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16 On behalf of South Delta Water Agency,  
17 Central Delta Water Agency, Lafayette Ranch,  
18 Heritage Lands, Mark Bachetti Farms  
19 and Rudy Mussi Investments L.P.

20 **STATE OF CALIFORNIA**

21 **STATE WATER RESOURCES CONTROL BOARD**

22 Hearing in the Matter of California  
23 Department of Water Resources and  
24 United States Department of the Interior,  
25 Bureau of Reclamation Request for a  
26 Change in Point of Diversion for  
27 California Water Fix

**PROTESTANTS SOUTH DELTA WATER  
AGENCY, CENTRAL DELTA WATER  
AGENCY, LAFAYETTE RANCH,  
HERITAGE LANDS, MARK BACHETTI  
FARMS AND RUDY MUSSI  
INVESTMENTS L.P.'S JOINDER IN CITY  
OF ANTIOCH'S MOTION FOR  
CONTINUANCE OF PHASE 2 AND  
RECONSIDERATION OF REOPENING OF  
PART 1**

1 Protestants South Delta Water Agency, Central Delta Water Agency, Lafayette Ranch,  
2 Heritage Lands, Mark Bachetti Farms and Rudy Mussi Investments L.P., (“SDWA Parties”)  
3 hereby join the motion submitted by the City of Antioch’s Motion for Continuance of Part 2  
4 and Reconsideration of reopening of Part 1, filed on January 26, 2018, the (“Antioch Motion”).

5 After months of hearing days spanning over more than a year and a half in the  
6 Petitioners are now focusing on a scenario they describe as CWF H3+. Petitioners’ new focus  
7 renders much of Protestants’ efforts in Part 1 irrelevant. As such, Protestants will be required to  
8 reanalyze much of what was considered in Part 1 and, essentially, repeat most of their efforts.  
9 The CWF H3+ scenario was not previously anticipated or disclosed. Petitioner’s spent millions  
10 of dollars analyzing operating scenarios significantly different than CWF H3+. At this point it  
11 remains unclear the degree to which the H3 and H4 Boundary scenarios are still relevant given  
12 that same were previously described as the outer limits of potential CWF operations under the  
13 proposed but as yet undefined adaptive management program. Petitioners now state they will  
14 limit their focus to the CWF H3+ scenario with no disclosure of whether the adaptive  
15 management program (central to the current fishery agency pending approvals), might further  
16 compel adjustments in CWF operations within or outside of the previously proposed  
17 Boundaries scenarios.

18 The CWF H3+ scenario results in significantly higher chloride concentration at Old  
19 River at Clifton Court October through April as compared to those resulting from the H3, H4,  
20 or the BA H3+ scenarios. This is particularly relevant given the H3 and H4 operating scenarios  
21 were supposed to be the outer Boundaries for such impacts. This alone demonstrates that  
22 Petitioners’ new focus on the CWF H3+ scenario must be re-evaluated within the context of  
23 the Part 1 analysis. This will obviously take time. Petitioners’ constant morphing of the  
24 Petition has imposed unreasonable and far reaching costs on Protestants who are now again  
25 placed in the untenable position of trying to guess what analyses are necessary and relevant to  
26 assess the impacts from this new scenario. For these reasons, the SDWA Parties join in  
27 Antioch’s motion requesting that Part 1 be reopened and that Part 2 be stayed.

