From: sunshine@snugharbor.net

**Sent:** Monday, August 22, 2016 1:28 PM

**To:** CWFhearing

**Cc:** abl@bkslawfirm.com; aferguson@somachlaw.com; ahitchings@somachlaw.com;

amy.aufdemberge@sol.doi.gov; apeltzer@prlawcorp.com; awearn@nrdc.org; barbara@restorethedelta.org; barbarav@aqualliance.net; barry@solagra.com;

bdalymsn@citlink.net; bjohnson@tu.org; blancapaloma@msn.com; bobker@bay.org; bradpappa@gmail.com; brettgbaker@gmail.com; bwright@friendsoftheriver.org; Wilcox,

Carl@Wildlife; caroleekrieger7@gmail.com; colin@ejcw.org; connere@gmail.com;

CWFhearing; daladjem@downeybrand.com; daniel@kaydix.com;

dcooper@minasianlaw.com; dcoty@bpmnj.com; ddj@cah2oresearch.com; dean@hprlaw.net; deltaactioncommittee@gmail.com; deltakeep@me.com;

dkelly@pcwa.net; dobegi@nrdc.org; dohanlon@kmtg.com;

dorth@davidorthconsulting.com; empappa@gmail.com; evielma@cafecoop.org; fetherid@ebmud.com; fmorrissey@orangecoveid.org; friendsofsfestuary@gmail.com;

gadams@fclaw.com; info@californiadelta.org; Mizell, James@DWR; jailin@awattorneys.com; jtb@bkslawfirm.com; jconway@rd800.org;

jfox@awattorneys.com; jennifer@spalettalaw.com; Herrick, John @aol.com; Minton, Jonas;

john.luebberke@stocktonca.gov; Rubin, Jon@sldmwa.org; jph@tulareid.org; jrobinson@cityofsacramento.org; jsagwomack@gmail.com; jsalmon@ebmud.com; jvolker@volkerlaw.com; kelweg1@aol.com; kharrigfeld@herumcrabtree.com;

kobrien@downeybrand.com; kpoole@nrdc.org; ktaber@somachlaw.com;

kyle.jones@sierraclub.org

Subject: SHR-103 California WATERFIX Hearing from Snug Harbor Resorts, LLC

**Attachments:** SHR-103.pdf; shr-103servicestatement.pdf

Attached please find the document introduced by SHR for cross-examination of the Operations panel, labeled SHR-103. Due to the size of documents, there will be four emails today from me, each one containing different attachments. This is the second document. Half of the list serve is sent at a time. This email serves emails A through K.

NICOLE S. SUARD, Esq. Managing Member, Snug Harbor Resorts, LLC physical address: 3356 Snug Harbor Drive Walnut Grove, CA 95690

Mail address for Nicole S. Suard, Esq 1155 Trancas St. Napa, CA 94558

email: sunshine@snugharbor.net

Phone for messages and fax: 707-253-8232

### 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):

[SHR-103 Slide set of questions for Part 1, Operations Questions]

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 8-8-2016, posted by the State Water Resources Control Board on 8-16-2016 at

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.

Petitioners Only:
I caused a true and correct <b>hard copy</b> 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:

Date

I certify that the foregoing is true and correct and that this document was executed on 8-22-2016

Signature:

Name: Nicole S. Suard, Esq.

Title: Managing Member

Party/Affiliation: Address: Snug Harbor Resorts, LLC 3356 Snug Harbor Drive (Ryer Island, Solano County)

Walnut Grove, CA 95690

916-775-1455 FAX 707-253-8232

# **Operations Questions**

Slideset3
Real time operations now and if WF
was built

Before we can understand how the WaterFix system may operate in the Delta, we have to understand how the Delta flow is being managed now, on a day-to-day basis.

Topic 1: The big picture: How are flow managed above and into the Delta now And what would change?

Topic 2: North Delta flows: How are flows managed now and what would change?

Topic 3: Steamboat & Sutter Slough: How flows have been managed compared to what would change

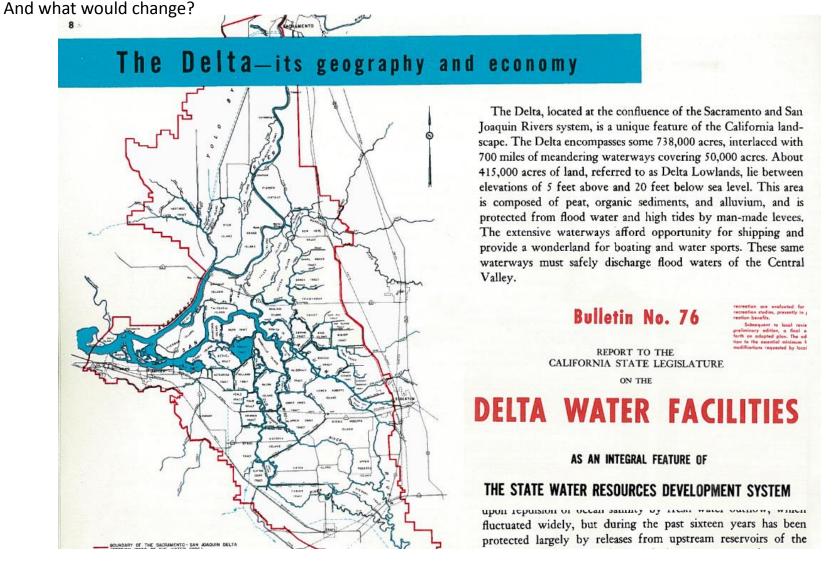
Statements by witnesses: Ronald Milligan (DOI) and (DWR)

\*Operates in real time, which is different than modeling, analyzing or critiquing Under different operations scenarios or flows

<sup>\*</sup> operates in real time to manage day to day operations

<sup>\*</sup>Has responsibility to manage flows to meet requirements ... to protect water rights

Topic 1: The big picture: How are flow managed above and into the Delta now



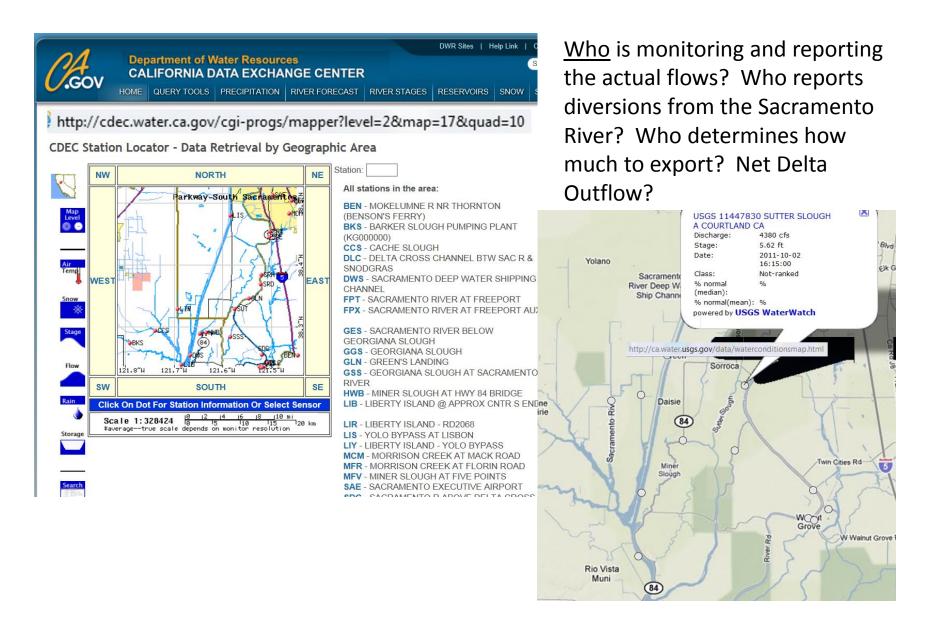
http://snugharbor.net/images-2014/bdcp/flows/1960Bulletin No. 76 Delta Water Facilities-Color.pdf

# Statement on overall CVP/SWP operations: screen print of part of Ronald Milligan testimony representing DOI

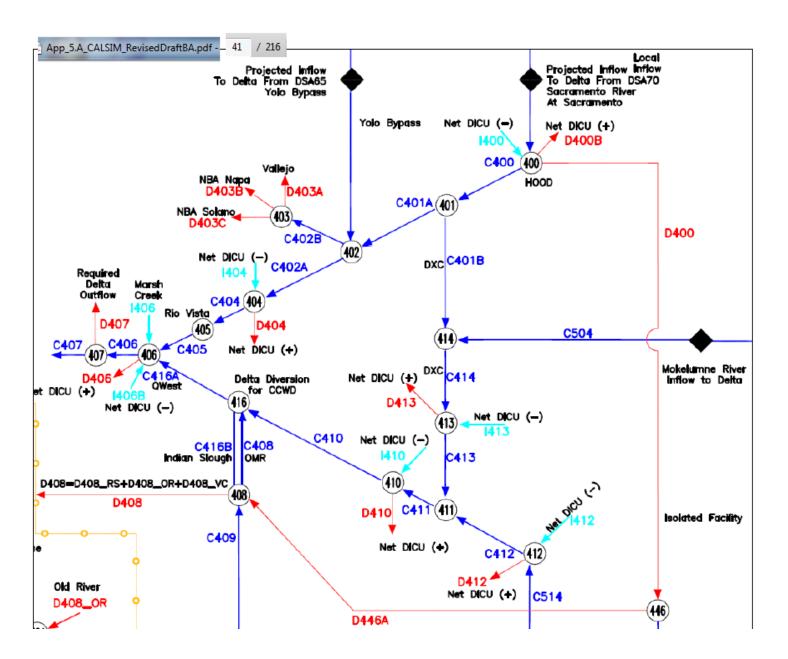
As chief operator of the CVP, it is my responsibility to consider federal and state laws, and other obligations and policies which govern operations. The CVP is the largest Federal Reclamation project and was originally authorized by the Rivers and Harbors Act of 1935. The Central Valley Project was reauthorized by the Rivers and Harbors Act of 1937 for the purposes of "improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for construction under the provisions of the Federal Reclamation Laws of such distribution systems as the Secretary of the Interior (Secretary) deems necessary in connection with lands for which said stored waters are to be delivered, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings and in order to permit the full utilization of the works constructed." This Act provided that the dams and reservoirs of the Central Valley Project "shall be used, first, for river regulation, improvement of navigation and flood control; second, for irrigation and domestic uses; and, third, for power."

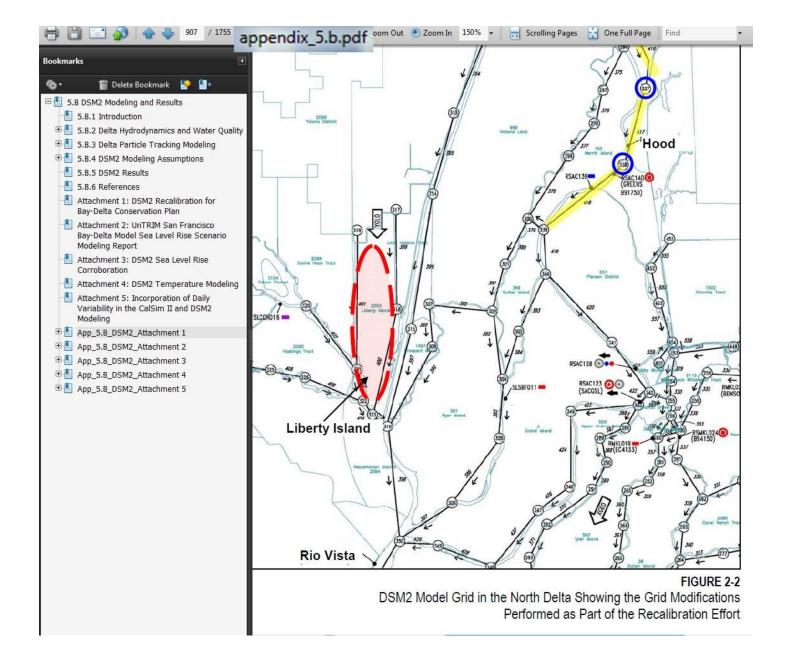
The Central Valley Project was reauthorized in 1992 through the Central Valley Project Improvement Act (CVPIA). The CVPIA modified the 1937 Act and added mitigation, protection, and restoration of fish and wildlife as a project purpose. Further, the CVPIA specified that the dams and reservoirs of the Central Valley Project should now be used "first, for river regulation, improvement of navigation, and flood control; second, for irrigation and domestic uses and fish and wildlife mitigation, protection and restoration purposes; and, third, for power

and fish and wildlife enhancement." CVPIA includes authorization for actions to benefit fish and wildlife intended to implementable purposes of that Title. N.



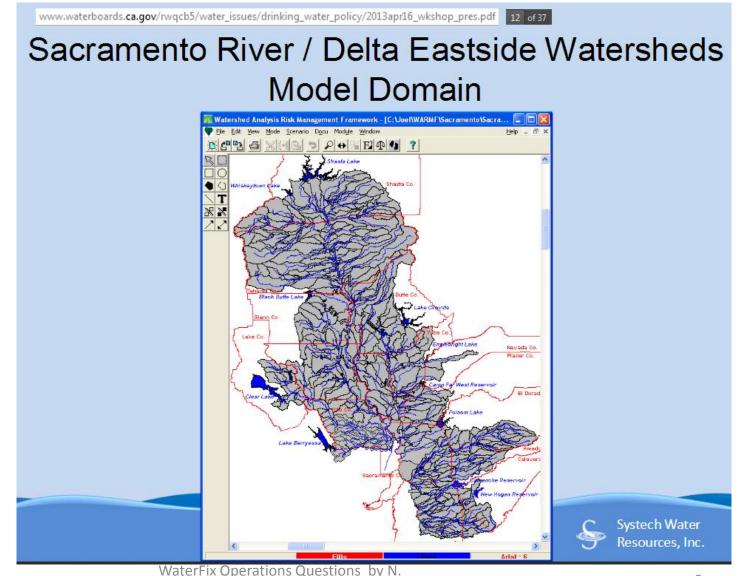
# Delta monitoring gage stations and online reporting





Topic 2: North Delta flows: How are flows managed now and what would change?

\*Are flows currently managed, and will they be managed, in such a way as to assure that drinking water quality
For the Delta area is met? http://www.waterboards.ca.gov/rwqcb5/water\_issues/drinking\_water\_policy/



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SWP to continue to operate within the permit terms.

The unstored flow in the Sacramento-San Joaquin River watersheds including the Delta varies significantly from year to year and season to season. For the purposes of my testimony, "unstored flow" is flow in the system that would occur independent of the storage regulating operations of the Project reservoirs. "Unregulated flow" is unstored flow entering the valley downstream of the major Project reservoirs, independent of flow released from the SWP/CVP reservoirs. Typically, in the winter and early spring period unregulated flows plus SWP/CVP reservoir releases are in excess of all system needs. This condition is referred to as "excess" conditions. In late spring, summer, and fall, unregulated flows plus SWP/CVP reservoir releases are almost always insufficient to meet all system needs and the SWP/CVP are required to actively manage the system. This condition is referred to as "balanced."

#### A. EXCESS CONDITIONS

During excess conditions unregulated runoff plus SWP/CVP reservoir releases are in excess of that needed to meet In-Basin Requirements. During excess conditions, if unused conservation space exists, the SWP diverts surplus runoff from rain and melting

updated in 1995 and revised in 2006.

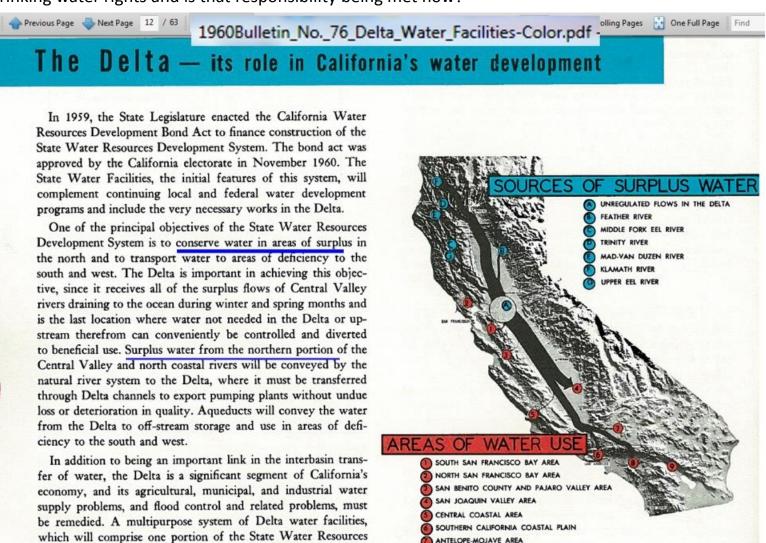
<sup>&</sup>lt;sup>5</sup> Settlement contractors are senior water right holders who have entered into agreements with DWR and Reclamation to manage delivery of water under their water rights.

• What is the difference between "surplus" flows and "excess " flows?

Development System, is the most economical means of transfer-

ring water and solving Delta problems.

 Does operations for "in-Basin Requirements" include recharge to drinking water aquifer to protect drinking water rights and is that responsibility being met now?

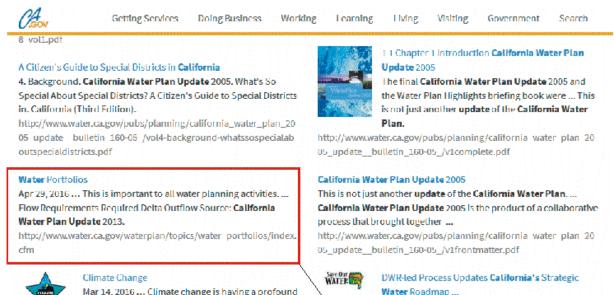


COASTAL SAN DIEGO AREA

WHITEWATER-COACHELLA AREA

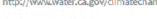
Who decides how much "surplus" or "excess" flow is available for export from the Delta? Who provides the actual flow and Export data to modelers and also the persons who report to the legislature, scientists and the public?

For example, California updates its water plan every few years, based on actual and projected flows and resulting Exports, so who provides the data for the reports? (screen print below from 8-14-16 search at <a href="http://ca.gov">http://ca.gov</a>



Mar 14, 2016 ... Climate change is having a profound Impact on California water ... The 2013 **California** 

Water Plan Update includes multiple scenarios of Tuture ... http://www.water.ca.gov/climatechange/





The California Water Boards completed the process

to update their Strategic Plan in September 2008. A series of forums were conducted to receive Input from ...

http://www.swrcb.ca.gov/water\_issues/hot\_topics/strategic\_plan/2 007update.shtml

#### Water Portfolios

Apr 29, 2016 ... This is important to all water planning activities. ... Flow Requirements Required Delta Outflow Source: California Water Plan Update 2013.

http://www.water.ca.gov/waterplan/topics/water\_portfolios/index.cfm

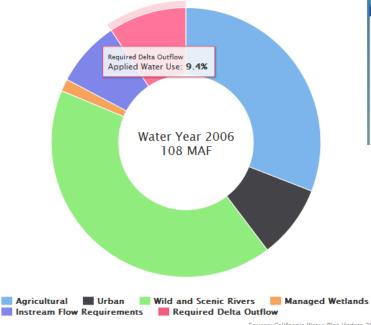


www.water.ca.gov/waterplan/topics/water\_portfolios/index.cfm

Wet Year (2006) Average Year (2010) Dry Year (2007) 2002-2010 Average

#### Water Year 2006

Water Year 2006 was a wet year. A total of 108 million-acre-feet (MAF) of water was used in the state. Hover chart to see the percentage used in each sector.



Source: California Water Plan Update 2013

#### Water Use by Hydrologic Region

California has a variety of climates and landforms. The amount and variability of precipitation can change dramatically across California, such that statewide average information does not truly depict regional conditions Each region has unique challenges in meeting agricultural, urban, and environmental water uses from year to year with available supplies. Water use data for each hydrologic region is included in Update 2013 Volume 2, Regional Reports. For detailed groundwater use data, see California's Groundwater Update 2013.

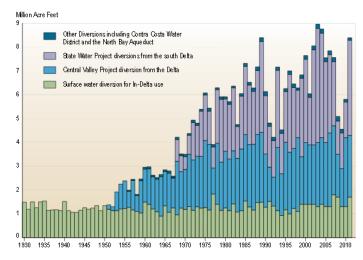
#### Additional Information

For more detailed information about water portfolios, go to Update 2013 Volume 5, Technical Guide. You can also email your questions to cwpcom@water.ca.gov.



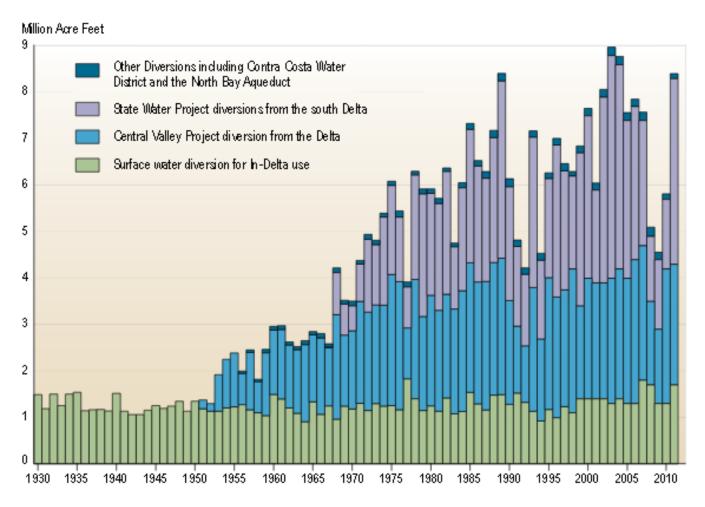


Figure D-6 Historical Diversions from within the Delta



Note: Data from 1930-1997 comes from the Delta Vision Blue Ribbon Task Force 2008 Final Report and data from 1998-2010 comes from DWR water portfolio and dayflow numbers.

## Figure D-6 Historical Diversions from within the Delta



Note: Data from 1930-1997 comes from the *Deta Vision Blue Ribbon Task Force 2008 Final Report* and data from 1998-2010 comes from DWR water portfolio and dayflow numbers.

Below is a screen print\* from the "Delta Water Balance Estimate" in thousands of acre feet, from the final version of the California Water Plan Update 2013 showing how much Sacramento River Inflow, outflow and the EXPORTS to State Water Project and Central Valley Project. Are these the flow numbers used to determine "Net Delta Outflow Index"?

Also note CCWD diversions are included in Delta Consumptive use and also listed as a separate category, indicating double-counting of same export #.

http://www.waterplan.water.ca.gov/docs/cwpu2013/ae/water\_portfolio-inflow\_outflow\_delta.pdf

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Sacramento River Inflow	29015	21770	18360	10517	13104	18304	17129	16747	28039	11010	9557	9867	12777
Yolo Bypass Inflow	8996	1635	2961	366	708	1122	3121	707	13034	248	417	317	659
Eastside Tributaries Inflow	2096	1399	1078	372	462	534	445	1173	9679	1979	n	1231	2461
San Joaquin River Inflow	8456	3568	2846	1732	1396	1365	1373	3777	7341	1596	1234	865	1829
North Bay Aqueduct Exports	39	37	47	45	47	42	52	48	43	61	55	46	43
Contra Costa Water District Diversions at Rock Slough and Old River	160	133	126	104	121	138	120	119	116	112	135	107	94
State Water Project Exports at Banks Pumping Plant or Clifton Court Intake	2134	2439	3692	2635	2900	3458	3251	3625	3527	2954	1527	1636	2496
Central Valley Project Exports at Tracy	2474	2262	2487	2332	2505	2685	2722	2679	2628	2679	2018	1884	2141
Delta Consumptive Use <sup>2</sup>	1691	1691	1693	1691	1691	1691	1693	1691	1691	1691	1693	1691	1666
Delta Precipitation <sup>2</sup>	1423	734	956	764	758	739	753	1089	1059	477	600	662	789
Delta Outflow	43487	22542	18155	6944	9163	14050	14922	15403	43805	6216	1529	6713	2461

<sup>1</sup> Data from DAYFLOW Program; NOTE: includes DAYFLOW corrections through 01-07-2004 (http://iep.water.ca.gov/dayflow)

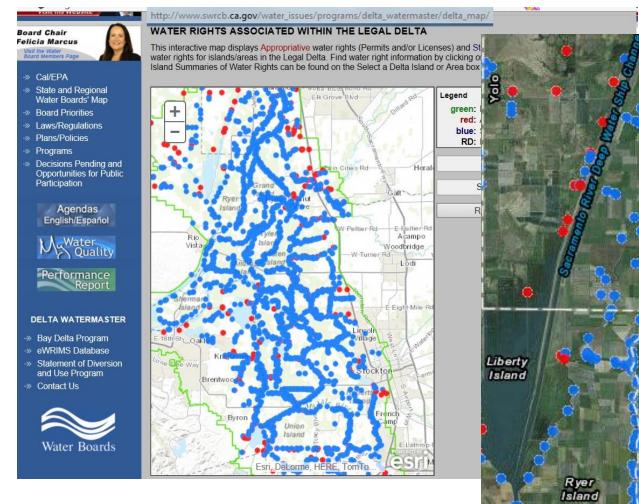
http://squgharbor.net/squges-2014/bdcp/flows/unaccounted diversi

In none of those years do we see 8.5 million acre feet of export or diversion from the Sacramento River, so how can DWR/USBR claim there is no change to QUANTITY of diversion from the Sacramento River?

YEAR	total inflows	EXPORTS	DELTA OUTFLOW	Unaccounted for flow
			reported	
2010	18515	6397	2461	9657
2009	12942	5364	6713	865
2008	11808	5428	1529	4851
2007	15310	7497	6216	1597
2006	59152	8005	43805	7342
2000	23433	6102	10405	-72
2004	22821	7838	14922	61
2003	22064	8014	14050	0
2002	16428	7264	9163	1
2001	13706	6807	6944	-45
2000	26201	8045	18156	0
1999	29106	6562	22542	2
1998	49986	6498	43487	1

ita and references compiled by N. Suard, Esq. For use by Delta landowners 2/2014

<sup>2</sup> Content Required by Water Code Section 10004.6



How many acre feet is allowed to be appropriated Or diverted (and from where) from the Delta by

\*USBR?

\*DWR?

http://www.waterboards.ca.gov/water\_issues/ programs/delta\_watermaster/delta\_map/ Clarksburg

Merritt

Island

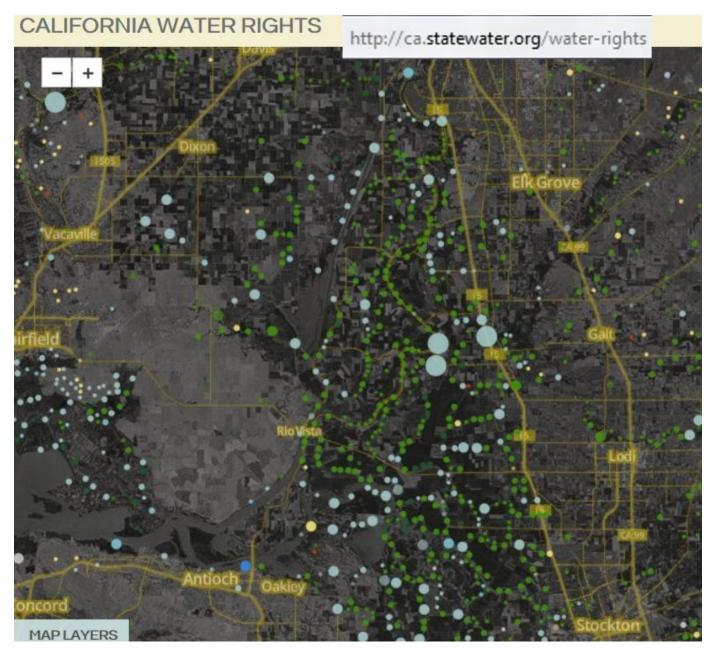
Courtland

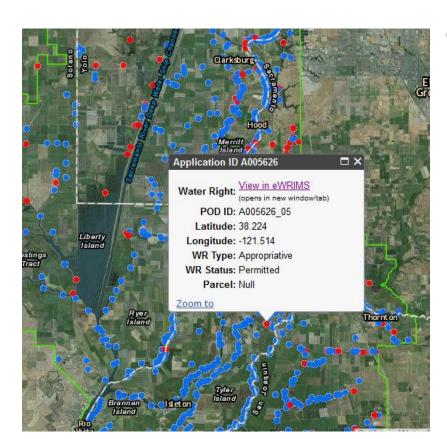
Grand

Island

Tyler Island Walnut

Grove





https://ciwqs.waterboards.ca.gov/ciwqs/ewrims\_online\_reporting/permitPrint.do?form\_id=235122

#### [SUMMARY OF FINAL SUBMITTED VERSION]

#### PROGRESS REPORT BY PERMITTEE FOR 2015

Primary Owner: U.S. BUREAU OF RECLAMATION Primary Contact: U.S. BUREAU OF RECLAMATION

Date Submitted: 2016-06-30

Application Number: A005626 Permit Number: 012721

Source(s) of Water POD Parcel Number County OLD RIVER Contra Costa SACRAMENTO RIVER Sacramento SACRAMENTO RIVER Glenn SACRAMENTO RIVER Tehama SACRAMENTO RIVER Shasta SACRAMENTO RIVER Shasta SACRAMENTO RIVER Contra Costa

> MAX Direct Diversion Rate: 8000.0 CFS MAX Collection to Storage: 3190000.0 AC-FT Face Value: 7998004.0 AC-FT

 Permitted Use(s)
 Acres
 Direct Diversion Storage Season
 Storage Season

 Domestic
 0.0
 09/01 to 06/30
 10/01 to 06/30

Fish and Wildlife Protection and/or

Enhance million acre feet claimed by USBR



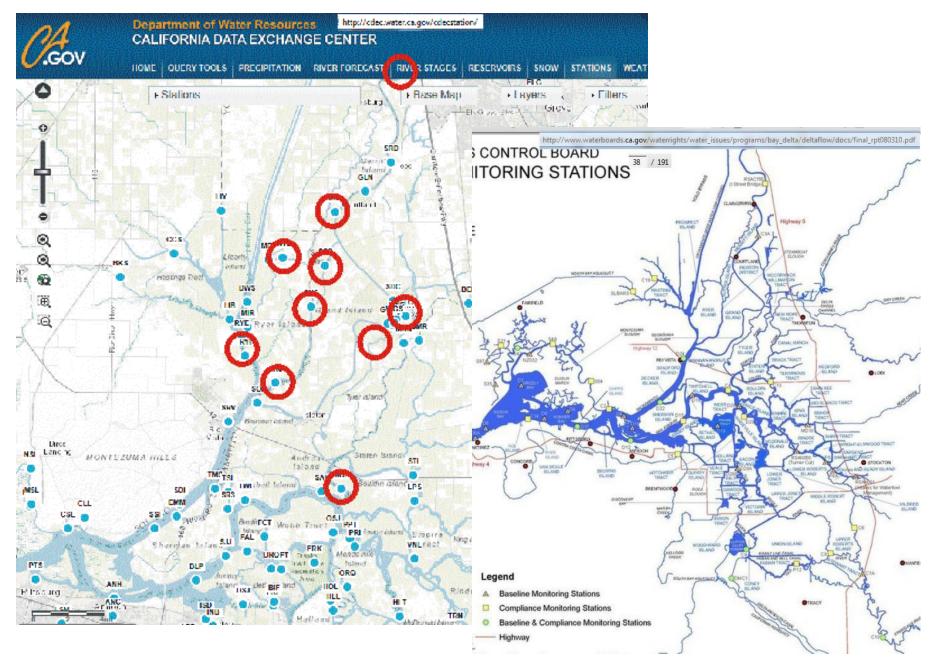
 $https://ciwqs.waterboards. \textbf{ca.gov}/ciwqs/ewrims/EWServlet?Redirect\_Page=EWWaterRightPublicSearchResults.jsp\&Object\_Expected=EwrimsSearchResult\&Object\_Ex$ 

## e-WRIMS Water Right Search Results

Criteria: Displaying Water Rights where Application Number like '\*A005626\*'.

Search Results: previous 1-1 of 1 ▼ next

Appl ID	Permit ID	License ID	Water Right Type	<u>Status</u>	Holder Name	<u>Date</u>	Face Amt	County	<u>Source</u>	View Reports	Water Right	Open in GIS	Export to Excel
<u>A005626</u>	012721		Appropriative		U.S. BUREAU OF RECLAMATION	04/12/1961	7998004 acre-ft/yr	Contra Costa, Glenn, Sacramento, Shasta, Tehama	OLD DIVED	<u>View</u> Reports	<u>View</u> Permit	Open in GIS	Download to Excel





http://www.snugharbor.net/timeline.html

http://www.snugharbor.net/images2010/Steamboa t Slough-Sacramento shipwrecks.pdf http://www.snugharbor.net/oldriversacramento.ht ml

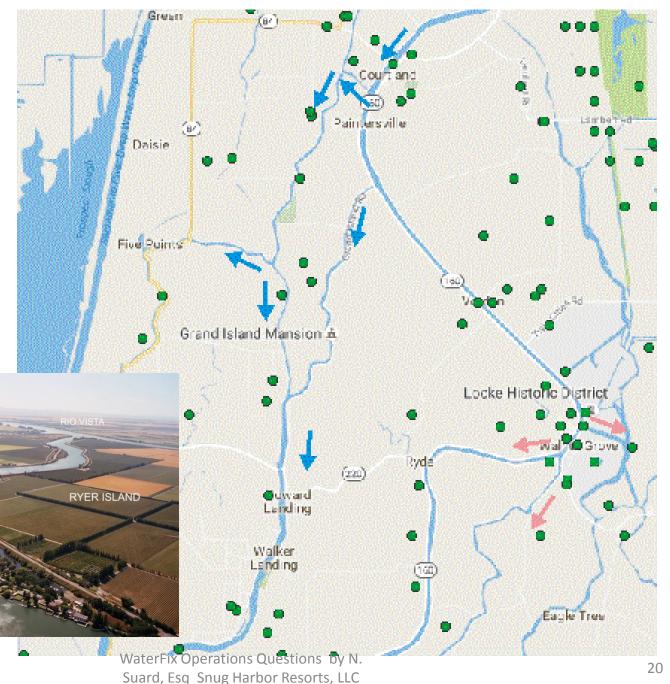


Is this a correct understanding Of river outflows?

What happens when the DCC is open or closed?

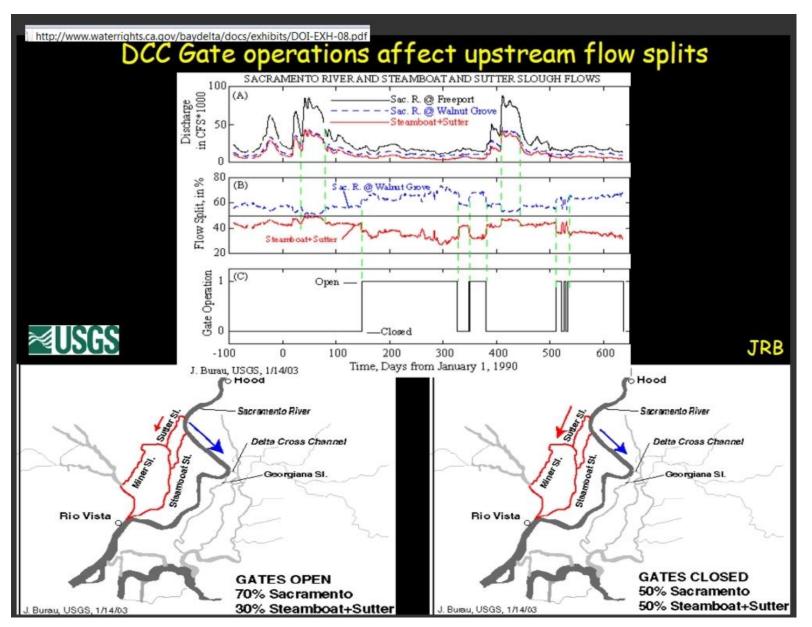
Describe the "reservoir" On the map

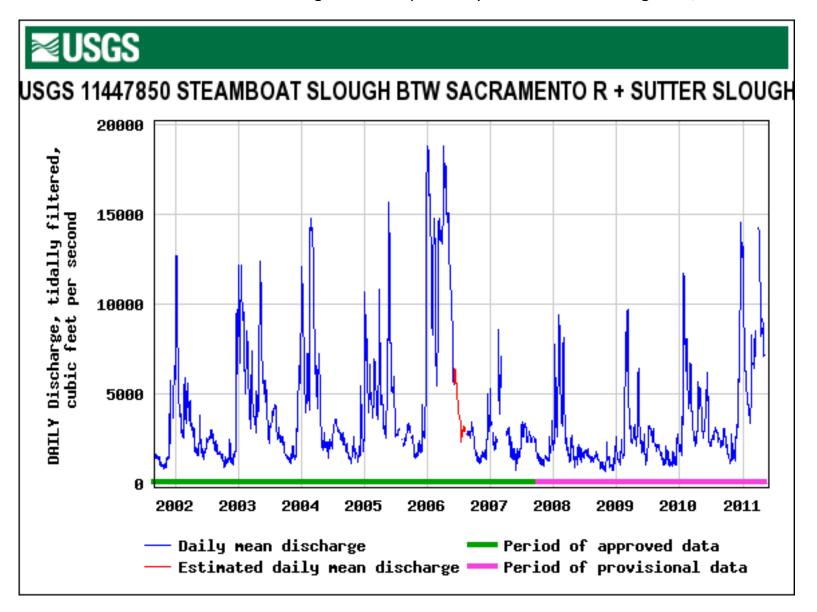
How is the flow on Steamboat Slough monitored?



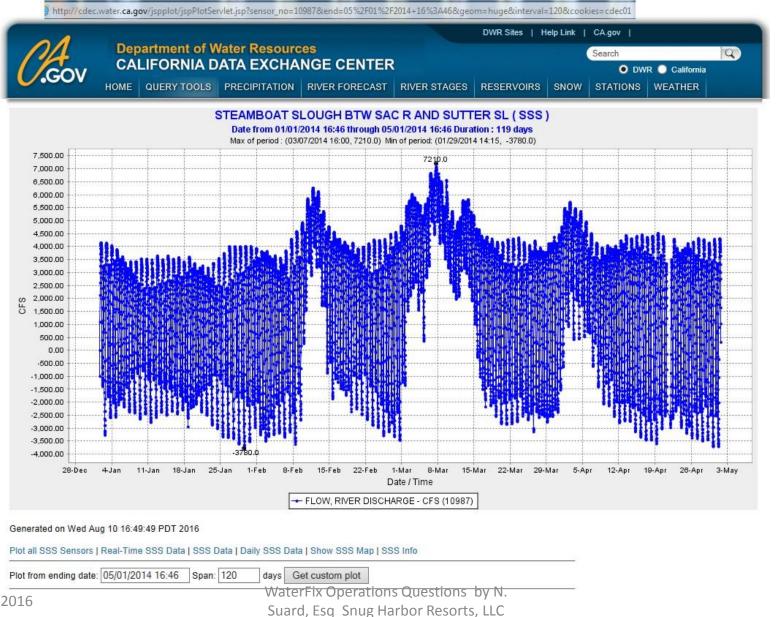
www.SnugHarbor.net

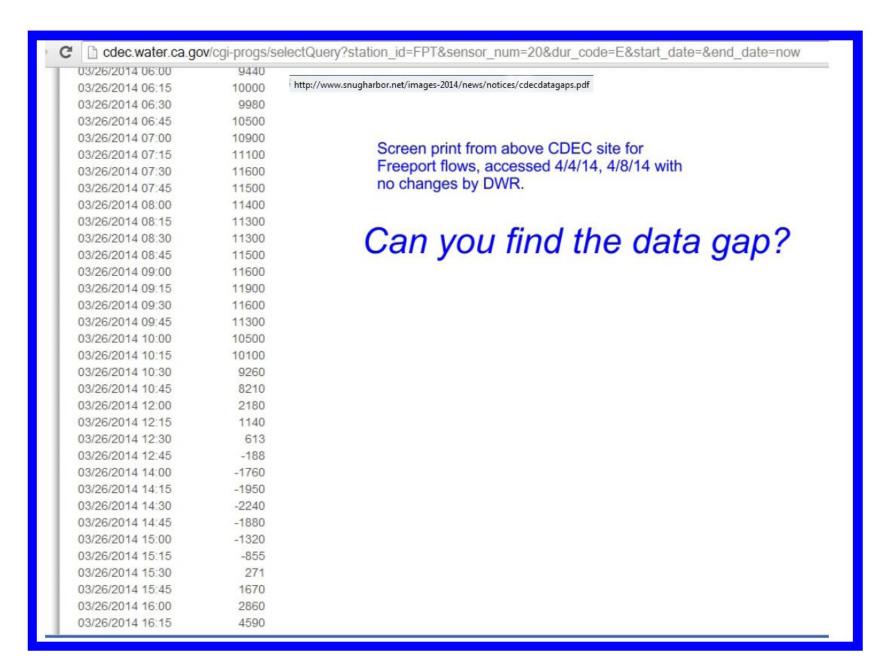
GRAND ISLAND





Turning on the "knobs": What do the pulse flows accomplish? How much does DWR/USBR rely on the data from the gages? Is flow data from the gates used to determine how much "surplus" or "excess" flow is available for export?





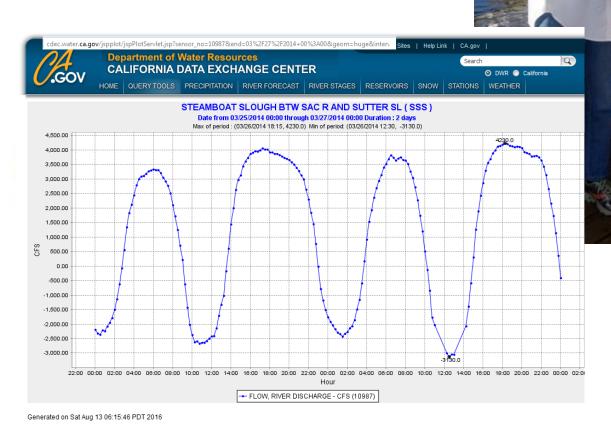
## Take a closer look at flows on Steamboat Slough in 2014

cdec.water.ca.gov/cgi-progs/queryF?SSS&d=26-Mar-2014+18:00

FLOW

FLOW Date / Time (PDT) CFS 03/26/2014 06:00 3520 03/26/2014 06:15 3690 03/26/2014 06:30 3820 03/26/2014 06:45 3740 03/26/2014 07:00 3640 03/26/2014 07:15 3710 03/26/2014 07:30 3750 03/26/2014 07:45 3660 03/26/2014 08:00 3640 03/26/2014 08:15 3520 03/26/2014 08:30 3260 03/26/2014 08:45 3040 03/26/2014 09:00 2720 03/26/2014 09:15 2270 03/26/2014 09:30 1740 1200 03/26/2014 09:45 03/26/2014 10:00 510 03/26/2014 10:15 -129-842 03/26/2014 10:30 03/26/2014 10:45 -177003/26/2014 11:00 ... -2030 03/26/2014 12:15 -300003/26/2014 12:30 -313003/26/2014 12:45 -304003/26/2014 13:00 -305003/26/2014 14:15 -2070 03/26/2014 14:30 -139003/26/2014 14:45 -58803/26/2014 15:00 302 03/26/2014 15:15 1260 03/26/2014 15:30 1890 03/26/2014 15:45 2430 03/26/2014 16:00 2860 03/26/2014 16:15 3290 03/26/2014 16:30 3560 03/26/2014 16:45 3690 03/26/2014 17:00 3890 03/26/2014 17:15 3990 03/26/2014 17:30 4120 03/26/2014 17:45 4140 03/26/2014 18:00 4190 Screen print 5/19/15 4:54 am

Plot from ending date: 03/27/2014 00:00



SpanSuard dars Get Costom plot Harbor Resorts, LLC

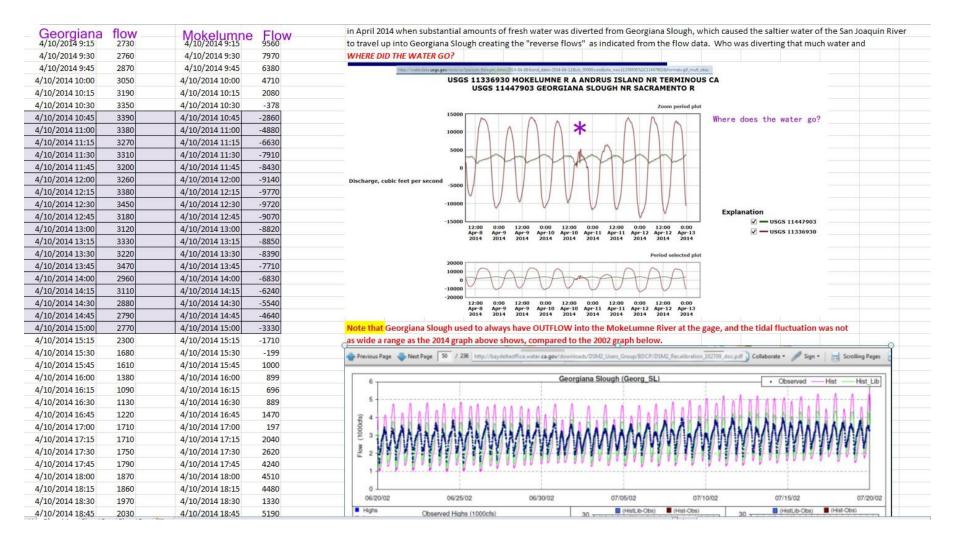
Plot all SSS Sensors | Real-Time SSS Data | SSS Data |

# Example: Data gap on 3/26/14 for Freeport and Steamboat Slough

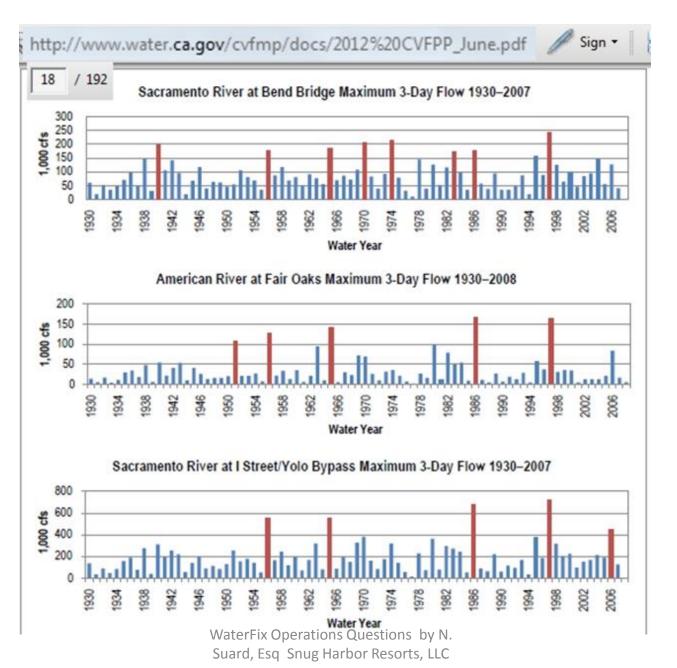
http://www.snugharbor.net/images-2014/news/notices/cdecdatagaps.pdf

From 10:45 to 12 noon Sacramento River flow drops over 6000 cfs, from 8210 to 2180. Flows continue to drop to -1760 in just a 3 hour time. This indicates all flow on the Sacramento River at Freeport had been cut off Impact to Steamboat Slough from flow cut-off is hidden due to gap in data reporting. What does show is that Steamboat Slough was already not receiving freshwater inflow, and the cutoff of flow created a more drastic low tide at this time. Impact to Sutter Slough shows less drastic low water impact.

2014FLOW-	up dated.xlsx Section	of review of flow	data fro	m CDEC which	expos	ed m	issing data and	d exper	ime	ntal flow timing:	•	- 6	100000
A	B C	□FREEP(	ORT F	SUTTE	Rн	1	STEAMBOA	Тк	L	©EORGI	ANA	0	-
1100	3/26/2014 9:45	3/26/2014 9:45	11300	3/26/2014 9:45	2190		3/26/2014 9:45	1200		3/26/2014 9:45	3370	3	3/2
1101	3/26/2014 10:00	3/26/2014 10:00	10500	3/26/2014 10:00	1910		3/26/2014 10:00	510		3/26/2014 10:00	3180	3/	2{
1102	3/26/2014 10:15	3/26/2014 10:15	10100	3/26/2014 10:15	1610		3/26/2014 10:15	-129		3/26/2014 10:15	2990	3/	26
1103	3/26/2014 10:30	3/26/2014 10:30	9260	3/26/2014 10:30	1420		3/26/2014 10:30	-842		3/26/2014 10:30	2830	3/	26
1104	3/26/2014 10:45	3/26/2014 10:45	8210	3/26/2014 10:45	1200		3/26/2014 10:45	-1770		3/26/2014 10:45	3050	3/	26
1105 11:00 A	м 3/26/201 <del>4</del> 11:00	MISSING	DATA	3/26/2014 11:00	1190	00 B	3/26/2014 11:00	-2030		3/26/2014 11:00	2960	3/.	26
1106	3/26/2014 11:15	MISSING	DATA	3/26/2014 11:15	966	П	MISSING	DATA		3/26/2014 11:15	3100	3/	20
1107	3/26/2014 11:30	MISSING	DATA	3/26/2014 1 30	714	11	MISSING	DATA		3/26/2014 11:30	3010	3/	<b>2</b> 6
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1112	3/26/2014 12:45	3/26/2014 12:45	-188	3/26/2014 12:45	-658		3/26/2014 12:45	-3040		3/26/2014 12:45	2410	3/	26
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If the flow gages do not report accurate flow data, doesn't that mean the assumptions of flow available for Diversion and export are also inaccurate? Does USBR or DWR operate an intake on Georgiana Slough in April?



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### B. DELTA HYDRODYNAMICS

6 of 20

Delta hydrodynamics are defined by complex interactions between tributary inflows, tides, in-Delta diversions, and SWP/CVP operations. Changes in any of the hydrodynamic variables affect water quality in the Delta, particularly with regard to salinity. Each day two high and two low tides of differing magnitudes (flood and ebb tides) cause large fluctuations in flow in the Delta estuary. The positive and negative Delta outflow caused by these tidal forces is the reason that Delta outflow is defined in terms of an average or "net" Delta outflow. The strength of the tides also varies within the month depending on the position of the sun and the moon (spring-neap cycle) and is also greatly influenced by atmospheric conditions such as wind and barometric pressure. Each flood tide has the potential to bring a large volume of high salinity ocean water into the Delta, and can be exacerbated by storm

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#### TESTIMONY OF JOHN LEAHIGH

DWR-61

surge conditions. Managing this saltwater intrusion from encroaching too far into the interior Delta is crucial to protecting freshwater supplies for in-Delta and SWP/CVP water users.

# Context Memorandum: Agriculture in the Delta

Iteration 2: August 10, 2007

# 1 Table 5. Selected Public and Nonprofit Delta Land Acquisitions

2

Organization	Acquisition	Date	Acreage
CA Department of Water Resources	Sherman Island	1993	8,146
CA Department of Water Resources	Twitchell Island	1993	2,965
CALFED/The Nature Conservancy	McCormick-Williamson Tract	1999	1,654
CALFED/The Nature Conservancy	Staten Island	2002	9,200
U.S. Bureau of Reclamation	Prospect Island	1995	1,600
U.S. Army Corps of Engineers	Little Holland Tract	1999	1,640
Trust for Public Lands/CA Department of Fish and Game	Liberty Island	1999	4,760
CA Department of Fish and Game	Yolo Bypass	1997/2002	16,500

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Many of these lands continue in some level of agricultural production, at least as an interim use. Nevertheless, agricultural commissioners, bankers, and agricultural support industry representatives who serve the Delta express concerns over the loss of a critical mass of agricultural land needed to support agricultural infrastructure, including agricultural support industries.

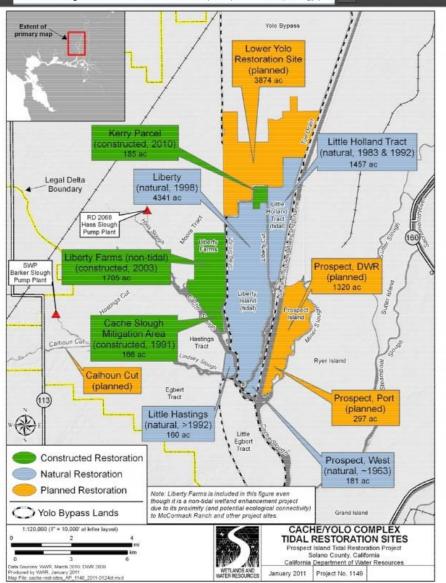
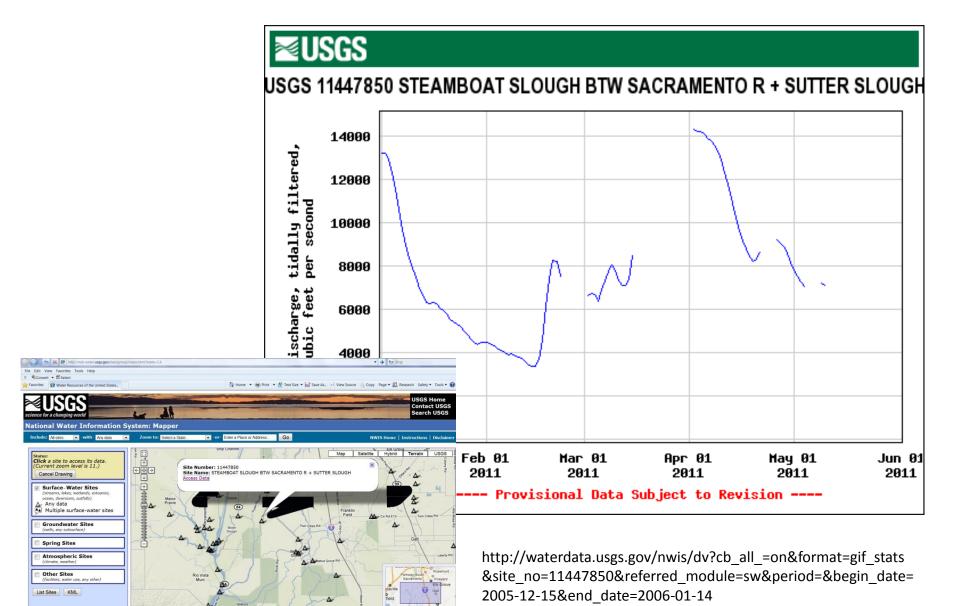


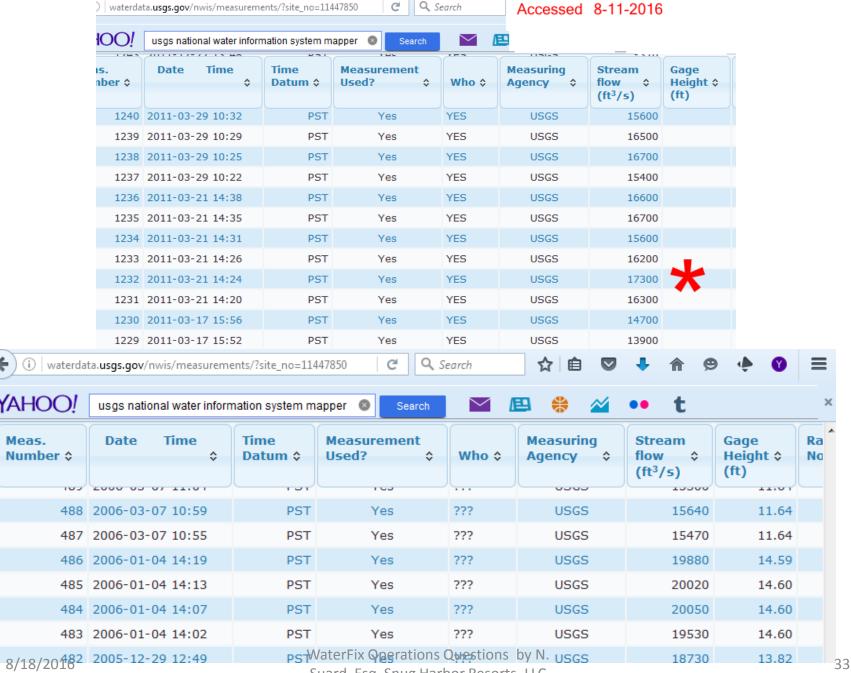




Figure 2. Near-term habitat restoration actions in the Cache Slough Complex



<sup>\*</sup> References to non-U.S. Department of the Interior (DOI) products do not constitute an endorsement by the DOI. By viewing the Google Maps API on this web site the use

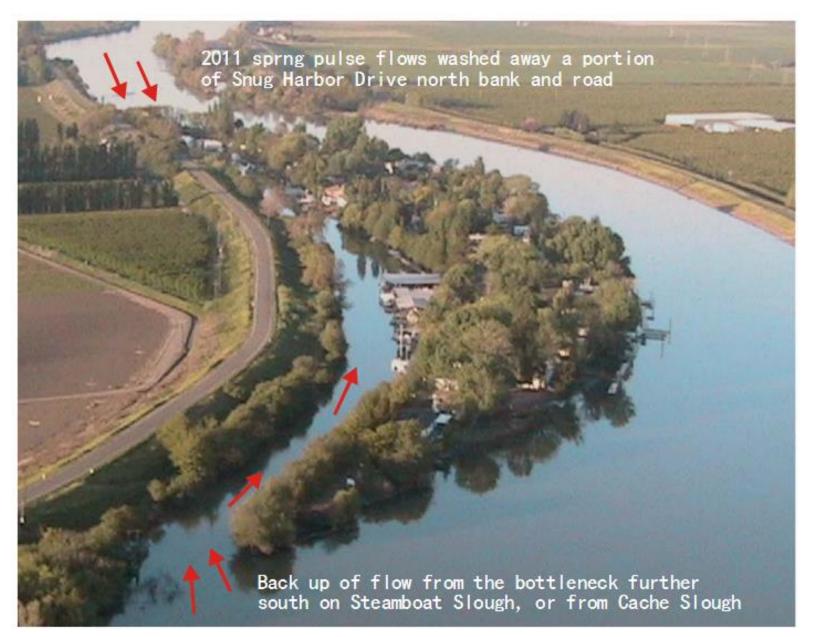


Suard, Esq Snug Harbor Resorts, LLC

#### Is USBR or DWR aware of the hindrance to flood flows from "restoration" sites?



the riparian restoration project off Grand Island south of Snug Harbor, combined with the levee toe & restoration project on the opposite side of Steamboat Slough, along Ryer Island, at about river mile 16.5, are creating a "bottle neck" effect that further causes back up of water flow onto Snug Harbor. If you consider flood water exiting Steamboat Slough as an important flood control "structure" then the importance of the continued water flow restriction in this area becomes more clear, as it is a known fact that sedimentation upstream from flood control structures obstructs flow and reduces capacity. The turbidity or particles in the water settle to the



http://snugharbor.net/images2011/deltastuff/centralyalleyfloodmgt-corrected.pdf 8/18/2016 Suard, Esq. Snug Harbor Resorts, LLC

The report that goes with the Sacramento River maps shows that historically high tides had little effect on the Delta upstream - contrary to the condition today that Leahigh described in his presentation. Further, historical description Includes a discussion of how the Sacramento River used to overflow into adjacent lands and then slowly drain back I nto the river over the summer - thus providing freshening all summer long.

Mr. Leahigh, your presentation speaks of high tides and salinity - but isn't true that this is not the historic condition but a condition created by the Federal Government and State diverting to much Sacramento River water from the Delta? Also from dredging of the Sacramento Ship Channel and San Joaquin Ship Channel, which draws in more Salt water on incoming tides, at the bottom of those ship channels?

And weren't tides in the North Delta less drastic because there was ALWAYS constant freshwater outflow from The Sacramento River keeping at least the whole North Delta in fresh, drinkable water?

Doesn't the proposed volume of diversion from the Sacramento River in effect suspend the North Delta Waterways in a permanent "drought" condition for flows and negative impacts?

To the extent that recent drought conditions suggest future SWP/CVP operations may require relaxing water quality standards to avoid exceedances, my testimony shows that historical hydrology over the last several drought years are truly unprecedented. Such extraordinary circumstances are best managed in the context of temporary adjustments as occurred pursuant to the Water Board's authority, as delegated to the Executive Director, to approve temporary urgency change petitions (TUCPs).

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# Minimum flows and splits between

waterways SACRAMENTO RIVER, CALIFORNIA.

From an examination of the records of the United States Geological Survey covering the period 1903-1907, inclusive, it is estimated that the average low-water flow of the Sacramento River below the mouth of the American is as follows: August, 9,230 cubic feet per second: of the American September, 7,820 cubic feet per second; October, 9,580 cubic feet per second; with a minimum discharge of 5,900 cubic feet per second for

The discharge for August, 1908, is estimated by the district engineer of the United States Geological Survey as 6,740 cubic feet per second. It is estimated that the discharge for September, 1908, was \* considerably less than that of August, and that it was less than the discharge of September, 1905. The observations of this office during the period August 3-17 gave a discharge of about 7,400 cubic feet per second, of which about 27 per cent flowed through Steamboat Slengh and about 24 per cent through Georgiana Slough.

A comparison of this survey with that of the survey of 1895-96 shows that the river is improving as a navigable channel and that it is recovering from the effects of unrestricted hydraulic mining. It is estimated that the river bed for a distance of 14 miles immediately below Sacramento has lowered 2 feet in the past twelve years. The American and the Feather rivers, however, are still full of débris, and the effect of the sand deposits in the American River on the Sacramento River are noticeable for a considerable distance below the mouth of that river, and the fact that these two rivers contain probably more than 500,000,000 cubic yards of fine material. all of which must eventually pass down the Sacramento River to Seisun Bay, must be borne in mind in any consideration of the improvement of this river.

It is estimated that the maximum flood discharge of the river during the flood of March, 1907, if it had been confined to the river channel, would have exceeded 500,000 cubic feet per second. It is seen, therefore, that the minimum low-water discharge is about 1 per

cent of the maximum flood discharge.

At the driest time of year of a dry year, the Minimum Sacramento River constant outflow is more than 7,400 cfs, with 27% flow into Steamboat Slough (1,998) and 24% through Georgiana Slough. Or... 7,377 cfs at Courtland, with 1,802 cfs split Between Steamboat and Sutter Sloughs. (fresh water < 1 ppt

SACRAMENT RIVER CALIFORNIA 1908

250.7

flows

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## SACRAMENTO RIVER, CALIFORNIA.

On account of extensive deposits which formed in the river between Karry mento and Presport after the survey of this portion had been made, the rives was re-sounded at the low stage between these points.

A comparison made by platting the two sets of soundings extending over the 133 miles of river below Sacramento show that between May and September while the river at Sacramento (el) from a stage of 10 feet to a stage of 5; for on the Sacramento gauge, a fill of over 3,000,000 cubic yards occurred.

Comparisons with older surveys show that the general present tendency of the river at this place is to lower its bed so that this shouling must be due to a temporary arrest of the movement of the enormous quantity of material helps carried down from the mouth of the American River, and it will doubtless to moved on again during the next flood season.

The survey of the Sacramento River from the mouth of the Penther to the mouth of the American, made by the California Debris Commission, is lucus

Up to this date the field mapping of the survey has not been quite completes and considerable work remains to be done to complete the tracings. Soundings n all parts of the river on which any deepening will be required to procure a 15-foot channel to Sacramento have been charted and use made of them in peraring the estimates of quantities for the several specified projects given being River discharge measurements, Current meter observations were made at a eation located a short distance above Courtland, between which point and the south of the American River there are neither tributaries nor outlet sloughs. lso at two stations at Walnut Grove, one on the main river and one on Geor. inna Slough. At each of these stations there is a considerable tide, and though no unstream current was observed, there was between tides a slack. ater period of about forty minutes. This considerably complicated the dislarge measurements and necessitated observations extending over several our efe tidal cycles. These observations were all taken between August 3 and 17. hen the stage of the river at Sacramento ranged from elevation 9.1 to 24 1.0 to 6.3 on the gauge). The several sets of observations agreed very closely. be mean results were: At Courtland, mean discharge, 7,377 cubic feet me cond; at Walnut Grove, mean discharge, Old River, 3,905 cubic feet per second; at Welout Grove (Georgiana Slough), mean discharge, L570 cubic for per second. This would leave for the flow of Steamboat and Sutter slouris

While the above is not quite the minimum discharge for this season, it is probably less than the minimum discharge for the average season

(not mensured), 1,802 cubic feet per second,

There has been no opportunity to obtain a maximum discharge measurement this year. The flood of March, 1907, was much greater than any previously recorded flood. The measurements of flow made by the United States Geological Survey on the upper Sacramento and many of its tributaries indicate a total discharge of 554,700 cubic feet per second. This estimate is from unofficial figures published in a paper in "Proceedings American Society of Civil Englneers." A large part of this passed through Yolo Basin and Cache Sloot, and there were many breaks in the levees through which the water escaped from the river itself.

# Low flows are also causing problems on Steamboat Slough and operation of WF would suspend us in permanent Drought status for flows, wouldn't it?

cdec.water.ca.gov/cgi-progs/queryF?SSS&td=26-Mar-2014+18:00

FLOW

PLOW	
Date / Time (PDT)	FLOW
03/26/2014 06:00	3520
03/26/2014 06:15	3690
03/26/2014 06:30	3820
03/26/2014 06:45	3740
03/26/2014 07:00	3640
03/26/2014 07:15	3710
03/26/2014 07:30	3750
03/26/2014 07:45	3660
03/26/2014 08:00	3640
03/26/2014 08:15	3520
03/26/2014 08:30	3260
03/26/2014 08:45	3040
03/26/2014 09:00	2720
03/26/2014 09:15	2270
03/26/2014 09:30	1740
03/26/2014 09:45	1200
03/26/2014 10:00	510
03/26/2014 10:15	-129
03/26/2014 10:30	-842
03/26/2014 10:45	-1770
03/26/2014 11:00	-2030
03/26/2014 12:15	-3000
03/26/2014 12:30	-3130
03/26/2014 12:45	-3040
03/26/2014 13:00	-3050
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03/26/2014 14:30	-1390
03/26/2014 14:45	-588
03/26/2014 15:00	302
03/26/2014 15:15	1260
03/26/2014 15:30	1890
03/26/2014 15:45	2430
03/26/2014 16:00	2860
03/26/2014 16:15	3290
03/26/2014 16:30	3560
03/26/2014 16:45	3690
03/26/2014 17:00	3890
03/26/2014 17:15	3990
03/26/2014 17:30	4120
03/26/2014 17:45	4140

03/26/2014 17:45 03/26/2014 18:00 8/18/2016

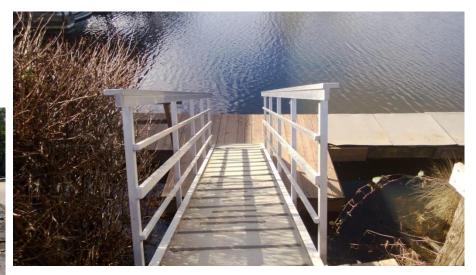
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are Esq Snur Harbor Resorts, LLC

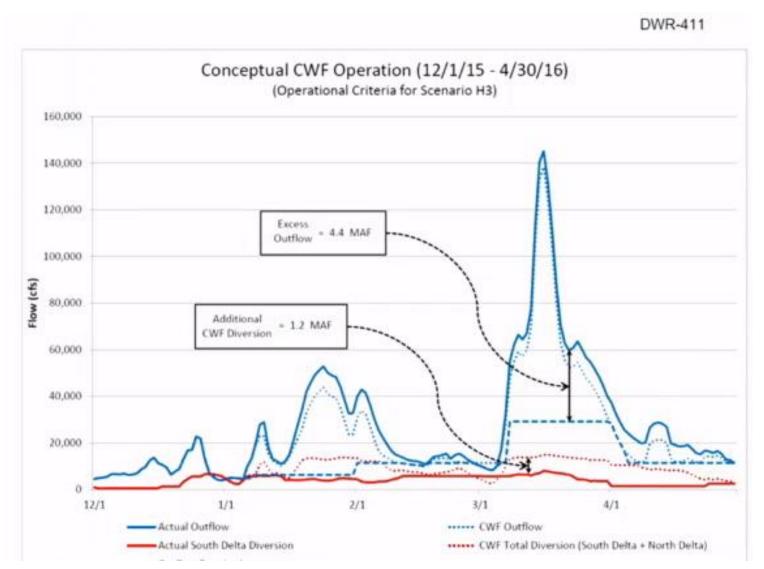


2014 Current Impacts from the low water flows on the Sacramento River into the Delta: dry docking marinas

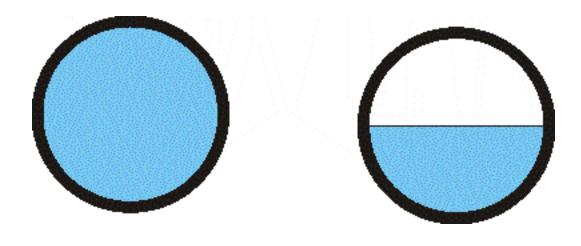
# Public Water Systems

A "public water system" is a system for the provision of piped water to the public (does not refer to ownership of the system)

- Community water systems serve residential communities with 15 or more service connections
- Noncommunity water systems serve 25 or more people, 60 or more days per year
  - Nontransient = serves the same population daily (schools, places of business)
  - Transient = serves a changing population (campgrounds, restaurants)
- Public water systems are regulated by CDPH and 35 counties
- "State Small Systems" are communities with 5 to 14 service connections; counties regulate these systems
- Doesn't include agricultural use
- My talk will refer to data from public water system wells



As proposed to be operated, it appears outflow on the Sacramento River below the proposed intakes would be at historic low outflow levels, or basically operating in "drought" conditions permanently. Is that a correct assessment?



Is it your understanding the tunnels are designed to be built side by side, but could instead be installed one on the east side of the Delta and the other on the west side of the Delta?

What is the designed volume capacity of each tunnel in cfs and af? Is the testimony that the goal is to operate to divert 6500 maf during wet season? Or could tunnels operate at full capacity year round? What are the plans for the extra capacity?



## **EXISTING WATER DIVERSIONS**

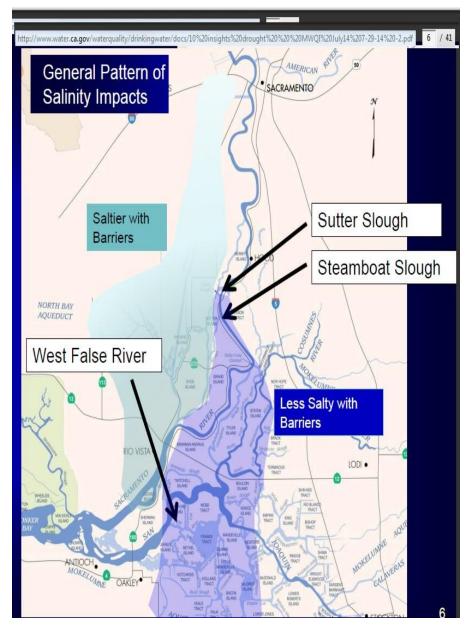
- · Total number of effected water rights
  - Temporarily effected: 10
  - Permanently effected: 5

https://www.californiawaterfix.com/docs/dwr\_2.pdf

- Mitigations for temporarily effected diversions
  - Provide new groundwater wells
  - Provide alternate water supply from a permitted source



What is the minimum freshwater outflow expected for Steamboat Slough and Sacramento River below the intakes in Dry summer months? Year round? How will project be managed to assure minimum flows to protect freshwater Quality? Adequate flows to maintain water level?

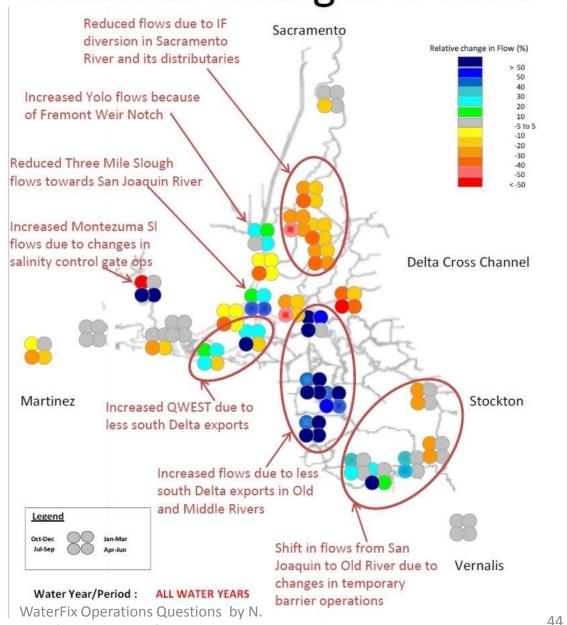


# http://baydeltaconservationplan.com/Lists/Calendar/Attachments/112/6.17.10 SC Presentation Modeling Update.pdf Seasonal Changes in Flow

North Delta waterway impacts: Flows reduced by 20 to 50 percent.

This graphic was used for BDCP Surface conveyance impact estimates.

Since the flow would not go into the central and south but captured into tunnels, it is safe to assume the dark blue dots would be dark red instead. since there would be very little flow left, like 5000 cfs, to split between Sacramento River. Sutter Slough, Steamboat Slough, DCC and Georgiana Slough...unless barriers were installed.



Suard, Esq. Snug Harbor Resorts, LLC

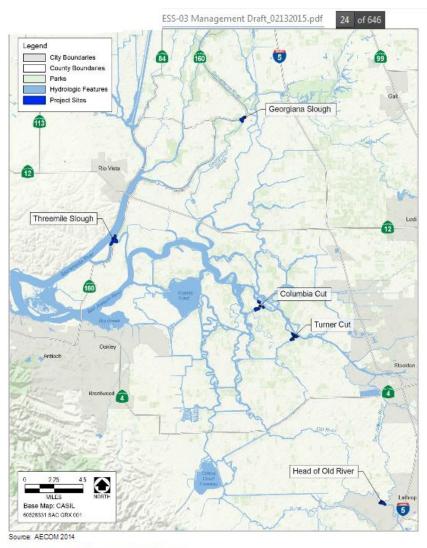
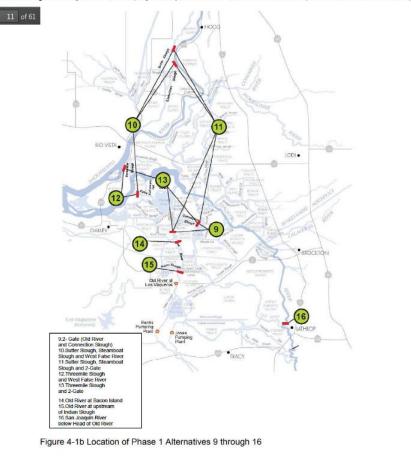


Figure 1-1. Map of Delta Study Locations

AECOM Phase II Recommended Solutions Report Introduction 1-2 Department of Water Resources - Bay Delta Office  $waterboards. \textbf{ca.gov}/waterrights/water_issues/programs/bay\_delta/california\_waterfix/exhibits/docs/petitioners\_exhibit/dwr/dwr\_510.pdf$ 



Bay-Delta Office Page 6 April 2009

http://snugharbor.net/images-2015/barriers/docs/BARRIERStimelinelinks.pdf http://snugharbor.net/images-

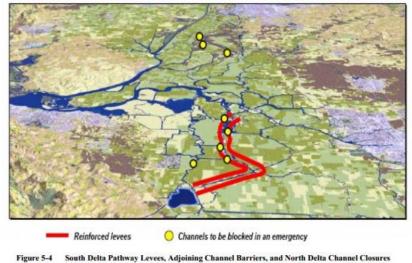
2015/barriers/docs/Historical%20review%20of%20proposed

**%20Barriers.pdf**WaterFix Operations Questions by N.
Suard, Esq. Snug Harbor Resorts, LLC

## More engineering questions on the physical construction projects and DWR 510:

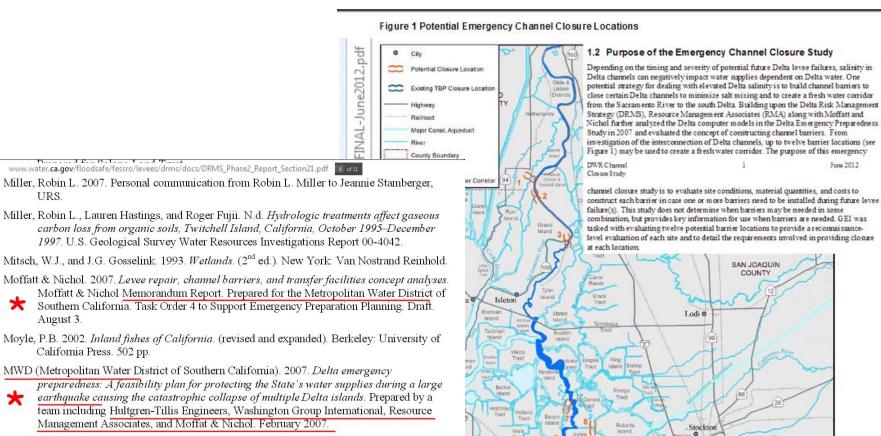


www.water.ca.gov/floodmgmt/dsmo/sab/drmsp/docs/DRMS\_Phase2\_Report\_Section5.pdf



URS Phone 2 Risk Reduction Report Section 5 Final

- \* Do you anticipate the need for other barriers in the Delta during construction of the tunnels?
- \* If construction causes levee failures, what is the contingency plan to halt flooding of affected islands? (flooding impacts quality of drinking water wells)
- \* If construction causes flooding of areas upriver of the intakes, due to the coffer dams, what is the contingency plan?
- \* If construction causes flooding of areas downriver of the intakes, due to the coffer dams, what is the contingency plan?



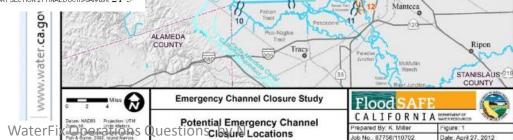
California Press. 502 pp MWD (Metropolitan Water District of Southern California). 2007. Delta emergency

preparedness: A feasibility plan for protecting the State's water supplies during a large earthquake causing the catastrophic collapse of multiple Delta islands. Prepared by a team including Hultgren-Tillis Engineers, Washington Group International, Resource Management Associates, and Moffat & Nichol. February 2007.

NOAA (National Oceanic and Atmospheric Administration). 1998. Endangered and threatened species: Threatened status for two ESUs of steelhead in Washington, Oregon, and California. Federal Register 63(53):13347–13371 (March 19).

Nobriga, M. 2002. Larval delta smelt diet composition and feeding incidence: Environmental and ontogenetic influences. California Fish and Game 88:149-164.

VARMS/PHASE 2 - DRAFT REPORT 2/SECTION 21 REFERENCES/PHASE 2 RISK REDUCTION REPORT SECTION 21 FINAL DOC/19-JAN-09% 21-5



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Brentwood

URS

August 3.

## Emergency Preparedness Plan | www.mwdh2o.com/mwdh2o/pages/about/AR/AR11/Chapter-2.pdf

Working in a lead role with the contractors for the State Water Project and Central Valley Project, Metropolitan continued to facilitate and expedite plans for stockpiling material in the Delta region. In the event of a major earthquake in the Delta, these stockpiles would be used to create an emergency freshwater pathway in order to export water supplies.

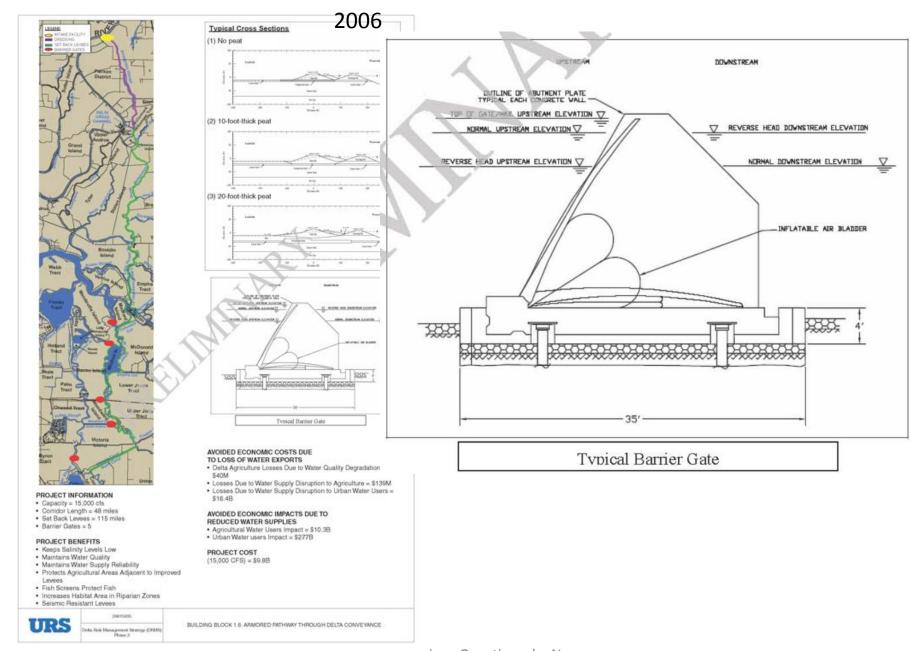
> Jacques trom mistakes without undesirable consequences. www.water.ca.gov/floodmgmt/docs/Delta\_EOP\_Concept\_Paper-March\_2007.pdf

Temporary Barriers for New Locations Need Preliminary Designs - Temporary barriers are indicated as available response actions in DWR's 1986 Emergency Plan and are now being discussed by others (e.g., Ref. 3). At the present time, moveable and/or sinkable structures, such as some of those being discussed, are not available. Mention is made of possibly using sinkable and refloatable rock barges to form temporary barriers. Existing rock barges that might be dedicated to that purpose are scarce. Also, the process of sinking a barge is not as simple as it may sound. It is unlikely to achieve flow diversion because of barge dimensions and the existing geometric properties of the Delta channels. They would also be needed for levee repairs in a major Delta incident. Thus, for the present, it is assumed that any temporary barrier will consist mainly of rock berms in the water, transported and placed by marine equipment. The rock berm may be supplemented by imbedded pipes with flap gates to enable tidal pumping, similar to those now installed in the south Delta. For example, DWR's 1986 Emergency Plan suggests temporary barriers in Steamboat Slough and in the Sacramento River immediately downstream of Georgiana Slough to facilitate greater diversions

Delta Emergency Operations Plan - Concept Paper Page 37 of 48

California Department of Water Resources April 2007

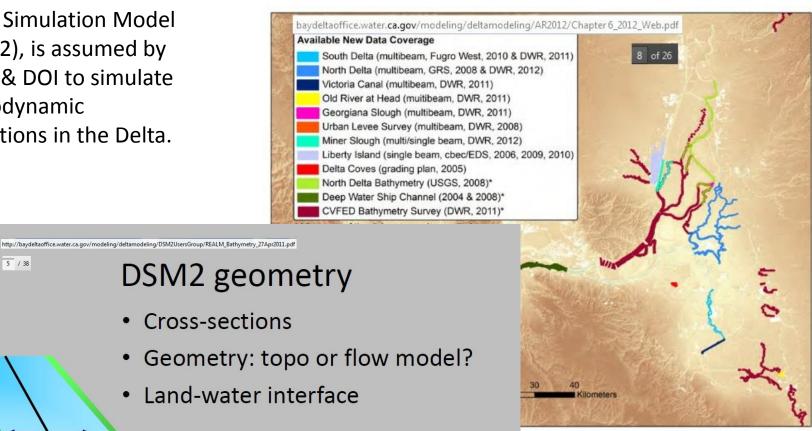
http://snugharbor.net/images-2015/barriers/comments/OpposeBarriersMarch172015.pdf

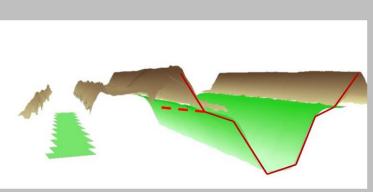


**Delta Simulation Model** (DSM2), is assumed by **DWR & DOI to simulate** hydrodynamic conditions in the Delta.

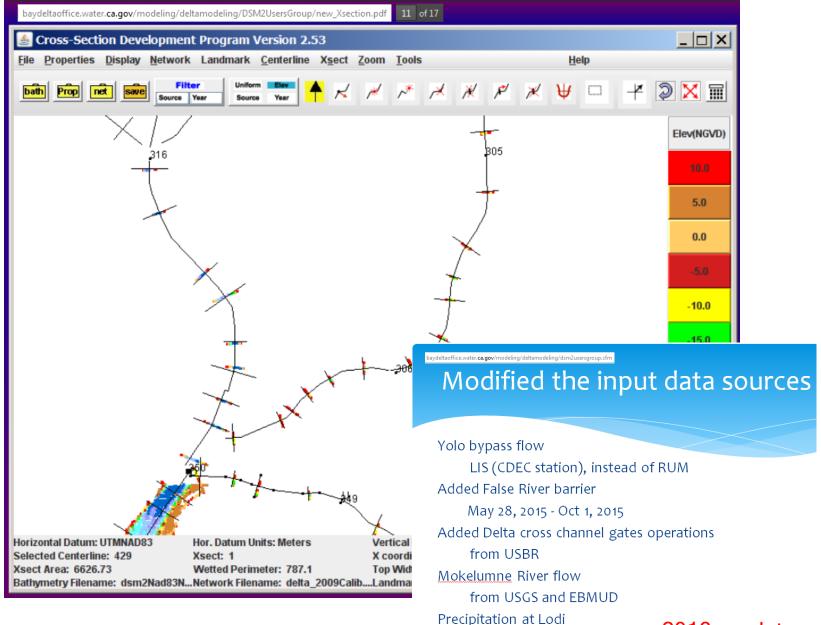
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	Mayr, 2011-2012				
0)	(EDS, 2006), (EDS, 2009), (Campbell, 2012)				
	(Ruggeri-Jensen-Azar & Associates, 2005)				
	(USGS, 2008)				
	(Towill, Inc., 2009)				
	(HDR, 2011); (PBS&J, An Atkins Company, 2010)				



### USBR or DWR aware of:

- Physical flow barriers?
- Siphons below surface?
- Flow diversion structures?
- Dredging to facilitate gravity flow in a specific direction?
- Air blowers to facilitate alteration of normal flow direction?
- 6'+ foot diameter twin pipes siphoning water from Cache Slough under Ryer Island, under Steamboat Slough on southeast?



Suard, Esq Snug Harbor Resorts, LLC

#### .ca.gov/ndelta/TDF/documents/NorthDeltaSalmonMigration PilotStudy Report.pdf

The map below was copied from the 2006-2007 Salmon Migration study. The dark blue areas indicate where tagged salmon smolt that had been released up towards Sacramento were found dead. The scientists assume the salmon died due to preditors, naming stripped bass specifically. We added in the locations of the local marinas which usually have many angler-customers in December and January. Interesting pattern, isn't it?

were located at stationary positions which were assumed to be where predatory fish may have defecated acoustic tags after consuming the juvenile salmon. Sites where tagged fish may have been eaten by a predator could not be determined; the data only show where a dead acoustic-tagged salmon or a defecated tag was detected.

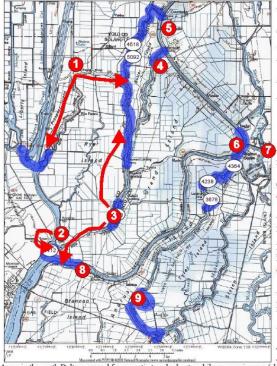
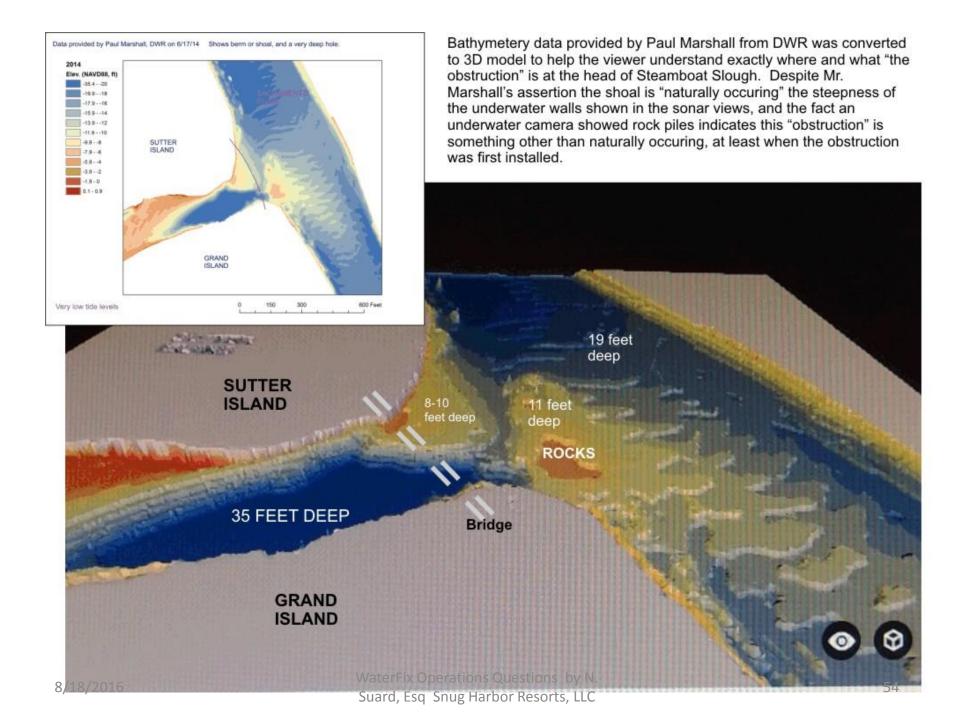
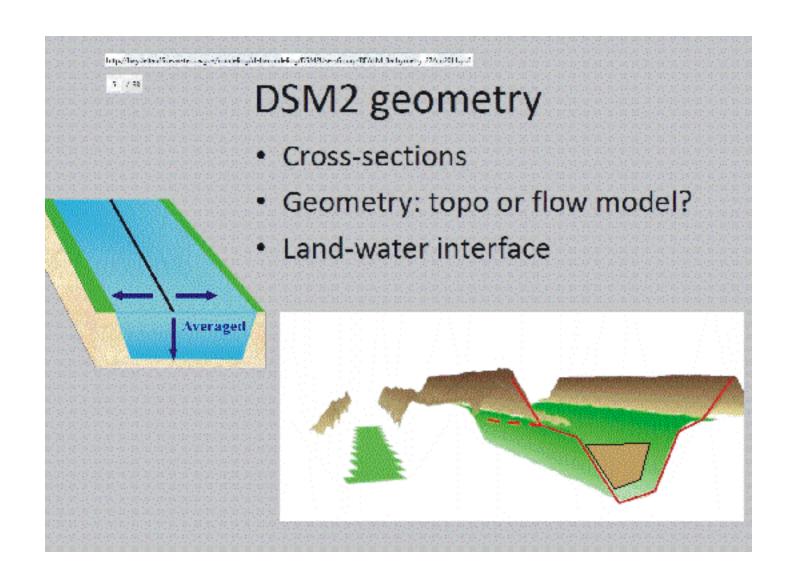


Figure 18. Areas in the north Delta surveyed for acoustic tags by boat mobile reconnaissance (shaded in blue) and locations of acoustic tags and tag codes found during the survey.

DeltaPassageModel\_Nov2008.ppt | 1. 2006-2007 there were already fish Introduction to Chinook Salmon Delta Passage Model passage studies ongoing. 2. 2008 subsurface barrier showed up at confluence of Sacramento River blocking part of the flow into Steam- ELK GROVE boat Slough. 3. DSM2 flow Hood computer models did not use actual bathymetry for **BDCP** modeling 1001 ·





If conveyance project were built, is it your understanding that the design of the project is based on a plan To leave no more than 4500 cfs Delta outflow on the combined rivers of Sacramento and San Joaquin during The summer months of July, August September?



 $www.waterboards. \textbf{ca.gov}/waterrights/water_issues/programs/bay\_delta/california\_waterfix/exhibits/docs/petitioners\_exhibit/dwr/dwr_5\_errata.pdf$ 

## DELTA OUTFLOW ASSUMPTIONS

## NAA and H3 (D-1641 and BiOps)

	W	AN	BN	D	С
Oct	4000/Fall X2	4000/Fall X2	4000	4000	3000
Nov	4500/Fall X2	4500/Fall X2	4500	4500	3500
Dec	4500	4500	4500	4500	3500
Jan	4500	4500	4500	4500	4500
Feb	4000	4000	4000	4000	4000
Mar	4000	4000	4000	4000	4000
Apr	4000	4000	4000	4000	4000
May	4000	4000	4000	4000	4000
Jun	4000	4000	4000	4000	4000
Jul	8000	8000	6500	5000	4000
Aug	4000	4000	4000	3500	3000
Sep	3000/Fall X2	3000/Fall X2	3000	3000	3000

- D-1641 Feb Jun X2
- USFWS BiOp Fall X2 in W (74 km), AN (81 km) years

## **Boundary 2**

			*			
	W	AN	BN	D	С	
Oct	11400	11400	7100	<b>7</b> 100	7100	
Nov	11400	11400	7100	7100	7100	
Dec	11400	11400	11400	11400	11400	
Jan	35000	35000	35000	35000	35000	
Feb	35000	35000	35000	35000	35000	
Mar	44500	44500	44500	25000	25000	
Apr	44500	44500	44500	25000	25000	
May	44500	44500	44500	25000	25000	
Jun	11400	11400	7100	7100	7100	
Jul	<b>7</b> 100	<b>7</b> 100	7100	7100	7100	
Aug	<b>7</b> 100	<b>7</b> 100	7100	7100	7100	
Sep	11400	11400	7100	7100	7100	

- Greater of D-1641/BiOps, or above
- Delta outflow goals above current regulatory requirements achieved through Delta export curtailments
- Upstream releases allowed in Jul Sep months in all water year types, except Critical.



#### North Delta Diversion Bypass Flows

These parameters are for modeling purposes. Actual operations will be based on real-time monitoring of hydrologic conditions and fish presence/movement

#### Low-Level Pumping (Dec-Jun)

Diversions of up to 6% of total Sacramento River flow such that bypass flow never falls below 5,000 cfs. No more than 300 cfs can be diverted at any one intake.

#### Initial Pulse Protection

Low level pumping will be maintained through the initial pulse period. For modeling, the initiation of the pulse is defined by the following criteria: (1) Sacramento River flow at Wilkins Slough increasing by more than 45% within a five-day period and (2) flow on the fifth day greater than 12,000 cfs.

The pulse (and low-level pumping) continues until either (1) Sacramento River flow at Wilkins Slough returns to pre-pulse flow level (flow on first day of pulse period), or (2) Sacramento River flow at Wilkins Slough decreases for 5 consecutive days, or (3) Sacramento River flow at Wilkins Slough is greater than 20,000 cfs for 10 consecutive days.

After pulse period has ended, operations will return to the bypass flow table (Sub-Table A).

If the initial pulse period begins and ends before Dec 1st in the modeling, then any second pulse that may occur before the end of June will receive the same protection, i.e., low level pumping.

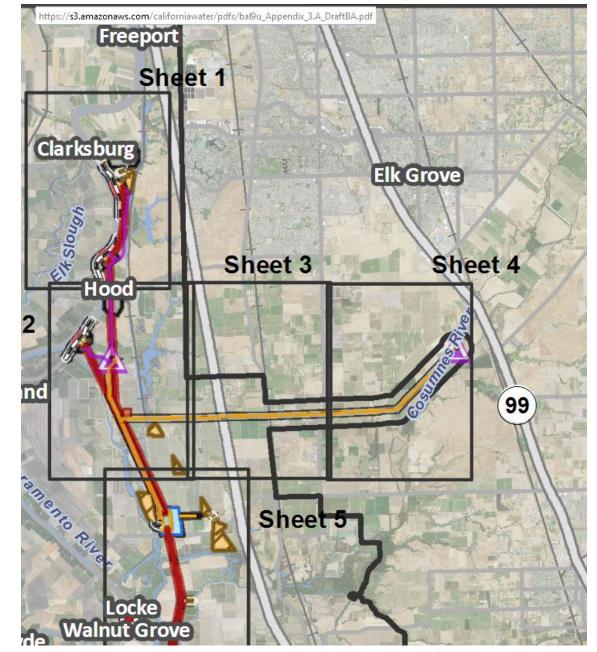
#### Post-Pulse Operations

After initial pulse(s), allowable diversion will go to Level I Post-Pulse Operations (see Sub-Table A) until 15 total days of bypass flows above 20,000 cfs occur. Then allowable diversion will go to the Level II Post-Pulse Operations until 30 total days of bypass flows above 20,000 cfs occur. Then allowable diversion will go to the Level III Post-Pulse Operations.

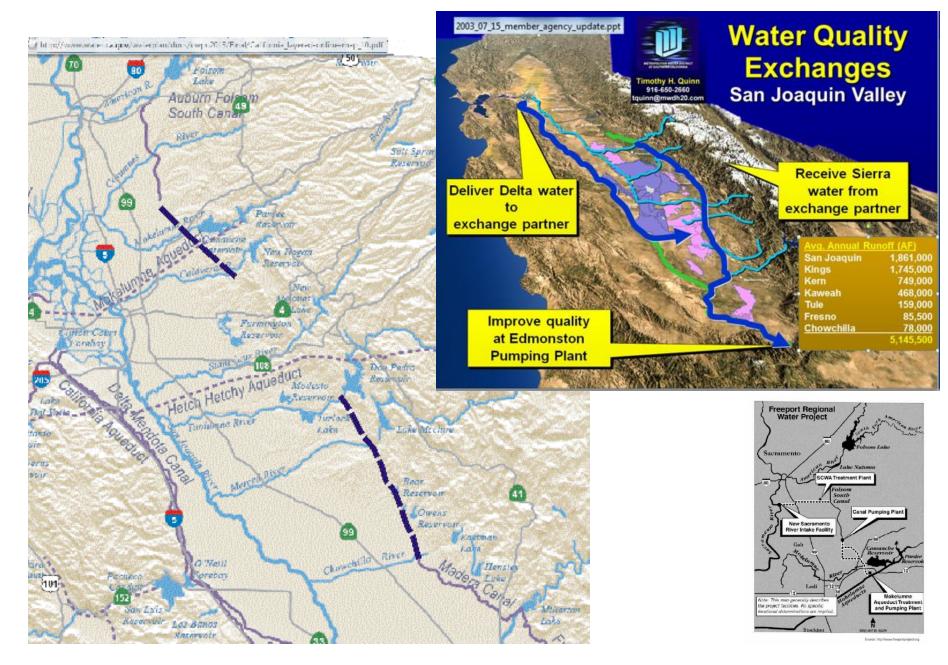
#### Sub-Table A. Post-Pulse Operations for North Delta Diversion Bypass Flows

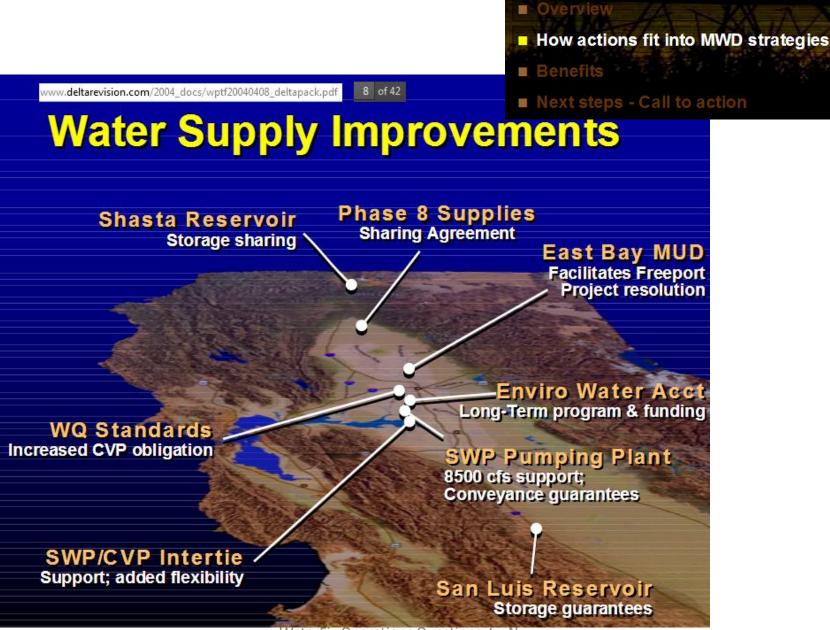
Implement following bypass flow requirements sufficient to minimize any increase in the upstream tidal transport at two points of control: (1) Sacramento River upstream of Sutter Slough and (2) Sacramento River downstream of Georgiana Slough. These points are used to minimize any increase in upstream transport toward the proposed intakes or into Georgiana Slough. Allowable diversion will be greater of the low-level pumping or the diversion allowed by the following bypass flow rules.

Level I Post-Pulse Operations			Level II Post-Pulse Operations		Level III Post Pulse Operations			
If Sacramento			If Sacramento			If Sacramento		
River flow is	But not		River flow is	But not		River flow is	But not	
over	over	The bypass is	over	over	The bypass is	over	over	The bypass is
Dec-Apr								
0 cfs	5,000 cfs	100% of the amount over 0 cfs	0 cfs	5,000 cfs	100% of the amount over 0 cfs	0 cfs	5,000 cfs	100% of the amount over 0 cfs
5,000 cfs	15,000 cfs	Flows remaining after constant low level pumping	5,000 cfs	11,000 cfs	Flows remaining after constant low level pumping	5,000 cfs	9,000 cfs	Flows remaining after constant low level pumping
15,000 cfs	17,000 cfs	15,000 cfs plus 80% of the amount over 15,000 cfs	11,000 cfs	15,000 cfs	11,000 cfs plus 60% of the amount over 11,000 cfs	9,000 cfs	15,000 cfs	9,000 cfs plus 50% of the amount over 9,000 cfs



WaterFix Operations Questions by N. Suard, Esq. Snug Harbor Resorts, LLC

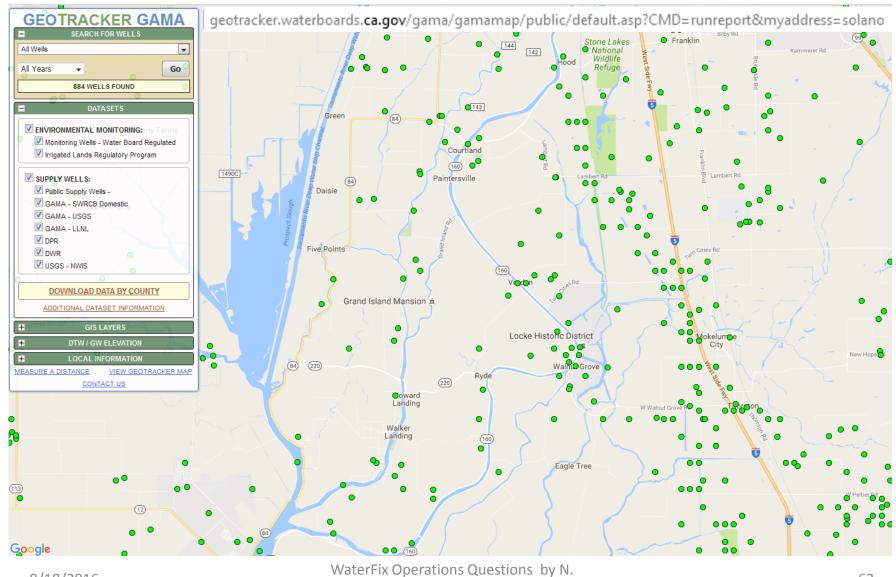


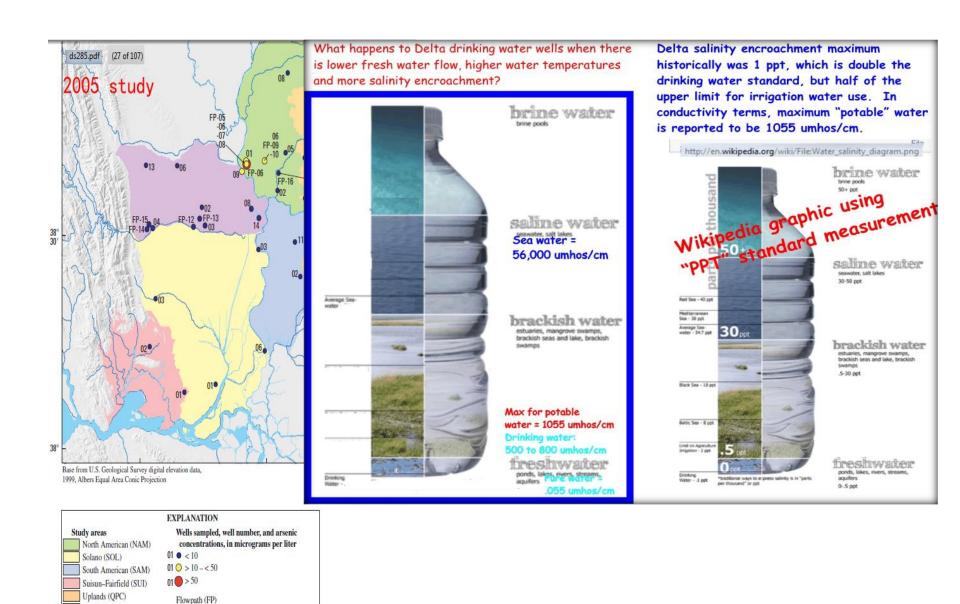


ww.deltarevision.com/2004\_docs/wptf20040408\_deltapack.pdf



## http://geotracker.waterboards.ca.gov/gama/gamamap/public/default.asp?CMD=runreport&myaddress=solano Accessed 8-11-16 at 9:54 am PT





Yolo (YOL)

Depth dependent (DD)