

Bill Jennings
3536 Rainier Avenue
Stockton, CA 95207
209-464-5067
deltakeep@me.com

Representing CSPA et al.

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

HEARING IN THE MATTER OF
CALIFORNIA DEPARTMENT OF
WATER RESOURCES AND UNITED
STATES BUREAU OF RECLAMATION
REQUEST FOR A CHANGE IN POINT
OF DIVERSION FOR CALIFORNIA
WATER FIX

**PROPOSED GROUPING AND
ORDERING OF PROTESTANTS FOR
DIRECT TESTIMONY AND CROSS-
EXAMINATION IN PART 2,
SUBMITTED ON BEHALF OF:
CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,
CALIFORNIA WATER IMPACT
NETWORK AND AQUALLIANCE**

Proposed Groupings and Order of Parties for Direct Testimony in Part 2 of the Hearing

The following Proposed Grouping and Ordering of Protectants for direct testimony and cross-examination in Part 2 is submitted on behalf of protestants California Sportfishing Protection Alliance, California Water Impact Network and AquAlliance (collectively CSPA et al., Group 31). The above captioned parties and counsel have further conferred in order to provide the groupings and order provided below, which are also consistent with our respective notices of intent for Part 2. As in Part 1, these proposed groupings are submitted without prejudice to the parties' ability to "trade" positions with other parties, if necessary, to address witness availability issues, consistent with the Hearing Officers' direction governing such arrangements.

(1) Impacts to Fisheries and Water Quality Public Trust/Public Interest Focus Panel
(CSPA/CWIN/AQUA)
(Proposed Position: Group 31)

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Bill Jennings	Decline of Fisheries: CWF impacts; water quality; adaptive management, necessary requirements to protect fisheries and balance Public Trust/Public Interest	45	Yes
Tom Cannon	CWF impacts to Fish & Wildlife; necessary requirements to protect Fish/Public Trust/Public Interest	45	Yes
Chris Shutes	CWF impacts to Fish & Wildlife; requirements necessary to ensure that instream flows and storage protect Fish & Wildlife & Public Trust	30	Yes
G. Fred Lee	CWF impacts to water quality	45	Yes
Tom Stokely	CWF impacts from Trinity River diversion and redirected impacts	15	Yes

Total time requested: 3 Hours

(2) Impacts to Delta Fishing & Recreation and Santa Barbara and Public Trust/Interest Focus Panel
(CSPA/CWIN/AQUA)
(Proposed Position: Group 31)

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Gerald Neuberger	Impacts and effects of historical and proposed diversions of Delta water on fisheries and the Public Trust/Public Interest	15	Percipient Expert

Dan Bacher	Impacts and effects of historical and proposed diversions of Delta water on fisheries and the Public Trust/Public Interest	15	Percipient Expert
Dave Hurley	Impacts and effects of historical and proposed diversions of Delta water on fisheries and the Public Trust/Public Interest	15	Percipient Expert
Dave Fries	Impacts and effects of historical and proposed diversions of Delta water on recreational activities and the Public Trust/Public Interest	15	Percipient Expert
Arve Sjovold and/or Aaron Budgor	CWF impacts and consequences on Santa Barbara and Delta hydrology; Public Interest & Public Trust	45	Yes

Total time requested: One hour, 45 minutes

(3) Impacts to Sacramento Valley, Tribal Cultural, Tribal Rights, Public Trust/Public Interest Focus Panel (CSPA/CWIN/AQUA)
(Proposed Position: Group 31)

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Kit Custis	CWF impacts to Sacramento Valley and Delta Groundwater	45	Yes
Barbara Vlamis	CWF impacts on Sacramento Valley Public Trust/Public Interest	20	Yes
James Brobeck	CWF impacts to Sacramento Valley Aquifers and Ecosystem, Public Trust/Interest	20	Yes
βπDon Hankins	CWF impacts to Indian Culture and Tribal Rights, Sacramento Valley & Delta	30	Yes
Trina Cunningham	CWF impacts to Indian Culture, Sacramento Valley	15	Yes

Total time requested: 2 hours, 10 minutes

(4) Public Trust/Public Interest Focus Panel
(CSPA/CWIN/AQUA)
(San Joaquin County et al., LAND)
(Proposed Position: Group 31)

NOTE: CSPA/CWIN/AQUA' Panel 4 was also submitted as San Joaquin County et al., and LAND Panel 8 but their Requested Position was Group 31 (CSPA/CWIN/AQUA)

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Marc Del Piero CSPA/CWIN/AQUA SJC, LAND	CWF impacts on public trust resources: balancing the public trust; essential elements of a competent public interest analysis; Delta flow criteria with the 2009 Delta Reform Act and other enactments and decision	45	Yes
Ed Whitelaw CSPA/CWIN/AQUA	Fish & Wildlife/Public Trust/Public Interest; balancing the public trust; essential elements of a competent Public Trust analysis	30	Yes
Roger Moore (SJC/LAND)	Fish & Wildlife/Public Trust/Public Interest	30 SUBMITTAL PENDING	Yes
Felix Smith	Fish & Wildlife/Public Trust/Public Interest	30	Yes

Total time requested: 2 hours, 15 minutes

Proposed order of Parties for Cross-Examination

With respect to the order of the group for cross-examination, we propose that cross-examination in Part 2 proceed in a similar order that the Board established in Part 1.

Thank you for considering these requests and suggestions.

Dated 11 December 2017

A handwritten signature in black ink, appearing to read "Bill Jennings". The signature is fluid and cursive, with the first name "Bill" written in a larger, more prominent script than the last name "Jennings".

Bill Jennings
Executive Director, California Sportfishing Protection Alliance, Board Member of California
Water Impact Network and representing AquAlliance and at the request of Michael Jackson,
attorney for Group 31

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):

UPDATED PROPOSED GROUPING AND ORDERING OF PROTESTANTS FOR DIRECT TESTIMONY AND CROSS-EXAMINATION IN PART 2, SUBMITTED ON BEHALF OF:

CALIFORNIA SPORTFISHING PROTECTION ALLIANCE, CALIFORNIA WATER IMPACT NETWORK AND AQUALLIANCE (Group 31)

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 6 December 2017, 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:

I certify that the foregoing is true and correct and that this document was executed on 11 December 2017.

Signature:



Name:

Bill Jennings

Title:

Executive Director, California Sportfishing Protection Alliance, Board Member of California Water Impact Network and representing AquAlliance

Party/Affiliation:

California Sportfishing Protection Alliance, California Water Impact Network and AquAlliance (Group 31)

Address:

3536 Rainier Ave., Stockton, CA 95204

STATEMENT OF SERVICE