

1 KRISTEN T. CASTAÑOS (SB #198672)  
2 [kristen.castanos@stoel.com](mailto:kristen.castanos@stoel.com)  
3 WESLEY A. MILIBAND (SB #241283)  
4 [wes.miliband@stoel.com](mailto:wes.miliband@stoel.com)  
5 ERIC R. SKANCHY (SB #303759)  
6 [eric.skanchy@stoel.com](mailto:eric.skanchy@stoel.com)  
7 STOEL RIVES LLP  
8 500 Capitol Mall, Suite 1600  
9 Sacramento, CA 95814  
10 Telephone: 916.447.0700  
11 Facsimile: 916.447.4781

12 Attorneys for Protestant  
13 City of Sacramento

14 BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD  
15  
16 IN THE MATTER OF

17 CALIFORNIA DEPARTMENT OF WATER  
18 RESOURCES AND UNITED STATES  
19 BUREAU OF RECLAMATION FOR A  
20 PETITION FOR CHANGE FOR  
21 CALIFORNIA WATERFIX

22 TESTIMONY OF JAMES PEIFER FOR  
23 PART 1 REBUTTAL (EXHIBIT CITY  
24 SAC - 35)

25 I, James Peifer, do hereby declare:

26 **INTRODUCTION**

27 1. Separate and apart from my testimony submitted through Exhibit CitySac-1 and  
28 orally during Part 1B of this proceeding, I submit this testimony to support the rebuttal testimony  
offered by Tom Gohring, P.E., Executive Director of the Water Forum, particularly as to the  
Modified Flow Management Standard (“Modified FMS”).

1 The City of Sacramento has invested in and supports the Modified FMS given its  
ability to support regional water supply reliability and environmental habitat.

2 As testified by Mr. Gohring, in 2014 the City of Sacramento installed emergency  
pumps at its American River diversion because its permanent pumps were at risk of cavitating  
due to the potential of Nimbus Dam releases below the minimum design criteria of 500 cubic feet  
per second and a corresponding reduction of river elevation.

1           4.       Not only do such conditions threaten the City of Sacramento’s ability to exercise  
2 its water rights by diverting water, such conditions, as stated by Mr. Gohring, could have been  
3 lethal for steelhead and fall-run Chinook salmon juveniles.

4           5.       Accordingly, the City of Sacramento supports the Water Forum and Mr. Gohring’s  
5 testimony in this proceeding for the Modified FMS as a solution, or at minimum part of a  
6 solution, to adverse impacts to legal users of water in the Sacramento region, including the City  
7 of Sacramento, that may result from the Petition for Change for the California WaterFix.

8           6.       Ultimately, to protect the City of Sacramento, as a legal user of water, from injury  
9 resulting from implementation of the CWF, the Petition for Change for the California WaterFix  
10 should be denied, or if approved, only be approved with conditions that protect regional water  
11 supply reliability and prevent future injury to City of Sacramento, such as the Modified FMS.

12 Executed on this 23rd day of March, 2017 in Sacramento, California



James Peifer, P.E.

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**NOTICE OF AVAILABILITY**  
**and**  
**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):

**TESTIMONY OF JAMES PEIFER FOR PART 1 REBUTTAL (EXHIBIT  
CITYSAC-35)**

This Notice of Availability and Statement of Service was served **by Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service List** for the California WaterFix Petition Hearing, dated March 21, 2017, 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):

I certify that the foregoing is true and correct and that this document was executed on March 23, 2017.

Signature: Marilyn Sykes  
Name: Marilyn Sykes  
Title: Legal Assistant  
Party/Affiliation: CITY OF SACRAMENTO  
Address: 500 Capitol Mall, Suite 1600  
Sacramento, CA 95814