

**Part 2 Attachment B:  
SUPPLEMENTAL NOTICE OF INTENT TO APPEAR**

**CALIFORNIA WATERFIX CHANGE PETITION HEARING**  
Part 2 of the Public Hearing is scheduled to commence on **January 18, 2018**

Parties identified on the second page of this form have stated their intent to present direct testimony and call witnesses in Part 2 of the above hearing. **Only** those parties are required to fill out this form. Complete forms shall be submitted to [CWFhearing@waterboards.ca.gov](mailto:CWFhearing@waterboards.ca.gov) and copied to the current [Service List](#) no later than **noon on September 22, 2017**. Failure to complete and submit this form by the deadline may be construed as intent not to present witnesses in Part 2 of the hearing.

NRDC, The Bay Institute, & Defenders of Wildlife plans to participate in **Part 2** of the water right hearing:  
(name of party)

**Check the applicable box(es) below. Be sure to accurately describe your participation in Part 2.**

I/we still intend to present direct testimony in Part 2 of the hearing and plan to call the following witnesses to testify:

NAME OF WITNESS	SUBJECT OF PROPOSED TESTIMONY (Please provide a brief description of each witness' proposed testimony)	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
	See Attached		

(If more space is required, please attach additional pages.)

I/we no longer intend to present direct testimony in Part 2 of the hearing and intend to participate by:

- a) cross-examination and/or rebuttal only and may present an opening or policy statement.
- b) presenting a policy statement only (I/we no longer intend to present evidence or participate in cross-examination and/or rebuttal)

I/we no longer intend to participate in Part 2 of the hearing:

**Fill in the following information of the Participant, Party, Attorney, or Other Representative:**

Name of Authorized Representative (Print): Kate Poole

Representative's Affiliation: Natural Resources Defense Council

Mailing Address: 111 Sutter Street, 21st Floor, San Francisco, CA 94104

Phone Number: 415.875.6100

E-mail: kpoole@nrdc.org; awearn@nrdc.org; dobegi@nrdc.org; bobker@bay.org; rzwillinger@defenders.org

Signature:  Date: October 12, 2017

Name of Witness	Subject of Proposed Testimony	Estimated Length of Direct Testimony	Expert Witness (Yes/No)
Jon Rosenfield	Biological effects of WaterFix & Appropriate Flow Criteria	20 minutes	Yes
Doug Obegi	Alternative water supplies, reduced reliance on the Delta and other Public Interest factors	15 minutes	No
Chad Dibble, Cal. Dept. of Fish and Wildlife	Biological effects of WaterFix <i>(Intend to subpoena adverse witness from CDFW if not called as witness by proponents)</i>	1 hour <sup>1</sup>	
Pat Coulston, Cal. Dept. of Fish and Wildlife	Biological effects of WaterFix on Delta Smelt and Longfin Smelt <i>(Intend to subpoena adverse witness from CDFW if not called as witness by proponents)</i>	1 hour <sup>1</sup>	
Heather Swinney, U.S. Fish and Wildlife Service	Biological effects of WaterFix on Delta Smelt <i>(Intend to subpoena adverse witness from USFWS if not called as witness by proponents)</i>	1 hour <sup>1</sup>	
Russ Perry, U.S. Geological Survey	Biological effects of WaterFix on salmon <i>(Intend to subpoena adverse witness from USGS if not called as witness by proponents)</i>	30 min <sup>1</sup>	
Maria Rea, National Marine Fisheries Service	Biological effects of WaterFix on salmon, sturgeon, and steelhead <i>(Intend to subpoena adverse witness from NMFS if not called as witness by proponents)</i>	30 min <sup>1</sup>	
Steve Lindley, National Marine Fisheries Service	Biological effects of WaterFix on salmon <i>(Intend to subpoena adverse witness from NMFS if not called as witness by proponents)</i>	1 hour <sup>1</sup>	

<sup>1</sup> The October 30, 2015 Hearing Notice provides (page 35, footnote 17) that, “The hearing officers may, for good cause, approve a party’s request for additional time to present direct testimony during the party’s case-in-chief. The hearing officers may allow additional time for the oral direct testimony of the witness if the witness is adverse to the party presenting the testimony and the hearing officers are satisfied that the party could not produce written direct testimony for the witness.”