



May 2, 2019

[CWFhearing@waterboards.ca.gov](mailto:CWFhearing@waterboards.ca.gov) via Email

Hearing Officer Tam Doduc  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

**CALIFORNIA WATERFIX – WITHDRAWAL OF PETITION FOR CHANGE IN  
POINTS OF DIVERSION AND REDIVERSION AND OF APPLICATION FOR  
SECTION 401 CERTIFICATION**

Dear Hearing Officer Doduc:

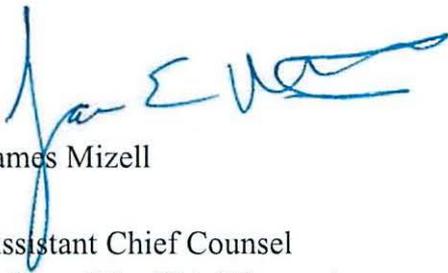
Today, Department of Water Resources (DWR) Director Nemeth withdrew the project approval of the California WaterFix Project (WaterFix) and rescinded the accompanying notice of determination filed pursuant to the requirements of the California Environmental Quality Act (see attached). In addition, DWR staff was directed to coordinate with the U.S. Bureau of Reclamation (Reclamation) (collectively Petitioners) and notify the State Water Resources Control Board (State Water Board) that the Petitioners withdraw the pending Petition for Change in Points of Diversion and Rediversion (CPOD Petition) for the State Water Project and Central Valley Project, and to withdraw the application for Section 401 certification for WaterFix.

This letter also serves as the WaterFix status update promised to the State Water Board in Petitioners' March 1, 2019 request to place the petition in abeyance and stay the hearing, which was granted by the State Water Board in its March 5, 2019 ruling. As a component of Gov. Newsom's Executive Order N-10-19, issued April 29, 2019, DWR was directed to begin an assessment of, "current planning to modernize conveyance through the Bay Delta with a new single tunnel project."

Therefore, by and through this letter Petitioners hereby jointly withdraw their WaterFix CPOD Petition filed on August 26, 2015.<sup>1</sup> DWR likewise hereby withdraws its application for a WaterFix Section 401 water quality certification filed on September 24, 2015, as updated November 15, 2018.

Petitioners thank the State Water Board staff, hearing officers, and other State Water Board members for their considerable time and attention throughout the last several years. Petitioners believe that your effort provided valuable insights and lessons.

Sincerely,



James Mizell

Assistant Chief Counsel  
Office of the Chief Counsel  
CA Department of Water Resources



Amy L. Aufdenberge

Assistant Regional Solicitor  
Office of the Regional Solicitor  
U.S. Department of the Interior

cc: *Electronic Service*

Eileen Sobeck, Executive Director, State Water Resources Control Board  
Michael Lauffer, Chief Counsel, State Water Resources Control Board  
Electronic service list (October 30, 2018)

*Personal Service via U.S. Postal Service*

Suzanne Womack and Sheldon Moore  
Clifton Court, L.P.  
3619 Land Park Drive  
Sacramento, CA 95818

---

<sup>1</sup> This letter withdraws the WaterFix CPOD Petition as to all permits specified therein: DWR permits 16478, 16479, 16481, 16482 for the State Water Project and Reclamation permits 11315, 11316, 12721, 12722, 12723, 11967, 11968, 11969, 11971, 11973 and 12364 for the Central Valley Project.