

Suzanne Womack  
Clifton Court, L.P.  
3619 Land Park Drive  
Sacramento, CA 95818

August 20, 2018

Hearing Officer Tam Doduc and Co-Hearing Officer Felicia Marcus  
State Water Resources Control Board  
1001 I St  
Sacramento, CA 95814

Re: Joinder in Motion for Reconsideration of Hearing Ruling Vacating Notice Calling Tim Wehling

Dear Hearing Officers:

Clifton Court Forebay hereby joins in and incorporates as if set forth in full the motion by California Water Research / Deirdre Des Jardins for Reconsideration of the Hearing Ruling Vacating the Notice Calling Tim Wehling, Chief of the Dams and Canals Section of the Geotechnical and Engineering Service Branch of the Department of Water Resources.

The August 14, 2018 hearing ruling states on page 2:

Clifton Court, L.P., reiterates in its filing concerns about ongoing seepage, levee scouring, and other alleged damages to its land from operations at Clifton Court Forebay. In our ruling letter of February 21, 2017, we recognized that evidence of past construction and economic impacts may be relevant to demonstrate that similar impacts could occur related to the expanded Clifton Court Forebay. Clifton Court had the opportunity to submit evidence on the issue of seepage both during Part 1 and Part 2 of this proceeding.

Clifton Court Forebay did submit testimony on economic impacts from seepage in Clifton Court Forebay's Case in Chief in Part 1. However, Clifton Court Forebay had no opportunity to address the adequacy of DWR's hazard evaluation for seepage at Clifton Court Forebay in either Part 1 or Part 2 Case in Chief. Clifton Court Forebay received no notice that engineers from DWR's Dams and Canals Section were going to visit Clifton Court Forebay in May of 2017 to evaluate our report of seepage to William Croyle, the acting director of DWR. Nor did the engineers ever contact us about our report. We did not receive the memo evaluating the seepage, written on May 26, 2017, from the Department of Water Resources until January of 2018. This was after we had submitted our Case in Chief for Part 2.

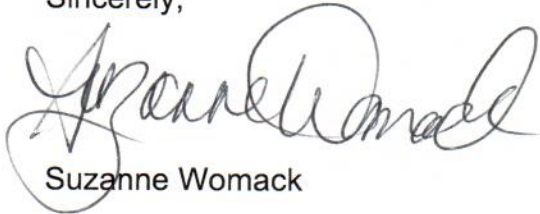
The August 14, 2018 hearing ruling continues on p. 2:

Clifton Court has not, however, identified how the project as amended in the EIR supplement might alter the seepage issues in a manner that Clifton Court has not already had the opportunity to address and about which Mr. Wehling could testify based on his knowledge.

It is clear from the memo by DWR's Dams and Canals Section engineers to Mr. Wehling that Mr. Wehling has important information about DWR's evaluation of the seepage at Clifton Court Forebay. This evaluation could impact whether DWR would consider that seepage is a potential root cause of failure for Clifton Court Forebay, and would remediate the foundations of the embankments.

For these reasons, we request reconsideration of the August 14, 2018.

Sincerely,

A handwritten signature in cursive script, appearing to read "Suzanne Womack". The signature is written in black ink and is positioned above the printed name.

Suzanne Womack

**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):

**CCLP JOINDER IN MOTION FOR RECONSIDERATION OF HEARING  
RULING VACATING NOTICE CALLING TIM WEHLING**

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 14, 2018, 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):

*Note: In the event that any emails to any parties on the Current Service List are undeliverable, you must attempt to effectuate service using another method of service, if necessary, and submit another statement of service that describes any changes to the date and method of service for those parties.*

**For Petitioners Only:**

I caused a true and correct **hard copy** of the document(s) to be served by the following method of service to Suzanne Womack & Sheldon Moore, Clifton Court, L.P., 3619 Land Park Drive, Sacramento, CA 95818:

**Method of Service:** N/A

I certify that the foregoing is true and correct and that this document was executed on 8-20-2018  
Date

Signature: 

Name: Suzanne Womack

Title: General Partner

Party/Affiliation: Clifton Court, L.P.

Address: 3619 Land Park Drive  
Sacramento, CA 95818