

DEPARTMENT OF WATER RESOURCES

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July 5, 2018

Tam Doduc, Hearing Officer
Felicia Marcus, Hearing Officer
State Water Resources Control Board
1001 I Street
Sacramento, California 94596

Re: California WaterFix- Clifton Court LP July 4, 2018 Request

On July 2, 2018, the Hearing Officers issued a ruling requiring the Department of Water Resources to provide in rebuttal testimony certain responses as set forth in Clifton Court LLC request dated June 21, 2018. Subsequently, Clifton Court LP asserted on July 4, 2018, that the information was needed for Clifton Court LP to complete their rebuttal testimony. In order to maximize efficiency, DWR will respond to the requests below now and then provide the same response in their rebuttal testimony as required by the Hearing officers, and make a witness available for cross examination.

Clifton Court Request: Although CCLP will no longer be turned into the South Clifton Court Forebay (SCCF), many maps show both the Approved Project and the Proposed Project together. The fundamental question is: Will our farm be taken?

Response: Due to continued optimization, this property is no longer required for CWF purposes.

Clifton Court Request: It appears that in the Proposed Project Figure M 3-4: Sheet 11 or 12 a Control Structure will now be built on our property off Herdlyn Road. The map and details of the Control Structure are vague. There also is no mention of Herdlyn Road in the Transportation study regarding construction impacts. Where is specific information on this structure?

Response: In regards to the control structure, currently there is a small portion of this facility (less than one acre - See Attachment #1) that is located on Clifton Court LP property. We are in the process of revising the area needed for the control structure, and with this revision (See Attachment# 2), this facility will be entirely located off the Clifton Court LP property.

Clifton Court Request: The General Plan Land Use Designations - Proposed Project, Figure M13- 4: Sheet 5 of 6, shows our farm to be Recreation Use. Furthermore our property between Herdlyn Road and the DMC is shown as a public property. Clearly our farm at this point is not a recreation site or a public property. Where is the information that explains what will happen to our land?

Response: General plan designations are determined by local entities, not by DWR. Contra Costa County designates land use for lands in the unincorporated portions of the county, like the CCLP property. The December 2017 Land Use designation map prepared by the county indicates that land south of Clifton Court Forebay to be designated as Delta Recreation and Public/Semi-Public uses. To complete this map (See Attachment #3) information on zoning was taken from the Contra Costa County general plan. DWR cannot change the zoning designations. As noted about in the previous two responses, there are currently no plans for any WaterFix facility to be located on CCLP property.

Sincerely,

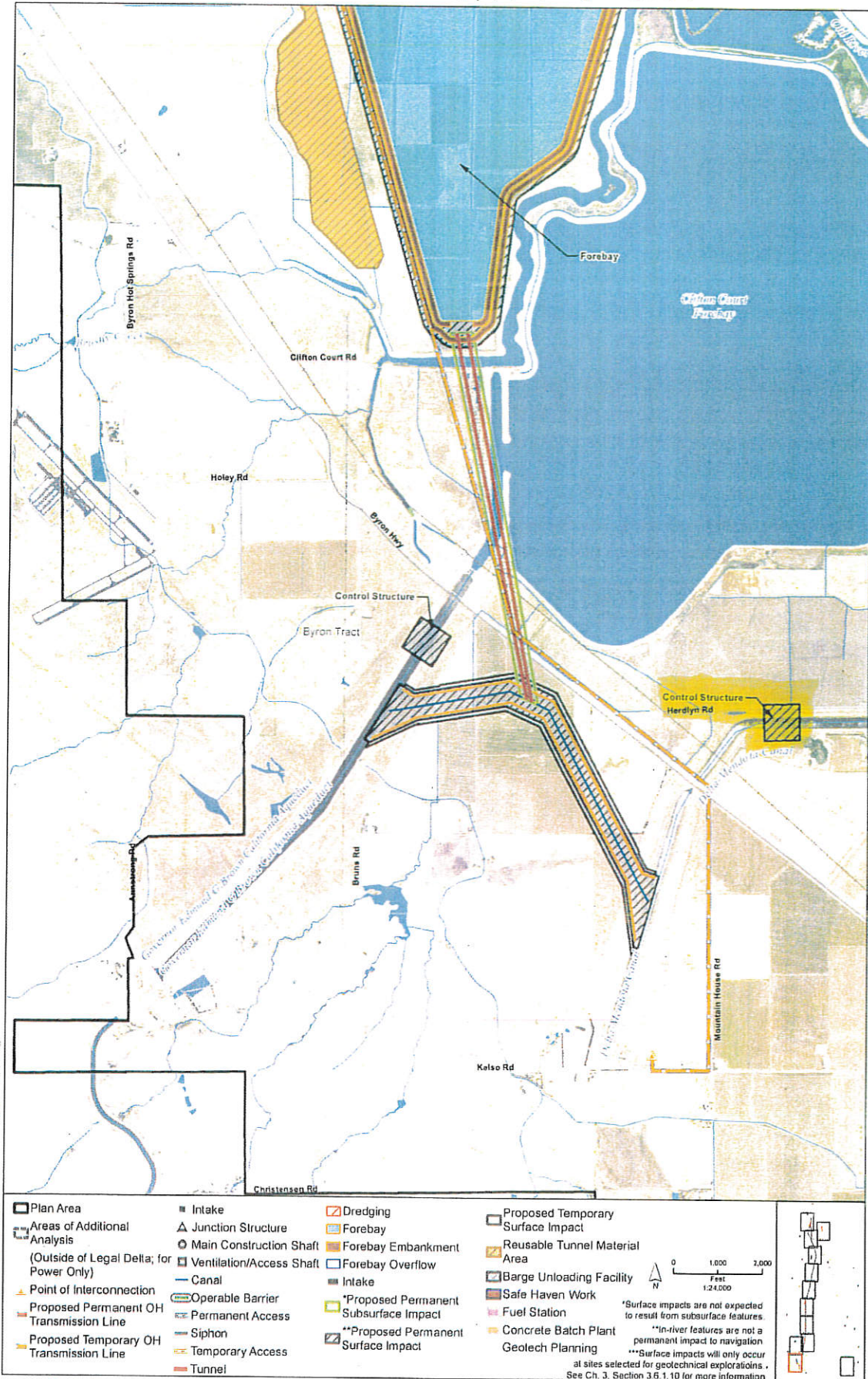


Cathy Cavanaugh

Office of the Chief Counsel, Department of Water Resources

cc: CWF Service List

ATTACHMENT #1



Source: DWR, DVF Engineering, Inc. (2016), 1/4/17, 2/17

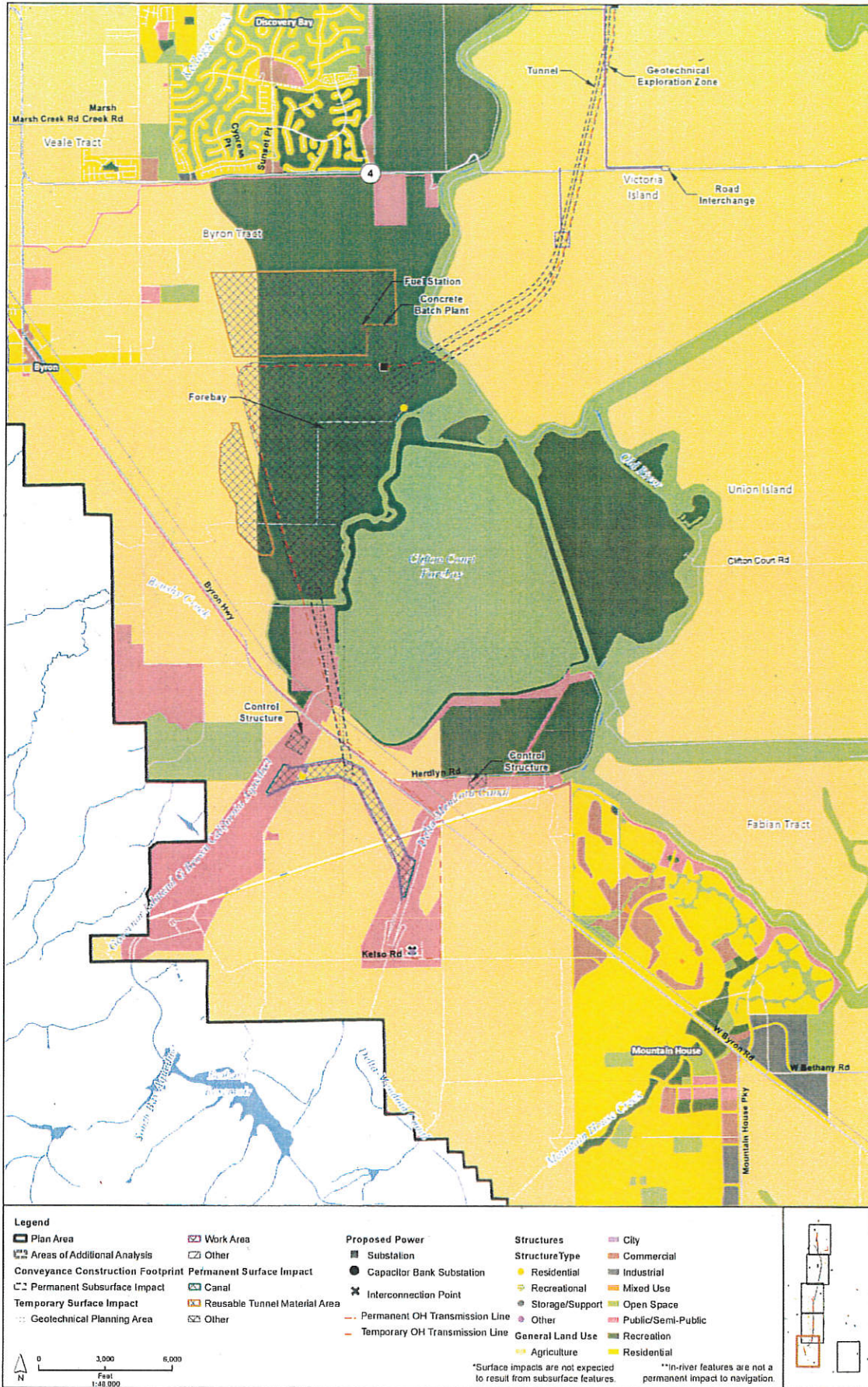
Figure M3-4: Sheet 11 of 12 Proposed Project

DRAFT: 29 May 2018

ATTACHMENT #1



ATTACHMENT #3



Source: DPR, CNF Engineering, Inc. for 2018. NADP 2011. SmartPlan Land Use. © 2018. Brouthers, INC. H01P 2018

DRAFT: 29 May 2018

Figure M13-4: Sheet 5 of 6
General Plan Land Use Designations — Proposed Project

ATTACHMENT #3