



September 15, 2016

Felicia Marcus, Chair and Co-Hearing Officer
Tam Doduc, Member and Co-Hearing Officer
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

VIA ELECTRONIC MAIL:
CWFhearing@waterboards.ca.gov

Re: California WaterFix Hearing – Procedural Proposals for Part 1-B

Dear Chair Marcus and Board Member Doduc:

On behalf of Sacramento County Water Agency (“SCWA”) and East Bay Municipal Utility District (“EBMUD”), we write to propose groupings and an order of parties for direct testimony in Part 1-B of the Hearing. This letter also proposes an order of parties for cross examination.

Joint Panel – Reverse Flows at Freeport Regional Water Project

SCWA and EBMUD intend to jointly present a panel of witnesses who will testify regarding the WaterFix Project’s impacts on reverse flows at the Freeport Regional Water Project. A single joint panel is the most efficient means to present this testimony because both our agencies benefit from the Freeport Project. We intend to present the following witnesses on this panel in the order below:

Eileen White (EBMUD)
Benjamin Bray (EBMUD)
Forrest Williams (SCWA)

Our witnesses’ testimony will build upon testimony provided by the Sacramento Valley Water Users (“SVWU”). For that reason, we believe this joint reverse flows panel should be presented immediately following the SVWU’s seven panels.

EBMUD-Only Panel – WaterFix Impacts to Mokelumne River Conveyance

In addition to EBMUD’s participation on the joint reverse flows panel, EBMUD has one remaining Part 1-B witness who will testify on a different topic. That witness, Xavier Irias, will testify on the WaterFix Project’s impacts to EBMUD’s Mokelumne Aqueducts and future Mokelumne Delta Tunnel. No other witnesses will testify on this subject matter, but EBMUD

believes the subject matter is fully distinct from the subject matter of the reverse flow panel and therefore should be separately presented. EBMUD proposes that, to the extent possible, the State Water Board use the same order for the parties' Part 1-B testimony as it used for Part 1-A cross-examination. In that case, Mr. Irias's testimony would be heard in Group No. 15.

Other SCWA Witnesses

In addition to SCWA's participation on the joint reverse flows panel, SCWA will present additional Part 1-B witnesses on the panels testifying on behalf of the American River Water Agencies. Please refer to the SVWU's September 15, 2016 letter for the proposed grouping and ordering of the American River Water Agencies' proposed panels.

Order of Cross-Examination

SCWA and EBMUD propose that the State Water Board retain the same order of cross-examination as it used during Part 1-A of the Hearing. To the extent that SCWA and EBMUD conduct cross-examination of other parties' Part 1-B witnesses, our two agencies will coordinate cross-examination to the greatest extent possible on issues of joint concern. While efforts will be made to avoid duplicative questioning, SCWA and EBMUD retain their rights to each conduct one-hour of cross-examination as to each witness panel.

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We appreciate your consideration of our proposals.

Very truly yours,

EAST BAY MUNICIPAL UTILITY DISTRICT



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