

1 THOMAS H. KEELING (SBN 114979)  
2 FREEMAN FIRM  
3 1818 Grand Canal Boulevard, Suite 4  
4 Stockton, CA 95207  
5 Telephone: (209) 474-1818  
6 Facsimile: (209) 474-1245  
7 Email: [tkeeling@freemanfirm.com](mailto:tkeeling@freemanfirm.com)

8 J. MARK MYLES (SBN 200823)  
9 Office of the County Counsel  
10 County of San Joaquin  
11 44 N. San Joaquin Street, Suite 679  
12 Stockton, CA 95202-2931  
13 Telephone: (209) 468-2980  
14 Facsimile: (209) 468-0315  
15 Email: [jmyles@sigov.org](mailto:jmyles@sigov.org)

16 Attorneys for Protestants County of San Joaquin,  
17 San Joaquin County Flood Control and  
18 Water Conservation District, and  
19 Mokelumne River Water and Power Authority

20 [ADDITIONAL COUNSEL LISTED ON FOLLOWING PAGE]

21 **BEFORE THE**  
22 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

23 HEARING IN THE MATTER OF  
24 CALIFORNIA DEPARTMENT OF  
25 WATER RESOURCES AND UNITED  
26 STATES BUREAU OF RECLAMATION  
27 REQUEST FOR A CHANGE IN POINT  
28 OF DIVERSION FOR CALIFORNIA  
WATER FIX

**PROPOSED GROUPING AND ORDERING  
OF PROTESTANTS PURSUANT TO  
AUGUST 31, 2017 ORDER**

1 JENNIFER SPALETTA (SBN 200032)  
2 SPALETTA LAW, PC  
3 P.O. BOX 2660  
4 LODI, CA 95241  
5 Telephone: (209) 224-5568  
6 Facsimile: (209) 224-5589  
7 Email: [jennifer@spalettalaw.com](mailto:jennifer@spalettalaw.com)

8 Attorneys for Protestants County of San Joaquin,  
9 San Joaquin County Flood Control and  
10 Water Conservation District, and  
11 Mokelumne River Water and Power Authority  
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Pursuant to the Hearing Officers' August 31, 2017 Ruling, Protestants County of San Joaquin, San Joaquin County Flood Control and Water Conservation District, and Mokelumne River Water and Power Authority (collectively, the "San Joaquin County Protestants"), respectfully submit the following proposed groupings and order of Parties for cross-examination in Part 2.

**Proposed Grouping of Protestants for Presentation of Evidence and for Cross Examination in Part 2:**

On behalf of the San Joaquin County Protestants, we propose that our three constituent parties (County of San Joaquin, San Joaquin County Flood Control and Water Conservation District, and Mokelumne River Water and Power Authority), be grouped together as a single participating protestant for purposes of cross-examination in Part 2 of this proceeding.

For purposes of presentation of evidence in their case in chief, the San Joaquin County Protestants propose to present their witnesses jointly with other protestants and/or as witnesses on joint panels, as follows:

**(1) Groundwater Focus Panel (LAND, Sacramento County Water Agency, and San Joaquin County et al.)**

**Counsel: Osha Meserve  
Aaron Ferguson  
Thomas Keeling**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b>	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
John Lambie (SJC et al. and LAND)	Delta hydrogeology and hydrology as it relates to groundwater/public interest/public trust	35	Yes
Josef Tootle (SJC et al. and LAND)	Public Interest and Public Trust resources; proposed spoils disposal plan; tunneling activities' impacts,	25	Yes

	including ground loss and impacts on levees and islands		
Steffen Mehl (SCWA)	Long-Term Groundwater Management Planning, SGMA	30	Yes
Laura Foglia (SCWA)	Long-Term Groundwater Management Planning, SGMA	30	Yes
Kerry Schmitz (SCWA)	Public Interest Considerations; Long-Term Groundwater Management Planning, SGMA	15	No

**(2) Transportation Impacts Focus Panel (San Joaquin County et al.; Sacramento County; Yolo County)**

**Counsel: Phil Pogledich  
Aaron Ferguson  
Thomas Keeling**

<b>NAME</b>	<b>SUBJECT OF PROPOSED TESTIMONY</b>	<b>ESTIMATED LENGTH OF DIRECT TESTIMONY</b>	<b>EXPERT WITNESS (YES/NO)</b>
Kris Balaji (SJC et al.)	Transportation dynamics and infrastructure in the Delta; CWF impacts on transportation and public safety	25	Yes
Panos Kokkas (Yolo Co.)	Transportation; traffic circulation and infrastructure impacts	25	Yes
Reza Maghissi (Sacramento Co.)	Transportation; traffic circulation and infrastructure impacts	25	Yes

**(3) Public Trust/Public Interest Focus Panel (San Joaquin County et al., CSPA, CWIN, AquAlliance, LAND)**

**Counsel: Michael Jackson  
Osha Meserve  
Thomas Keeling**

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Marc Del Piero	CWF impacts on public trust resources; balancing the public trust; essential elements of a competent public interest analysis; Delta flow criteria compliant with the 2009 Delta Reform Act and other enactments and decisions	45	Yes
Ed Whitelaw	Public Interest; Fish & Wildlife; Public Trust	45	Yes

**(4) Public Interest and Levees Focus Panel (SDWA, CDWA, and San Joaquin County et al.)**

**Counsel:     John Herrick  
                  Dean Ruiz  
                  Thomas Keeling**

NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Dante John Nomellini, Sr. (SDWA, CDWA, SJC et al.)	Requirements of 2009 Delta Reform Act and other enactments re: Delta flow criteria; unlawful pre-determination; premature and piecemeal proceedings; statutory mandates and protection of public trust; protection of senior water rights; unreasonable and wasteful use of water; impacts on recreational and other user of water	45	Yes
Christopher Neudeck (SJC et al.)	Delta levees; impacts of CWF on levees and reclamation districts	20	Yes
Tom Burke (SDWA, CDWA)	CWF flow criteria, and water quality and related requirements and impacts on fisheries, recreation, public trust, and public interest issues	45	Yes

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2 **(5) Public Interest Focus Panel (LAND, San Joaquin County et al.)**

3 **Counsel: Osha Meserve**  
4 **Thomas Keeling**

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NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Fraser Shilling, Ph.D.	Public trust/public interest: unreasonable environmental and community impacts/inconsistency with state water policy	30	Yes

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11 **(6) Economic Impacts/Public Interest Focus Panel (San Joaquin County et al., SDWA, CDWA, and Sacramento County)**

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13 **Counsel: Dean Ruiz**  
14 **Aaron Ferguson**  
15 **Thomas Keeling**

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NAME	SUBJECT OF PROPOSED TESTIMONY	ESTIMATED LENGTH OF DIRECT TESTIMONY	EXPERT WITNESS (YES/NO)
Dr. Jeffrey Michael (SJC et al., SDWA, CDWA, Sac. Co.)	Public interest: cost/benefit analysis of CWF; financial feasibility of CWF; impacts of CWF on recreation, recreation-related activities, and Delta tourism; effects of CWF on the local and regional economy; socio-economic impacts of CFW on Delta communities	45	Yes

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**Proposed Order of Cross-Examination:**

The San Joaquin County Protestants request that the Board’s Part 2 Order of Cross-Examination be prepared so as to allow the San Joaquin County Protestants to cross-examine Petitioners’ witnesses subsequent to cross-examination by the South Delta Water Agency and Central Delta Water Agency. We agree with the suggestion made by other Protestants that Hearing staff provide a proposed order of groups for cross-examination and allow a short time for comments on that proposal before finalizing the ordering of groups.

Dated: November 30, 2017

**FREEMAN FIRM**  
A PROFESSIONAL LAW CORPORATION

By:   
THOMAS H. KEELING

Attorneys for Protestants County of San Joaquin, San Joaquin County Flood Control and Water Conservation District, and Mokelumne River Water and Power Authority