Via Electronic Mail
Hearing Chair Tam Doduc
Co-Hearing Chair Felicia Marcus
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
CWFhearing@waterboards.ca.gov

Re: Renewed Request to Defer Setting of Briefing Schedule

Dear Hearing Officers Doduc and Marcus:

Last week's headline news from the Los Angeles Times that leading gubernatorial candidate Gavin Newsom does not intend to support the California WaterFix as proposed by petitioners further supports requests made by numerous protesters that the Hearing Officers defer setting any briefing schedule on the Petition for Change (Change Petition) until after the Final Environmental Impact Report/Environmental Impact Study is certified. (See http://www.latimes.com/politics/la-pol-sac-skelton-john-cox-gavin-newsom-california-governor-debate-20181011-story.html in which Mr. Newsom stated his preference for a “single tunnel.” “Mark my word,” Newsom said, “If I’m [elected], this is going to be on my front burner from Day 1. I’m going to come in with a fresh set of ideas on both projects.”)

With Mr. Newsom’s statement, both the Democratic and Republican gubernatorial candidates have now stated their opposition to a twin tunnels project. As such, it appears inevitable that there will need to be a Part 3 to this hearing, or an entirely new hearing based on a revised petition, to address what now appear certain to be significant changes to the project as compared to the pending Change Petition. To order briefing on the record currently before the State Water Resources Control Board (State Water Board) is likely to result in an enormous waste of public resources, including those of protesters and the State Water Board.
Based upon the foregoing, Sacramento County and Sacramento County Water Agency respectfully reiterate their October 2, 2018 request that no briefing schedule be set at this time.

Sincerely,
SOMACH SIMMONS & DUNN

Kelley M. Taber
Counsel to Protestants County of Sacramento and Sacramento County Water Agency

cc: CWF Service List (Via Electronic Mail)
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):

County of Sacramento and Sacramento County Water Agency’s Renewed Request to Defer Setting of Briefing Schedule, dated October 17, 2018
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 September 24, 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:

I certify that the foregoing is true and correct and that this document was executed on October 17, 2018.

Signature: [Signature]
Name: Michelle Bracha
Title: Legal Secretary
Party/Affiliation: County of Sacramento/Sacramento County Water Agency
Address: 500 Capitol Mall, Suite 1000
Sacramento, CA 95814

STATEMENT OF SERVICE