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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
WATERFIX

RESPONSE TO DEPARTMENT OF WATER
RESOURCES OPPOSITION TO SNUG HARBOR
RESORTS, LLC'S MOTION FOR ADMISSION INTO
EVIDENCE OF EXHIBITS, PART 2 REBUTTAL, AND
REQUEST FOR CONFIRMATION OF ALL SHR
EXHIBITS ADMITTED INTO EVIDENCE FOR PART 1
AND PART 2 OF WATERFIX HEARING

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10 This letter is written in response to DWR opposition to and request to strike SHR evidence
11 from the record. I request that SHR-717, SHR-718 and SHR-719 remain as accepted evidence
12 items as currently listed at
13 https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/snug_harbor_resorts.html
14

15 The exhibits SHR-717, SHR-718 and SHR-719 that DWR now wants to have stricken
16 supports my SHR-701-Revised-2 testimony that was not stricken, and it has not been necessary
17 for all evidence to be cited in verbal testimony during. SHR-717 is a graphic prepared by me,
18 with link references to the locations where an interested party could find the conflicts of water
19 flow conversion tables I brought up in my testimony. It was brought up on the screen during my
20 testimony and was also referred to during cross examination. I am simply asking that SWRCB
21 require conformity of conversion factors or tables when anyone presents information on flows
22 and diversions to SWRCB. If the SWRCB conversion formula to convert gallons to acre feet is
23 correct, use that conversion formula only for all modeling baseline and flow export reports. If
24 DWR formula is correct, then SWRCB should revise the online reporting site all water diverters
25 use for annual reports. I had brought the conflict of conversion factors to the attention of DWR
26 computer modeling staff in early 2014 and DWR ignored the issue. The original comparison
27 poster and data was from 2014 and has been available online since January 2014. However, I
28 updated that chart to include the most current CalSim conversion chart (III) published by DWR.
29 The purpose of submission of that CalSim III update report is simply to show the conversion
30 formula DWR modelers continue to use for DWR CalSim modeling. I made no representation
31 that it is the version of computer model being used for the current hearing.

32 Submission of SHR-718 and SHR-719 are submitted to support the mitigation measures
33 suggest that SWRCB should require consistency in conversion factors, and require that flow

1 monitoring stations in the Bay-Delta have surface flow monitors and also bottom or near-bottom
2 water quality and flow measurements. I am not an expert in either subject, but am an observant
3 citizen daily impacted by the physical flows, or lack thereof, in the Delta. I submitted SHR-718
4 and SHR-719 as examples of what the experts or authors in the respective fields say regarding
5 monitoring flow, water quality and formulas for reporting diversions in acre feet that are diverted
6 using gallon meters or estimates.

7 No new information is in DWR's motion to strike that should change normal procedures
8 with respect to exhibits. I therefore request that SWRCB rule that SHR-717, SHR-718 and SHR-
9 719 continue to be admitted into evidence.

10 I also request that the WaterFix exhibit list reflect the other exhibits that were previously
11 submitted into evidence at the conclusion of the Part 1, and also evidence for part 2 requested to
12 be admitted into evidence. These are evidence submissions which were not objected to by
13 Petitioners and were not withdrawn by SHR, but appear to not have SWRCB ruling associated
14 with the evidence, nor admission date. This request for submission into evidence includes the
15 evidence items as listed on the SWRCB as it shows online this morning at 9:30 A.M. Pacific
16 time, indicating there are many evidence items submitted previously into evidence and/or
17 referred to during testimony and questioning of other witnesses in this hearing, and it is not clear
18 that the testimony was admitted into evidence by SWRCB. More specifically, I request that the
19 following evidence be admitted into the record, if not already, and request that either way
20 SWRCB reflect a ruling on the WATERFIX Exhibits table for SHR all items as listed below,
21 since no SWRCB ruling regarding these items show online currently: SHR-5, SHR-6, SHR-6f,
22 SHR 6-2, SHR-6-5, SHR-6-7, SHR-7, SHR-7largeposter, SHR-10, SHR-11, SHR-13, SHR-
23 13large, SHR-16, SHR-20, SHR-22, SHR-23, SHR-23b, SHR-31, SHR-31f, SHR-32, SHR-34,
24 SHR-35, SHR-40, SHR-42, SHR-43, SHR-50, SHR-66, SHR-75, SHR-76, SHR-80, SHr-81,
25 SHR-82, SHR-83, SHR-84, SHR-101, SHR-105, SHR-106, SHR-107, SHR-212, SHR-212a,
26 SHR-213, SHR-214, SHR-217, SHR-220, SHR-221, SHR-222, SHR-223, SHR-252, SHR-253,
27 SHR-255, SHR-256, SHR-319, SHR-351, SHR-352, SHR-381, SHR-386, SHR-388, SHR-389,
28 SHR-390, SHR-392, SHR-394, SHR-398, SHR-400, SHR-404, SHR-406, SHR-500, SHR-359,
29 SHR-360, SHR-362, SHR-363, SHR-364, SHR-365, SHR-367, SHR-368, SHR-369, SHR-370,
30 SHR-407, SHR-502 Staff Revised, SHR-363-Errata, SHR-363-2, SHR-2-1, SHR-2-11 errata2,
31 SHR-2-17, SHR-2-21-F, SHR-2-26, SHR-2-102, SHR-2-103, SHR-2-104, SHR-2-105, SHR-2-
32 109, SHR-2-113, SHR-2-115, SHR-2-211, SHR-2-211R, SHR-2-212, SHR-2-215, SHR-2-219,
33 SHR-2-219-s, SHR-2-219-3, SHR-2-219-4, SHR-2-219-5, SHR-2-220, SHR-2-222, SHR-2-224,
34 SHR-2-231, SHR-2-233-1, SHR-2-234, SHR-2-242, SHR-2-245, SHR-2-247, SHR-2-249-errata,
35 SHR-2-251-errata, SHR-2-252, SHR-2-253, SHR-2-254, SHR-2-255, SHR-2-256, SHR-2-257,
36 SHR-2-258, SHR-2-261, SHR-2-262, SHR-2-263, SHR-2-263-errata, SHR-2-264-errata, SHR-
37 253, SHR-707

38 Continued next page:

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1 Respectfully submitted on August 30, 2018, at approximately 10:45 am.

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