

1 Trent W. Orr, State Bar No. 77656  
A. Yana Garcia, State Bar No. 282959  
2 EARTHJUSTICE  
50 California Street, Suite 500  
3 San Francisco, CA 94111  
torr@earthjustice.org  
4 ygarcia@earthjustice.org  
Tel: (415) 217-2000  
5 Fax: (415) 217-2040

6 *Attorneys for Protestant Restore the Delta*

7  
8 **BEFORE THE**  
9 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

10  
11 HEARING IN THE MATTER OF  
12 CALIFORNIA DEPARTMENT OF WATER  
13 RESOURCES AND UNITED STATES  
14 BUREAU OF RECLAMATION REQUEST  
FOR A CHANGE IN POINT OF DIVERSION  
FOR CALIFORNIA WATERFIX

**DECLARATION OF PAUL MARSH**

1 I, PAUL MARSH, declare as follows:

2 1. I am an adult over the age of eighteen. I have personal knowledge of all the facts  
3 contained in this declaration, except those stated on information and belief. As to those statements  
4 based on information and belief, I believe them to be true. If called to testify, I would and could  
5 completely and truthfully testify as to the statements contained herein.

6 2. I own Mile Wine Company (MWC), a combined panini bar, restaurant, and food and  
7 wine shop. MWC strives to provide a selection of distinctive and fine wines locally and from around  
8 the world, and offers a variety of cheeses, charcuterie, monthly winemaker dinners, a wine club, and  
9 weekly wine classes that I personally lead.

10 3. I have 10 years' experience in the wine industry and related businesses.

11 4. In operating my business, MWC prides itself on being a farm-to-table restaurant. This  
12 business model depends on using locally grown or raised animals, vegetables, herbs and wines.

13 5. MWC's suppliers include Johnson Burke Farms (vegetables), PUENTES (eggs), and  
14 several Lodi wineries (Watts Winery, St. Sophia Winery, Piazza Winery, and Michael Klouda  
15 Winery).

16 6. Should the Petition Facilities be constructed and operated I am concerned that water  
17 quality for my suppliers of foods and wine would be compromised and the restaurant would lose  
18 focus for all of the locavores (locally-oriented people who prefer to eat and locally grown foods and  
19 wines). The restaurant would lose access to its locally grown sources and therefore its focus. In  
20 addition, prices would increase, which could detrimentally affect visitation and therefore business.

21 7. Loss of business due to water quality effects could result further in job losses if my  
22 business had to close.

23 I declare under penalty of perjury under the laws of the United States of America that the  
24 foregoing is true and correct. Executed this 27 day of August, 2016, at Stockton,  
25 California.

26 

27 PAUL MARSH  
28

1 **STATEMENT OF SERVICE**

2 **CALIFORNIA WATERFIX PETITION HEARING**  
3 **Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)**

4 I hereby certify that I have this day submitted to the State Water Resources Control Board  
5 and caused a true and correct copy of the following document(s):

6 **[title]**

7 to be served **by Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service**  
8 **List** for the California WaterFix Petition Hearing, dated August 8, 2016, posted by the State Water  
9 Resources Control Board at [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/  
10 bay\\_delta/california\\_waterfix/service\\_list.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml)

11 I certify that the foregoing is true and correct and that this document was executed on  
12 August \_\_\_\_, 2016.

13 Signature: \_\_\_\_\_

14 Name: John W. Wall

15 Title: Litigation Assistant

16 Party/Affiliation: Protestant, Restore the Delta

17 Address: Earthjustice  
18 50 California Street, Suite 500  
19 San Francisco, CA 94103