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9 Attorney for Protestants Save the California Delta Alliance, et al.

10 **BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

11 **IN RE CALIFORNIA WATERFIX**  
12 **CALIFORNIA DEPARTMENT OF**  
13 **WATER RESOURCES AND U.S.**  
14 **BUREAU OF RECLAMATION**  
15 **PETITION FOR CHANGES IN**  
16 **WATER RIGHTS, POINTS OF**  
17 **DIVERSION/RE-DIVERSION**

18 **MOTION TO REQUIRE PETITIONER TO: 1)**  
19 **AMEND THE PETITION TO REFLECT**  
20 **ACOE-REQUIRED CHANGES; 2) SCHEDULE**  
21 **PART 2 REBUTTAL AFTER ISSUANCE OF**  
22 **SUPPLEMENTAL ENVIRONMENTAL**  
23 **IMPACT REPORT ADDRESSING ACOE-**  
24 **REQUIRED CHANGES; AND 3) COMBINE**  
25 **DELTA ALLIANCE'S CASE-IN-CHIEF WITH**  
26 **ITS REBUTTAL CASE FOR PRESENTATION**  
27 **DURING REBUTTAL PHASE.**

28 Save the California Delta Alliance, et al. hereby respectfully moves the Board to require  
Petitioners to amend the Petition to reflect recently announced changes to the project brought about  
by requirements imposed by the Army Corps of Engineers during consultation with the ACOE  
regarding the section 404 permit for the Project. These changes have been only skeletally described  
to Protestants in DWR's March 29 communication but substantially alter construction-related  
impacts ("March 29 Changes"). Protestants need a full description and environmental review of  
these changes in order to adequately respond to these Project changes. DWR has stated that the  
March 29 Changes will be fully described and analyzed in a forthcoming supplement to the Project  
Environmental Impact Report. The full description of the changes and assessment of the  
environmental impacts in the forthcoming supplement should be made a part of the Project  
Description for purposes of this Change Petition after the Supplement to the EIR is issued.

1 Delta Alliance further requests that the next (Part 2 Rebuttal) phase of these proceedings  
2 should not be scheduled to begin until *after* the supplement to the EIR has been entered into the  
3 record. This is necessary to afford Protestants a fair opportunity to assess and respond to these  
4 substantial changes in the Project.

5  
6 Finally, because of the substantial connection between these changes and the impacts  
7 addressed in Delta Alliance's Part 2 case in chief, Delta Alliance requests that it be allowed to  
8 combine its Part 2 case in chief with its Part 2 rebuttal--all to be presented during the rebuttal phase  
9 and after a full description of the changes and supplement to the Project EIR have been provided.

10  
11 **I. Summary Of Need To Schedule Part 2 Rebuttal After DWR Issues The**  
12 **Supplemental Environmental Impact Report And To Allow Delta Alliance to**  
13 **Combine Its Case in Chief With Its Rebuttal Testimony All To Be Presented**  
14 **During Rebuttal Phase.**

15 On March 29, 2018, Petitioner California Department of Water Resources ("DWR") served  
16 upon the parties notice of "public availability" of substantial changes in the Project description that  
17 significantly change the physical configuration of the proposed project, and especially in regard to  
18 the construction footprint, location of construction facilities, and construction impacts on Delta  
19 waterways from barge traffic and over-water geotechnical exploration ("March 29 Changes"). These  
20 changes have been required of DWR by the United States Army Corps of Engineers as a part of  
21 Petitioner's section 404 permit process with regard to the Corps' duty to minimize impacts to the  
22 Waters of the United States. As the Board is aware, Petitioners and Protestants have disagreed  
23 consistently on the impacts of every aspect of the project and DWR's assertion that these changes  
24 may minimize some impacts is not evidence that this is the case, nor do we know whether changes  
25 proffered to minimize one impact (such as on wetlands or in one area of the Delta) may exacerbate  
26 other impacts (such as impacts on communities, traffic, recreation, or in other areas of the Delta).

27 The documents describing the changes served on the parties and submitted to the Board  
28 provide that "The proposed optimizations will be subject to environmental review as a part of the

1 forthcoming Supplemental Environmental Impact Report expected in Spring 2018." (Attachment 1,  
2 p. 6.) DWR has suggested that "[i]t is the contention of DWR that all aspects of the information  
3 released here is within the proper scope of rebuttal in Part 2 of the California WaterFix water rights  
4 change hearing." (Attachment 1, p.1.) DWR announced that it does not intend to amend the Petition  
5 to reflect these changes in project description nor introduce the changes as a supplement to its case  
6 in chief.

8 Delta Alliance disagrees with DWR's argument that these changes may be adequately  
9 addressed by simply making the information available to Protestants as "public information." As  
10 Delta Alliance has repeatedly argued, these are evidentiary hearings and DWR's repeated assertion  
11 that various sets of crucial information about the project are "publicly available" cannot form any  
12 part of the basis of the Board's decision. It is not up to Protestants to ferret out a project description  
13 by scouring the internet or speculating based on skeletal information provided by DWR. The March  
14 29 Changes have been provided in skeletal/summary outline only and obviously do not include  
15 substantial information that is within DWR's possession about the full scope and detail of these  
16 changes.

18 Delta Alliance therefore urges the Board to require DWR to amend the Petition to reflect the  
19 March 29 changes, and that this amendment include the forthcoming supplement to the EIR, which  
20 will assess the environmental impacts of these changes, and must as a matter of law include an  
21 adequate and complete description of the changes. DWR has stated that the supplement to the EIR  
22 "is expected in Spring 2018." (Attachment 1, p.6.) Further, these changes should be described with  
23 at least the same level of detail that is provided in the current description of Project impacts,  
24 including Map Book Figure M15-4, sheets 1–8, which depict in detail construction related impacts  
25 on Delta recreation.

27 The forthcoming supplement to the EIR, and full description of the changes, is a necessary  
28 prerequisite to Protestants ability to adequately understand, assess, and respond to the changes.

1 Delta Alliance therefore respectfully requests that the next phase of these proceedings (currently  
2 anticipated as Part 2 Rebuttal Phase) not be scheduled to begin until *after* the supplement to the EIR  
3 and full description have been completed and the changes therein described properly made a part of  
4 DWR's Change Petition.

5  
6 In addition to these general considerations, which apply to many Protestants, Delta Alliance  
7 is particularly affected by these changes because the changes are all directed at construction  
8 impacts; as stated by DWR the changes address the "potential effects of the construction of the  
9 California WaterFix." (Attachment 1, p.1.) Delta Alliance's Part 2 case in chief focuses on the  
10 impacts of WaterFix construction on Delta recreation. As described in more detail below, the  
11 March 29 changes substantially alter the testimony of Delta Alliance's Part 2 case in chief panel.  
12 Delta Alliance was required to prepare and submit its Part 2 testimony many months ago. Under  
13 the circumstances, it would be fundamentally unfair to require Delta Alliance to offer testimony  
14 prepared before these changes were announced at the last minute before Delta Alliance's scheduled  
15 testimony, and then to again require Delta Alliance's witnesses to cover the same subject matter  
16 based on the new information during the rebuttal or subsequent other phases.

17  
18 DWR has been in consultation with the Army Corps of Engineers for many months. At  
19 some echelons within the agency, DWR knew long ago that these changes were coming. Regardless  
20 of any actual intent on the part of DWR, if Delta Alliance is required to go forward with its case in  
21 chief now, DWR would have the benefit of unfair, last-minute surprise changes to the project that  
22 disadvantage Delta Alliance's witnesses. Delta Alliance has limited resources and can only afford to  
23 address a few of the many severe impacts to Delta recreation and Delta communities. It spent its  
24 resources on the impacts as described in the 2016 Final EIR, the Biological Opinions, and the  
25 Biological Assessment. The key information that Delta Alliance relied upon in those documents has  
26 now been altered by the March 29 changes. Delta Alliance therefore further request that it be  
27 allowed to combine its case in chief and rebuttal testimony in one presentation, based on accurate  
28

1 information including the supplemental EIR, during the Part 2 rebuttal phase. DWR could then  
2 answer in the sir-rebuttal phase. Delta Alliance believes that this is the most efficient and only fair  
3 way to proceed. Delta Alliance believes that all of its testimony submitted for its Part 2 case in chief  
4 is within the proper scope of rebuttal in any event.

5  
6 **II. In Order To Avoid Unfair Surprise, Fundamental Fairness Requires That Delta**  
7 **Alliance Be Allowed To Combine Its Part 2 Case In Chief With Its Part 2**  
8 **Rebuttal All To Be Presented During Part 2 Rebuttal Phase.**

9 Delta Alliance testimony of witnesses Frank Morgan and Bill Wells focuses on the impacts  
10 of construction on Delta recreation. A substantial portion of the testimony and exhibits produced by  
11 Wells and Morgan concern the impact of construction-related barge traffic and over-water  
12 geotechnical exploration on Delta recreation. Delta Alliance expended significant time and effort to  
13 produce Exhibits SCDA-72 and SCDA-73, which are maps of construction impacts, and include  
14 Delta Alliance's graphic representation of barge routes that will be used by DWR during the  
15 construction period. The information underlying these exhibits and the testimony of Wells and  
16 Morgan about the exhibits has now been changed at the last minute by DWR's March 29 Changes.

17 Delta Alliance determined the barge routes shown on SCDA-72 and 73 by reference to the  
18 National Marine Fisheries Service California WaterFix Biological Opinion, the Revised California  
19 WaterFix Biological Assessment, the California WaterFix Final Environmental Impact Report, and  
20 other environmental documents issued by DWR or relevant agencies. For example, the NMFS BiOp  
21 describes "Barge Traffic" at section 2.5.1.1.1.2, including locations of barge landings and a  
22 narrative description of expected points of inception and termination of barge trips. Relevant  
23 excerpts of the BiOp are found at SCDA-103. By way of further example, the Final Environmental  
24 Impact Report Map Book provides detailed information on the location of all barge landings and  
25 muck dumps. Please see SCDA-104, which is FEIR Map Book Figure M15-4, sheet 4 of 8, for an  
26 example of the detailed locations of barge landings and muck dumps as well as access roads and  
27 routes to muck dumps (in this example, the muck dump on Bouldin Island).  
28

1 Delta Alliance took the information from the Project documents, including the Map Books  
2 and BiOps, and produced SCDA-72 and SCDA-73 and Mr. Morgan and Mr. Wells spent significant  
3 time analyzing the barge traffic based on this information. The March 29 Changes now relocate  
4 barge landings and reorient barge traffic. For example, the March 29 Project Footprint Change  
5 Description states "Zacharias Island RTM and Barge Unloading Facility Removed." (Attachment 1,  
6 p.2). It is unclear exactly what this means as DWR has testified in the past that barge loading and  
7 unloading may take place at locations where there is no barge facility. Mr. Berdnarski testified to  
8 this effect with regard to barge activities at intake #2. The March 29 Changes are skeletal and no  
9 update to the detailed narrative description of barge traffic in the NMFS BiOp (SCDA-103) has  
10 been provided. Nor has any update to the detailed information on FEIR Map Book pages M15-4,  
11 sheets 1–8 been provided.  
12

13  
14 The March 29 Changes also move the barge landing at Bouldin Island, "moved east  
15 approximately 1,500 ft," (Attachment 1, p. 2). It is unclear where the landing will be moved to and  
16 which slough or river it will be on and what route barges will take to reach it. The March 29  
17 Changes also change the road access route to the large muck dump on Bouldin Island off of  
18 Highway 12. Delta Alliance relied on the barge routes and Map Book Figure M15-4, sheet 4 of 8  
19 (SCDA-104) to produce the expert testimony of traffic engineer Chris Kinzel. Changes to the  
20 locations of barge landings, barge routes, the muck dump at Bouldin Island, and the access road at  
21 Bouldin Island all affect Mr. Kinzel's testimony about construction impacts on road traffic,  
22 including road traffic backups caused by the opening of the draw bridges at Rio Vista and elsewhere  
23 which will be required to allow WaterFix Construction barges to pass underneath.  
24

25 Delta Alliance's remaining witnesses, acoustical engineer Charles Salter and structural  
26 engineer Rune Storesund, focus much of their testimony on impacts caused by construction of the  
27 intakes. Mr. Salter and Mr. Storesund rely on testimony of Mr. Wells and Mr. Morgan and on  
28

1 exhibits to be authenticated by Mr. Wells and Mr. Morgan. Mr. Salter's and Mr. Well's testimony  
2 regarding impacts on boat traffic at the intakes is also intertwined.

3 Most of Delta Alliance's Part 2 case in chief testimony is directly affected by the March 29  
4 Changes. This Board has been consistent in its position of not allowing "surprise" testimony or  
5 witnesses. The same should be true of surprise changes to the project description. Delta Alliance has  
6 limited resources and cannot afford repeated re-analysis and a multiplicity of testimony by its expert  
7 witnesses brought about by a premature initiation of these hearings and the continuous changes in  
8 the Project description that have been wrought thereby.

10 **III. Conclusion.**

11 In fundamental fairness, Delta Alliance therefore respectfully urges the Board to schedule  
12 the next phase of these proceedings *after* DWR has submitted a full description of the March 29  
13 Changes, with at least as much detail as is contained in FEIR Map Book M15-4, sheets 1-8, and  
14 with respect to barge routes, as much detail as is contained in NMFS BiOp Section 2.5.1.1.1.2  
15 (SCDA-103). For the reasons set forth above, Delta Alliance further respectfully urges the Board to  
16 allow it to combine its Part 2 case in chief with Part 2 rebuttal, both to be presented during the  
17 rebuttal phase.  
18

19 Dated: April 3, 2018

20 Respectfully Submitted,

21 

22 Michael A. Brodsky  
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28

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



March 28, 2018

VIA ELECTRONIC MAIL: CWFHearing@waterboards.ca.gov

Tam Doduc, Hearing Officer  
Felicia Marcus, Hearing Officer  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Re: Public Availability of Project Optimization Fact Sheet

Dear Hearing Officers Doduc and Marcus,

On Friday, March 23, 2018 I announced as a housekeeping matter the fact that the Department of Water Resources would be making available to the public additional engineering detail proposed for the California WaterFix. The proposed optimization of the project is a refinement of engineering detail, which is the progression of the project from a level of detail contained in the Conceptual Engineering Report.

Attached to this letter is the public announcement, in the form of a fact sheet, of this proposed optimization. DWR also provides below tables of the additional information such that the Hearing Officers can easily identify what aspects of the project are addressed. As you will see in the tables, and is stated in the fact sheet, the intent of the proposed engineering refinements is to further limit the potential effects of the construction of the California WaterFix.

It is the contention of DWR that all the aspects of the information released here is within the proper scope of rebuttal in Part 2 of the California WaterFix water rights change hearing. Should the Hearing Officers agree, parties to this hearing may utilize this information in preparing rebuttal testimony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tripp Mizell".

Tripp Mizell  
Sr. Attorney, Office of the Chief Counsel  
California Department of Water Resources

# Project Footprint Change Description

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The proposed project would include the same major components included as part of approved project. In some instances these components have been modified with the goal of further mitigating the environmental impacts disclosed in the Final EIR/EIS. Modifications to the project components would, in some cases, result in changes to how the components would be constructed. These footprint modifications are further described below.

Location	Description of Change
Intakes 2/3/5	No Changes
Intermediate Forebay (IF)	The 2 northernmost RTM impacts on DWR parcels removed. Remaining 3 parcels have impact trimmed to remove actual pond areas.
	Zacharias Island RTM and Barge Unloading Facility removed.
	RTM area added to parcel adjacent to east of IF.
	Fuel Station shifted from NW side of Concrete Batch Plant to SE side of Concrete Batch Plant.
Intake 3 to IF	East tunnel shifted to run from Intake 3 south and east of Hood until it parallels with West Tunnel from Intake 5.
	Temporary tunnel work area moved south of Lambert road.
Staten Island	Safe Haven added to northern part of island at Walnut Grove Rd.
	Northern vent shaft shifted south approximately 22,600 ft.
	Safe Haven area moved south approximately 2,300 ft.
	Southern retrieval shaft shifted north 18,200 ft.
	Tunnel curve extended to move tunnel further east where it crosses the South Mokolumne River.
	Tunnel alignment straightened heading onto Bouldin Island from the north.
Bouldin Island	Shafts moved East to directly south of Highway 12 Interchange.
	Access road from Hwy 12 to launch shaft straightened.
	RTM area on east side of island moved north to avoid wetland impacts.
	Tunnel alignment shifted to accommodate new locations for Bouldin launch shafts.
	Barge Landing Facility moved east approximately 1,500 ft.
	Concrete Batch Plant and Fuel Station moved SE to be adjacent to west side of Bouldin launch shafts.
Venice Island	Tunnel alignment – see above description at Bouldin Island
Mandeville Island	Shaft location shifted north approximately 1,900 ft.
	Access road modified to connect to shaft at further north location.
Victoria Island	Tunnel makes westerly curve west south of CA Hwy 4 to intersect new terminal forebay.
Clifton Court Forebay	No changes are being made to the existing conditions at Clifton Court Forebay. Any and all impacts at this location that were described under Alternative 4A in the Final EIR/EIS have been removed.
Byron Tract	New terminal forebay added in location of prior RTM area NW of CCF.

	RTM areas modified to be directly north of terminal forebay. Impact removed from adjacent to river levee.
	New Canal section runs west out of terminal forebay until siphon crosses under Byron Highway, then <b>turns</b> southeast to intersect CA Aqueduct.
	New Canal section connects CA Aqueduct and Delta Mendota Canal.
	Concrete Batch Plant and Fuel Station added directly north of shafts.

<b>Location</b>	<b>Power</b>
WAPA (South)	PG&E Interconnection option removed.
	New line follows canal alignment to new terminal forebay then runs along west and north edges of new terminal forebay.
	Alignment follows east side of tunnel easement, with diversions that make shorter waterway crossings between Bacon and Mandeville Islands, over the San Joaquin River, and between Venice and Bouldin Islands.

**Figure 1. Construction Effects on Listed Fish Species**

Chapter 11 – Fish and Aquatic Resources	Alternative	
	Approved Project <sup>1</sup>	Proposed Project
Impacts AQUA-1, AQUA-19, AQUA-37, AQUA-55, AQUA-73, AQUA-91, AQUA-109, AQUA-127, AQUA-145, AQUA-163, AQUA-181, and AQUA-199: Effects of Construction of Water Conveyance Facilities on Delta Smelt, Longfin Smelt, Chinook Salmon (Winter-Run ESU), Chinook Salmon (Spring-Run ESU), Chinook Salmon (Fall-/Late Fall-Run ESU) , Steelhead, Sacramento Splittail, Green Sturgeon, White Sturgeon, Pacific Lamprey, River Lamprey, and Non-Covered Aquatic Species of Primary Management Concern	Tidal perennial habitat <sup>2</sup> : 52.0 acres; Channel margin habitat <sup>3</sup> : 1.02 miles; Shallow water habitat <sup>4</sup> : 500.6 acres.	Tidal perennial habitat <sup>2</sup> : 48.9 acres; Channel margin habitat <sup>3</sup> : 1.02 miles; Shallow water habitat <sup>4</sup> : 500.6 acres.
	LTS/NA	LTS/NA

<sup>1</sup> Based on impacts described in Table 3.4.1 in Chapter 3 of the updated CWF BA.

<sup>2</sup> Comprises: 26.7 acres at North Delta Diversions; 2.9 acres at Head of Old River; and 22.4 acres for barge landings under approved project, and 19.3 acres for barge landings under proposed project.

<sup>3</sup> All at the North Delta Diversions.

<sup>4</sup> From the downstream end of intake 5 to the upstream observed limit of delta smelt occurrence (Knights Landing).

**Figure 2. Acres of Permanent and Temporary Impact on Natural Communities**

Project Impact Acreage	Approved Project	Proposed Project
Agricultural	10,891	10,317
Alkali Seasonal Wetland Complex	1	3
Developed	136	133
Grassland	695	485
Managed Wetland	364 <sup>a</sup>	336 <sup>b</sup>
Nontidal Freshwater Perennial Emergent Wetland	5	4
Nontidal Perennial Aquatic	80 <sup>c</sup>	32 <sup>d</sup>
Tidal Freshwater Emergent Wetland	9	5
Tidal Perennial Aquatic	368 [2,299 <sup>c</sup> ]	87
Valley/Foothill Riparian	71	35
Vernal Pool Complex	22	2
<b>Total</b>	<b>12,276 [14,575<sup>c</sup>]</b>	<b>11,439</b>

<sup>a</sup> 321 acres of this impact are from tidal restoration, which would not be a loss of wetland but a conversion and an improvement in wetland functions and services.

<sup>b</sup> 317 acres of this impact are from tidal restoration, which would not be a loss of wetland but a conversion and an improvement in wetland functions and services.

<sup>c</sup> 16 acres of this impact are from tidal restoration, which would convert open water to tidal wetland.

<sup>d</sup> Includes 1,931 acres that are dredging of Clifton Court Forebay.

**Figure 3. Acres of Permanent and Temporary Impact on Federally and Stated Listed Species**

Species	Federal/State Status	Approved Project	Proposed Project
Boggs Lake hedge-hyssop	-/E	23	5
CA Least Tern	E/E	2,389 <sup>a</sup>	169
California Black Rail	-/T, FP	35	22
Conservancy Shrimp	E/-	6	0.001
California red-legged frog	T/SSC	54	472
California tiger salamander	T/T	52	403
Delta button celery	-/E	96	79
Giant garter snake	T/T	1,320	737
Greater sandhill crane	-/T, FP	9,709	8,409
Least Bell's vireo	E/E	78	41
Longhorn fairy shrimp	E/-	6	0.001
Masons Lilaeopsis	-/R	53	28
Riparian brush rabbit	E/E	0	0
Riparian woodrat	E/SSC	0	0
San Joaquin kit fox	E/T	327	488
Swainson's hawk	-/T	11,914	11,009
Tricolored blackbird	-/CE	10,779	9,494
Valley elderberry longhorn beetle	T/-	489	252
Vernal pool fairy shrimp	T/-	6	0.001
Vernal pool tadpole shrimp	E/-	6	0.001
Yellow-billed cuckoo	T/E	59	32

<sup>a</sup> Includes 1,930 acres of Clifton Court Forebay dredging.



# DESIGN REFINEMENTS PROPOSED

## To Minimize Impacts, Improve Performance and Reduce Costs

Design improvements are being proposed to minimize impacts of the WaterFix project on local communities and the environment. The proposed changes build on past modifications that significantly reduced the project's footprint and costs. The new optimizations also seek to minimize impacts on Delta wetlands and the natural environment.

The proposed optimizations will be subject to environmental review as a part of the forthcoming Supplemental Environmental Impact Report expected in Spring 2018.

### KEY BENEFITS OF THE NEWLY PROPOSED OPTIMIZATIONS



Significantly reduces wetland impacts



Reduces impacts to salmon and smelt at the Clifton Court Forebay



Reduces the number of power poles and lines required which improves aesthetics, reduces impacts to birds, and minimizes the need for power facilities near the town of Courtland, while also eliminating the need to relocate large 230 kV and 500 kV transmission lines



Consolidates the reusable tunnel material (RTM) footprint to minimize impacts to Stone Lakes Wildlife Refuge and nearby agricultural lands



Reduces potential impacts to the town of Hood and a residential neighborhood on Kings Island

**DESIGN REFINEMENTS & PROPOSED MODIFICATIONS**

WaterFix will reduce permanent impacts to Delta wetlands by

MORE THAN  
**500 ACRES**

And reduce temporary impacts to wetlands by

**2,000 ACRES**

**Eliminate barge landing at Snodgrass Slough**

**BENEFITS:** Reduces barge traffic in the northern portion of the Delta; reduces impacts to wetlands

**Move a shaft site on Mandeville Island**

**BENEFITS:** Avoids wetlands

**Eliminate the Clifton Court Forebay modifications by moving the terminus of the main tunnels and forebay to a new location**

**BENEFITS:** Reduces impacts to wetlands, salmon, and smelt; improves construction access; reduces permanent impacts to wetlands by 270 acres and temporary impacts to wetlands by over 1,900 acres

**Eliminate the need to relocate a 500 kV and 230 kV transmission line from the Tracy substation**

**BENEFITS:** Reduces wetland impacts and eliminates unnecessary costs

**Move the north tunnel alignment to the east, just outside the town of Hood instead of directly below it**

**BENEFITS:** Reduces potential impacts to the town of Hood

**Move power line alignment to use SMUD's existing transmission corridor\***

**BENEFITS:** Fewer powerlines required, improves aesthetics, reduces impact to birds, reduces need for large substation near the town of Courtland

**Consolidate the Reusable Tunnel Material (RTM) footprint near the Intermediate Forebay into a single site**

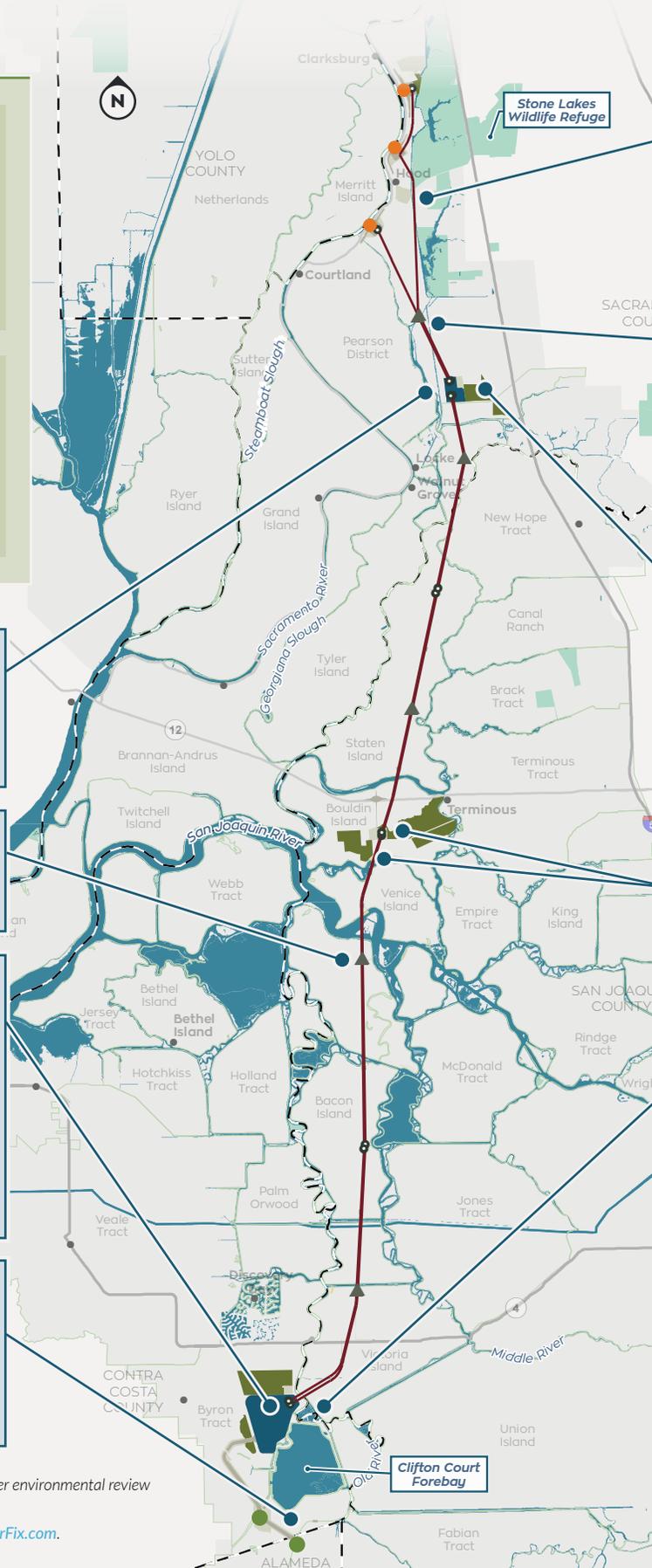
**BENEFITS:** Reduces impacts to Stone Lakes Wildlife Refuge, wetlands, and nearby agricultural activities; reduces construction impacts caused by truck traffic and improves operational efficiency; wetland impacts reduced by more than 50 acres

**Optimize Bouldin Island activities by relocating shaft site, RTM, and barge landing**

**BENEFITS:** Reduces wetlands impacts by over 100 acres on Bouldin Island; reduces potential impacts to Delta navigation and recreation opportunities

**Move a pumping plant away from Kings Island**

**BENEFITS:** Reduces impacts to a residential neighborhood on Kings Island; reduces impacts to wetlands



\* Previously implemented, not subject to further environmental review  
An updated Conceptual Engineering Report will soon be available at [www.CaliforniaWaterFix.com](http://www.CaliforniaWaterFix.com).

**STATEMENT OF SERVICE**

**CALIFORNIA WATERFIX PETITION HEARING  
Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)**

I hereby certify that I have this day submitted to the State Water Resources Control Board and caused a true and correct copy of the following document(s):

**MOTION TO REQUIRE PETITIONER TO: 1) AMEND THE PETITION TO REFLECT ACOE-REQUIRED CHANGES; 2) SCHEDULE PART 2 REBUTTAL AFTER ISSUANCE OF SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT ADDRESSING ACOE-REQUIRED CHANGES; AND 3) COMBINE DELTA ALLIANCE'S CASE-IN-CHIEF WITH ITS REBUTTAL CASE FOR PRESENTATION DURING REBUTTAL PHASE.**

to be served **by Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service List** for the California WaterFix Petition Hearing, dated March 26, 2018, posted by the State Water Resources Control Board at [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/service\\_list.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml)

I certify that the foregoing is true and correct and that this document was executed on April 3, 2018, at Santa Cruz, California.

Signature   
Name: Michael A. Brodsky  
Title: Attorney

Party/Affiliation:  
Save the California Delta Alliance, et al.

Address:  
Law Offices of Michael A. Brodsky  
201 Esplanade, Upper Suite  
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