

PLACER COUNTY WATER AGENCY
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August 30, 2016

Via Email

Co-Hearing Chair Tam Doduc
Co-Hearing Officer Felicia Marcus
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814-2828

SUBJECT: WaterFix Procedural Question

Dear Co-Hearing Officers Doduc and Marcus:

On March 4, 2016, the State Water Resources Control Board (SWRCB) issued a ruling revising the hearing schedule, and "strongly suggested" Petitioners California Department of Water Resources (DWR) and the United States Bureau of Reclamation (USBR):

include proposed permit terms as part of their exhibits. To the extent that petitioners propose permit terms designed to protect other legal users from injury, it would be more efficient if other parties have the opportunity to address the adequacy [of] those terms in their cases in chief, as opposed to waiting for rebuttal.

Notwithstanding the language in the March 4, 2016, ruling, neither DWR nor the USBR submitted proposed permit terms. As such, protestants have no proposed permit terms to address in their cases in chief.

Placer County Water Agency, along with other purveyors in the American River watershed, have been working diligently on a proposal that provides for storage carryover in Folsom reservoir, along with modified flows in the Lower American River that, if imposed on any WaterFix approval, could resolve protests by many of the protestants in the watershed. Given DWR and the USBR's failure to submit proposed permit terms, our intent is to submit that complete package, including the technical justification for the aforementioned measures, as part of our rebuttal submittal in Part 1b of the WaterFix proceedings. The purpose of this letter is to request confirmation

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that submitting a proposed protest dismissal package during rebuttal is appropriate and that the proposal need not be submitted by the noon, September 1, 2016, deadline. Given the short time frames involved, we would appreciate a response by 12:00 p.m. (noon), Wednesday, August 31, 2016.

Sincerely,

PLACER COUNTY WATER AGENCY



Daniel Kelly
Staff Counsel

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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):

CORRESPONDENCE TO STATE WATER RESOURCES CONTROL BOARD, DATED
AUGUST 30, 2016

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 August 25, 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:

I certify that the foregoing is true and correct and that this document was executed on August 30, 2016.

Signature: 
Name: Michelle Bracha
Title: Legal Secretary
Party/Affiliation: City of Stockton
Address: 500 Capitol Mall, Suite 1000
Sacramento, CA 95814