuant to this notice and comply with these regulations. (Cal. Code Regs., tit. 23, §§ 5026 and 5032.)

The Council shall determine whether the certification of consistency is supported by substantial evidence in the certified record. (Wat. Code, § 85225.25.) It is the appellants' burden to establish that the certification of consistency is not supported by substantial evidence in the certified record. (Cal. Code Regs., tit. 23, § 5029, subd. (d).) **The Council will not consider issues that were not raised in the appeals.**