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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 **PROTESTANT SAVE THE CALIFORNIA**  
19 **DELTA ALLIANCE'S SUBMISSION OF**  
20 **EVIDENCE PER DIRECTION OF HEARING**  
21 **OFFICERS AND NOTICE OF**  
22 **AVAILABILITY**

1 As per the direction of Hearing Officer Dudoc at the November 30, 2016, CWF hearing,  
2 Protestant Save the California Delta Alliance hereby submits an updated exhibit list and moves that  
3 all exhibits listed thereon be admitted into evidence. The updated exhibit list is attached hereto in  
4 pdf format and has been uploaded to the FTP site in excel format. The parties are notified that the  
5 exhibit list and exhibits listed thereon are available on Delta Alliance's FTP site.

6 Previous partial exhibit lists have been submitted piecemeal with the cross-examination of  
7 various witnesses and presentation of Delta Alliance's case in chief.

8 1) Delta Alliance has listed, and uploaded to the FTP site, three new exhibits: SCDA-60-62  
9 Errata. These are identical to previously submitted SCDA-60-62, except that the mislabeling of  
10 these exhibits has been corrected by striking out the mismatched bates stamp number and inserting  
11 the correct bates stamp number on each exhibit. For example, the exhibit identified on the Board's  
12 website as SCDA-60 currently bears a stamp on each page that says SCDA-57. This mislabeling has  
13 been corrected by showing "~~SCDA-57~~" in strikeout and inserting "SCDA-60 Errata" on each page  
14 of the exhibit.

15 2) Exhibit SCDA-63 has been added to the exhibit list and uploaded to the FTP site. It is the  
16 May 16, 2016, status report letter from DWR to SWRCB. It appears on the Board's website. This  
17 document was referred to, quoted, and addressed by the witness on Delta Alliance's cross-  
18 examination of Jennifer Pierre on July 29, 2016.<sup>1</sup>

19 2) Exhibit SCDA-64 has been added to the exhibit list and uploaded to the FTP site. SCDA-  
20 64 is the July 19, 2016, Declaration of Michael A. Brodsky that appears on the Board's website.  
21 This document and its attachments were referred to, quoted, and addressed by the witness on Delta  
22 Alliance's cross-examination of Jennifer Pierre on July 29, 2016.

23 Exhibit Antioch-216 has been added to the exhibit index. This document was referred to,  
24 quoted, and addressed by the witness on Delta Alliance's cross-examination of Maureen Sergent.

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<sup>1</sup> The Board's procedure of submitting exhibit indexes for cross-examination exhibits was not in place at the time Delta Alliance cross-examined Ms. Pierre.

1           3) Exhibit DWR-117 has been added to the exhibit index. This document was referred to,  
2 quoted, and addressed by the witness on Delta Alliance's cross-examination of Jennifer Pierre on  
3 July 29, 2016.

4           4) Exhibits SWRCB-21, 46, 49, and 104 have been added to the exhibit index. SWRCB-46  
5 and 104 are relied on in the written testimony of Michael A. Brodsky. SWRCB-21 is Water Rights  
6 Decision Number 1641 and has been used extensively by all parties (including Delta Alliance) on  
7 cross-examination. SWRCB-49 is the Delta Independent Science Board's review of CWF  
8 environmental documents. It was referred to, quoted, and addressed by the witness on Delta  
9 Alliance's cross-examination of Jennifer Pierre.

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11           Respectfully submitted,

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13           Michael A. Brodsky

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

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16           Dated: December 7, 2016  
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## Exhibit Identification Index

### California WaterFix Hearing California Department of Water Resources and U.S. Bureau of Reclamation

7-Dec-16

Save the California Delta Alliance submission of evidence

Exhibit Identification Number (e.g. DWR-1)	Exhibit Description	Status of Evidence (for Hearing Team use Only)		
		Introduced	Accepted	By Official Notice
SCDA-1	Aquatic Science Peer Review			
SCDA-2	8/19/2016 printout from Sacramento river flow			
SCDA-3	handmade graph			
SCDA-4	Sacramento River at Freeport flow			
SCDA-5	handmade graph			
SCDA-6	Panel Review by Jeffry Mount and Colleagues on BDCP			
SCDA-7	Challenges Facing the Sacramento San Joaquin River Delta			
SCDA-8	Delta Stewardship Council March 24, 2016, Agenda item 10			
SCDA-9	Delta Science Program flow materials			
SCDA-10	March 19, 2004 letter from SWRCB to USBR and CCWD			
SCDA-11	Excerpt from Discovery Bay newspaper re algae blooms			
SCDA12	aerial photograph Discovery Bay			
SCDA13	CDEC monitoring stations near Discovery Bay			
SCDA14	reserved			
SCDA15	reserved			
SCDA16	reserved			
SCDA17	D-1641 Compliance Stations			
SCDA18	EC Graph			
scda_19	Delta Stewardship Council Cases Decision			
scda_20	Delta Stewardship Council Cases Minute Order			
scda_22	Testimony of Janet McCleery			
scda_24	Testimony of Michael Guzzardo			
scda_25	Testimony of Frank Morgan			
scda_26	August 26, 2014, USEPA Letter re BDCP			
scda_27	DWR Your Questions Answered pamphlet re BDCP			
	reserved			
scda_29	July 28, 2004, SWRCB Letter to USBR and DWR re water quality			
scda_30	Stats. 2001, C.320			
scda_31	Climate Change and Water Security Cal. Energy Comm. Publication			
scda_32	Qualifications Erik Ringelberg			
scda_33	Testimony of Erik Ringelberg			
scda_34	October 30, 2015, USEPA Letter re CWF			
scda_35	Testimony of Tom Burke			
scda_36	Charts accompanying Burke testimony			
scda_37	Qualifications of Tom Burke			
scda_38	Opening Statement			
scda_40	Delta Alliance October 30, 2015, BDCP comments			
scda_41	Delta Alliance July, 29, 2014, BDCP comments			
scda_42	DWR Bulletin 118 California Groundwater			
scda_43	DWR California Water Plan 2005 Groundwater			
scda_44	Designing successful groundbanking publication by NHI			
scda_45	Central valley conjunctive management publication by NHI			
scda_46	Groundwater and Surface Water in S. Cal. publication by AGWA			
scda_47	Madera Irrigation District Water Supply Enhancement Project EIS			
scda_48	Testimony of Michael Brodsky			
scda_49	Statement of qualifications Michael Brodsky			
scda_50	Powerpoint for use with opening statemnt and Burke and Brodsky testimony			
scda_51	SCDA comments on BDCP MOU			
scda_52	NHI Study of Maximal Groundwater Banking			
scda_53	Madera Irrigation District Groundwater Banking ROD			
scda_54	Sacrament River Flood Control Fact Sheet			

scda_55	Groundwater Management in California			
scda_56	Burke chart Old River at Tracy Road			
scda_57	Map of monitoring stations ECD, RSL, OBI, MDM			
scda_58	Station OBI salinity graph from DWR CDEC			
scda_59	Station ECD salinity graph from DWR CDEC			
sscda_60	Testimony of Michael Brodsky--Revised 10/17/2016			
scda_61	Testimony of Frank Morgan--Revised 10/17/2016			
scda_62	Testimony of Janet McCleery--Revised 10/17/2016			
scda_60 errata	Testimony of Michael Brodsky--Revised 10/17/2016 Errata			
scda_61errata	Testimony of Frank Morgan--Revised 10/17/2016 Errata			
scda_62 errata	Testimony of Janet McCleery--Revised 10/17/2016 Errata			
scda_63	May 16, 2016 Status Report Letter from DWR to SWRCB			
scda_64	July 19, 2016 Declaration of Michael Brodsky and Exhibits A (Chapter 3, January 2016 Draft BA); B (DWR March 11, 2016, Response to SWRCB requirement to address information requests); C (Simstead, et al., Aquatic Science Peer Review).			
Antioch_216	CCD 2010 Historic Delta Salinity Conditions Report			
DWR_117	CWF Draft Adaptive Management Framework			
SWRCB_21	SWRCB Water Rights Decision No. 1641			
SWRCB_46	Delta Stewardship Council, The Delta Plan			
SWRCB_49	Independent Science Board (ISB) Reviewe of Environmental Documents for Calironia WaterFix, September 30, 2015			
SWRCB_104	Biologiical Assesment of the California WaterFix, July 2016 (Published August 2, 2016)			

## **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):

#### **PROTESTANT SAVE THE CALIFORNIA DELTA ALLIANCE'S SUBMISSION OF EVIDENCE PER DIRECTION OF HEARING OFFICERS AND NOTICE OF AVAILABILITY**

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 November 15, 2016, 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 December 7, 2016 at Discovery Bay, California.

Signature: \_\_\_\_\_

Name: Michael A. Brodsky

Title: Attorney

Party/Affiliation:

Save the California Delta Alliance, et al.

Address:

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