

1 ~~built around the Bay. All of this~~
2 ~~life and quality of life is sacrificed~~
3 ~~so a few families can keep profiting,~~
4 ~~and this has to stop.~~
5 ~~These ag businesses can profit from~~
6 ~~green projects.~~
7 ~~It's time for the governor and his~~
8 ~~administration to focus on what has~~
9 ~~been ignored too long, and that is our~~
10 ~~wellbeing from the mountains to the~~
11 ~~Bay Delta and taking care of the~~
12 ~~rivers, not feather the pockets of the~~
13 ~~rich so that the precious Bay Delta~~
14 ~~and the rivers of California and the~~
15 ~~salmon can keep flowing to the sea.~~
16 FACILITATOR: Thank you.
17 MISA JOE: Thank you.
18 JEANNE FRANCE: I am Jeanne France.
19 FACILITATOR: Okay.
20 JEANNE FRANCE: Okay. I don't have anything prepared.
21 I just want to say 20 years ago there
22 was too much water being taken out of
23 the Delta. You're harming the Delta.
24 You're harming the environment of the
25 Delta. The fish cannot survive with

1 more take of the Delta water. It must
2 be allowed to flow to the seas.
3 Recent studies have shown there's
4 enough selenium in the Delta now that
5 juvenile fish have deformed spines.
6 I want it on the record that I have
7 spoken so that future generations can
8 hear how many of us disagree with the
9 DWR Bernhardt Westlands Water District
10 and the Resnicks. They are destroying
11 California. Not every drop of water
12 is yours to take. It belongs to all
13 of us in California. And by taking so
14 much water from the Delta and the
15 Sacramento and Trinity Rivers destroys
16 the north state. It hinders us to be
17 able to have agriculture up here
18 because there won't be enough water
19 for us up here. You're taking it
20 away, and we can't stand it, and we
21 will fight. We're not going to give
22 us up this fight. We will never back
23 down. And go back to the DWR and tell
24 Carla those of us that know her know
25 that she's doing a bad job.

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING

REDDING, CALIFORNIA

MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.

(800) 288-3376

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REPORTED BY: CHRISTENA GRAY, CSR No. 9360

FILE NO.: AE01D5F

1 ~~something you don't even want to go~~
2 ~~in.~~
3 ~~It's honestly sad and makes me want to~~
4 ~~cry, and I'm having a hard time just~~
5 ~~thinking about you guys doing this or~~
6 ~~like allowing this. It's not okay,~~
7 ~~and I hope my sister doesn't have to~~
8 ~~go through this when she gets older.~~
9 ~~(Tribal language spoken.)~~
10 FACILITATOR: ~~Thank you, Ms. McKinnen.~~
11 ~~Jason Franklin, and then Mr. Franklin,~~
12 ~~before you begin, I'd like to call the~~
13 ~~next three speakers who could line up~~
14 ~~behind Mr. Franklin, please. Willard~~
15 ~~Carlson, Clark Tuthill, and Regina --~~
16 ~~I cannot pronounce the last name --~~
17 ~~but from Save California Salmon. Yes,~~
18 ~~very good. Again, Willard Carlson,~~
19 ~~Clark Tuthill and Regina from Save~~
20 ~~Our California Salmon.~~
21 ~~Mr. Franklin, you can go ahead.~~
22 **JASON FRANKLIN:** My name is Jason Franklin. I'm here
23 representing Eel River Wildlife and
24 their unrecognized tribe over around
25 Briceland area, Northern Mendocino and

1 Southern Humboldt, and I'd like to say
2 thank you to the Winnemen people. I
3 appreciate being here being -- my
4 brother over here spent hours on the
5 river today, you know, fishing for
6 trout, and I'm opposed to the state
7 doing anything. You know, the way
8 that I was brought up, like it's
9 Creator made all of this, and He made
10 it perfect, and it works just fine, so
11 leave it alone. You know, everybody's
12 talking about climate change this and
13 we have to change this to make up for
14 that. You did enough. Don't raise
15 the dam. Don't mess with the river.
16 Leave it alone. It's probably not
17 going to -- you should not be a farmer
18 at these beautiful, intelligent and
19 eloquent people's expense. They live
20 there. My nieces and nephew live
21 there. I spend every Summer up there.
22 I spent -- this is our life.
23 You know, the way that I was brought
24 up, water is your first medicine.
25 Water is -- you're in water in your

1 mother, you know. You can last for
2 five minutes without air and like five
3 days without water. Nobody can own
4 water. You can't sell our water to
5 rich farmers in the desert. That's
6 ridiculous. It doesn't make any sense
7 whatsoever, and it just seems like one
8 more way to raise the dam and to
9 get -- you know, line somebody's
10 pockets. Give some contractor a
11 billion dollars all at our expense.
12 And what the people -- what you guys
13 are -- like what the state people, the
14 government are not understanding is
15 that you're taking a piece of these
16 people's spirit. It's a reality.
17 This is -- it's who we are. It's what
18 we are, and you can't take it and sell
19 it to somebody else, you know. And,
20 you know, I'm sitting over there and
21 I'm like well, I'm not anybody. I
22 shouldn't talk. I don't know what to
23 say. And that's -- that's not true.
24 I am somebody. I'm somebody just like
25 everybody else in here. I have a

1 voice just like everybody else in
2 here. You know, it's -- it really
3 feels good to me to see all of you
4 guys in here. You know, especially
5 these native groups. Like I've sat in
6 the lodge with you and heard you sing,
7 and there's nothing like it. And
8 that's -- maybe you guys need to come
9 and sit in the lodge with us and hear
10 us sing and see if you can -- you
11 know, maybe you need to do that.
12 That's all I got to say.

13 ~~FACILITATOR: Thank you, Mr. Franklin.~~

14 ~~Our next speaker is Willard Carlson.~~

15 ~~WILLARD CARLSON: Hi, there. I'm Willard Carlson. I'd~~
16 ~~like to thank the Winnemen Wintu~~
17 ~~people and all other peoples for being~~
18 ~~here. I live on Blue Creek on the~~
19 ~~Klamath River.~~

20 ~~If you -- if you're -- if anybody can~~
21 ~~remember, there's this book out called~~
22 ~~Cadillac Desert. I don't know if any~~
23 ~~of you are familiar with this. Well,~~
24 ~~they talked about the great California~~
25 ~~Water Diversion Project. I have the~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.
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REPORTED BY: CHRISTENA GRAY, CSR No. 9360
FILE NO.: AE01D5F

1 ~~State Salmon Association is against~~
2 ~~this proposal as it currently stands.~~
3 ~~The Federal Clean Water Act requires~~
4 ~~the State Water Board to assess the~~
5 ~~Bay Delta water quality every three~~
6 ~~years. The State Water Board has not~~
7 ~~done their required work for 12 years.~~
8 ~~Any reasonable person would want to~~
9 ~~have a water quality baseline before~~
10 ~~making any decisions about diverting~~
11 ~~water, and that is the position of the~~
12 ~~Golden State Salmon Association.~~
13 ~~The federally required directive to~~
14 ~~assess the Bay Delta water quality is~~
15 ~~an absolute prerequisite. For a~~
16 ~~concept relativity, you're talking~~
17 ~~about 6,000 cfs or 7,500 cfs. Right~~
18 ~~now approximately 5,500 cfs is going~~
19 ~~down the river. You're proposing to~~
20 ~~divert an entire river.~~

21 **MORNINGSTAR GALI:** Good evening. My name is Morningstar
22 Gali. I am Ajumawi Band of Pit
23 River. I just want to say greetings
24 to all of the relatives here tonight.
25 I see Pit River, Wintu, Yurok, Hoopa

1 relatives and all of you, and I just
2 want to say how beautiful it is to
3 have you all here. It's unfortunate
4 that we're here.

5 I am in opposition of the project, but
6 since we are here to give comments, I
7 have comments on what the EIR should
8 be including.

9 The EIR should analyze impacts to
10 California salmon people, including
11 salmon-dependent tribes and coastal
12 fishing communities.

13 The EIR should analyze alternatives
14 that would increase Delta outflow and
15 reduce exports as compared to current
16 conditions in the Delta.

17 Specifically, the EIR should examine a
18 no tunnel alternative as mentioned
19 earlier. The EIR should analyze the
20 impacts to source waters and their
21 reservoir storage, which do include
22 the rivers that we all know where our
23 water comes from.

24 You know, as -- as Georgiana said,
25 we're, you know, as salmon people as

1 tribal people here that we know where
2 our rivers are, the Trinity, the
3 Klamath, the Sacramento, the Pit
4 River, the McCloud. Like this
5 is our water, and this is our water
6 for our future generations that we
7 haven't had salmon within our Pit
8 River for 80 years now. That's four
9 generations of our relatives of our
10 peoples, and so for our generations,
11 for our future generations that we
12 need to be able to restore this, and
13 so for the Feather, Yuba and San
14 Joaquin Rivers, water quality impacts
15 from an increased diversion should be
16 included in this analysis.
17 The EIR should analyze the cumulative
18 impacts of the Delta Tunnels with the
19 new Trump administration biological
20 opinions for the Trump Water Plans,
21 the long-term operations of the state
22 water project, the Shasta Dam raise
23 and the proposed site reservoir.
24 Would these new projects then be used
25 to fill the tunnels, and the EIR

1 should analyze water conservation
2 efficiency and additional demand,
3 reduction measures that would be less
4 environmentally harmful and more
5 economical than the tunnels and
6 achieve the same water supply
7 reliability goals and targets.

8 I also asked some questions to
9 Secretary Crowfoot last week, and I'm
10 going to have these same comments on
11 record.

12 Why is the governor's office not
13 fighting back against the Trump water
14 plan and instead prioritizing plans
15 that will reduce flows for salmon in
16 the Delta, Sacramento and Trinity
17 Rivers, and the economy's health and
18 subsistence of tribal and coastal
19 communities rely on salmon, and how
20 will cutting regulations help protect
21 these communities and restore salmon,
22 and why is DWR not reaching out to
23 north state rural and salmon-dependent
24 communities on things such like the
25 tunnel and the Water Portfolio?

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FILE NO.: AE01D5F

1 Thank you.

2 ~~FACILITATOR:~~ Thank you.

3 ~~So just a couple things. I'm going to~~
4 ~~call the next three people up so you~~
5 ~~can get ready. Ruthie Maloney, David~~
6 ~~Ledger and Atta Stevenson, so the next~~
7 ~~three people if you could get ready,~~
8 ~~and then I keep getting more and more~~
9 ~~cards. I'm going to do my best to get~~
10 ~~through them all. Hopefully we can.~~
11 ~~I've also asked for a little bit of~~
12 ~~extension of time on this room so I'll~~
13 ~~keep you posted on that. So if you~~
14 ~~really feel like you put a card in and~~
15 ~~you don't want to use it, that's also~~
16 ~~fine because that will save time for~~
17 ~~other people.~~
18 ~~So please proceed.~~

19 **GEORGIANA GENSAW:** (Tribal language spoken.) My name is
20 Georgiana Gensaw, and I come from
21 Klamath. I come from Straight Arm,
22 and I am living in now what is known
23 as Klamath, the end of the river, and
24 we came a long ways, a really long
25 ways today to join our brothers and

1 sisters over here to remind these
2 folks over here that we are all
3 connected, and what you do over here
4 affects us over there. You see the
5 watershed, it all plays together. And
6 I know you're saying oh, it's not the
7 Trinity. Oh, it's not the Klamath.
8 But the more you pull on the
9 Sacramento, the more you pull on the
10 American, the more you pull on Feather
11 River, the more you pull on those
12 rivers will pull over on ours. And so
13 you say that oh, you're not pulling
14 this, you're not pulling that. We are
15 not dumb. We heard what Trump said.
16 We know he's coming after Trinity
17 water. We're not stupid to that. We
18 heard what he had to say loud and
19 clear. We know that what that
20 tunnel's coming for. We are Indians.
21 We know how things work. If there's a
22 road, a highway's coming next. If you
23 put up a fence, a house is coming
24 after that. We see things down the
25 line. We know what's coming.

1 So when you talk about looking at
2 adverse effects, I hope that you take
3 into account the things that cannot
4 speak for themselves, the trees, the
5 mountains, the soil, all those things
6 that go away when the land goes --
7 when the water goes away from it. The
8 landslides that you have. You know,
9 we see these tunnels. We follow these
10 tunnels when we go down south. Our
11 kids watch the water where it goes and
12 we have to explain to them yep, that's
13 Trinity water going all the way down
14 to LA so that they can grow things in
15 the desert. We know where that water
16 goes. We know that it's not coming
17 into the Klamath when other fish are
18 dry and it's hot and they're dying and
19 we need it. And we have to come to
20 things like this and stand up and
21 scream and yell and say how bad our
22 fish need the water. Because why?
23 Because we're contending with Southern
24 California for water.
25 This will be one more thing to stress

1 out our river communities, our poor
2 river communities. More meetings that
3 we have to go to to stand up again and
4 remind you again that the fish that
5 cannot speak for themselves need to be
6 heard, and we will be here again to
7 tell you again that the river is
8 important, and it needs the water more
9 than Southern California.

10 ~~FACILITATOR: Thank you.~~

11 ~~RUTHIE MALONEY: My name is Ruthie Maloney. I am Yurok~~
12 ~~and Navajo. I come from the rivers~~
13 ~~from Hoopa Valley on the Trinity~~
14 ~~River. I was born and raised there.~~
15 ~~I come from a family that is from~~
16 ~~Smoker Falls in Weitchpec off the~~
17 ~~Klamath and Trinity Rivers. I've seen~~
18 ~~in my lifetime the degradation and the~~
19 ~~ruining of our water and what it's~~
20 ~~done to our valley and to our families~~
21 ~~and to our spirits there.~~
22 ~~We can no longer continue to give~~
23 ~~something that we never had the right~~
24 ~~to give you anyway. You know, water~~
25 ~~needs to flow. It always has. And~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

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REPORTED BY: CHRISTENA GRAY, CSR No. 9360

FILE NO.: AE01D5F

1 ~~I should have been in school. We~~
2 ~~don't get out until 3:40. I should~~
3 ~~have been learning. I should be home~~
4 ~~helping my mom take care of the kids~~
5 ~~and doing my homework, but I'm here~~
6 ~~fighting for a basic necessity to my~~
7 ~~people, to their people, to everybody~~
8 ~~on the river. I shouldn't be here,~~
9 ~~but I'm here fighting for a basic~~
10 ~~necessity.~~
11 ~~And before I end, show the Trinity~~
12 ~~River. Show the rivers when you're~~
13 ~~going to do something to the Trinity.~~
14 ~~Show on your maps or we see~~
15 ~~something -- you have something to~~
16 ~~hide. Know while I'm here I'm not~~
17 ~~letting my river, the Trinity River,~~
18 ~~or the rivers and The Rivers to be~~
19 ~~harmed.~~
20 ~~Thank you.~~

21 **LOUIS GUSTEFSON:** My name is Louis Gustefson. I'm
22 Itsatawi. I represent Its, which is
23 now known as the Pit River Tribe.
24 I'm just here in solidarity. There is
25 a lot more I wanted to say. I know

1 there's a lot more speakers, so I
2 didn't want to take too much time, but
3 you guys are the ones that are taking
4 our thoughts back for the scope and
5 the NOP and all that, so I really
6 would like -- I would employ you guys
7 to do your best to articulate exactly
8 what is being said here. State in a
9 way that resonates more with the
10 people that you work for and you guys
11 can report back to because this is
12 real. What we're going through is
13 real. What we've been through is
14 real.

15 Like I said, I'm a Pit River Tribal
16 member. A majority of water starts in
17 the Pit River, and we meet up with
18 others like we're all together like we
19 are here, and it's powerful, and it's
20 important for you guys to go back in a
21 strong way and add these issues to
22 your Environmental Impact Report
23 because we are the environment, and
24 it's not just native people. We have
25 so many strong people speaking who are

1 nonnative because this affects
2 everybody. This is nonpartisan. This
3 is non-gender. This is not anything
4 to do with race whatsoever.
5 So thank you very much, at least, for
6 giving us this opportunity. There
7 should be more, like people have said,
8 but I want to thank you guys, at
9 least, for that and really look in
10 your heart and do your best to make
11 this, again, resonate and mean as much
12 as it can because this is important to
13 us and all that stuff.

14 Thank you.

15 ~~FACILITATOR: Thank you.~~

16 ~~Okay. The next speaker is Louis~~
17 ~~Gustefson. Okay. And then I'm going~~
18 ~~to call the next three. Jasper~~
19 ~~Hostler, Lorenita McKinnen and Jason~~
20 ~~Franklin. If you can line up in front~~
21 ~~of the microphone Jasper Hostler,~~
22 ~~Lorenita or Lovenita McKinnen.~~
23 ~~Lorenita. Thank you. And Jason~~
24 ~~Franklin.~~

25 ~~JASPER HOSTLER: Hi, my name I'm Jasper Hostler. I'm a~~

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1 ~~doesn't include the impacts on the~~
2 ~~rivers of Northern California. You~~
3 ~~don't even bother to have them on the~~
4 ~~maps. So we need to make sure that~~
5 ~~that NOP has those Northern California~~
6 ~~tributaries included in the NOP.~~
7 ~~Also, you say nothing about the fish~~
8 ~~and the other habitat that will be~~
9 ~~impacted by this tunnel, and that's a~~
10 ~~very important part of the project for~~
11 ~~all of us up here in Northern~~
12 ~~California.~~
13 ~~Also, I did not see anything in the~~
14 ~~NOP that shows any other alternatives~~
15 ~~instead of a tunnel. You can ask~~
16 ~~Chief Sisk of the Winnemen Wintu.~~
17 ~~They have other alternatives, and the~~
18 ~~state never seems to recognize that.~~
19 ~~They are traditional water keepers.~~
20 ~~They know more than we do, so I think~~
21 ~~they need a place at the table.~~
22 ~~Thank you.~~
23 ~~FACILITATOR: Thank you very much. Okay. Next up.~~
24 **WILL HARLING:** My name is Will Harling, and I want
25 you to consider the no tunnel

1 alternative, and I want to give the
2 rest of my time to this young woman
3 here, Margo Robbins.

4 ~~FACILITATOR: Okay. Hang on just a second.~~

~~5 So I didn't address that before in
6 terms of ceding time. I don't have
7 enough time in the day to cede time,
8 so you can either use your time or not
9 use your time. I just don't have -- I
10 have too many cards.~~

~~11 So I need to have order in the room so
12 that we can hear all the comments.~~

13 ~~WILL HARLING: You can start my time now?~~

14 ~~FACILITATOR: Yes.~~

15 ~~WILL HARLING: All right. Now, you can talk.~~

16 ~~MARGO ROBBINS: My name is Margo Robbins. I am here
17 to request that you consider the
18 effects to the Klamath and Trinity
19 Rivers in your Environmental Impact
20 Report. I think that you must include
21 the -- the 2000 Record of Decision and
22 also the 50-acre feet that Humboldt
23 County has been guaranteed, that that
24 needs to be included in the modeling.
25 The current modeling does not need to~~

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1 ~~Thank you very much.~~

2 ~~You can go ahead.~~

3 WINTER HAWK: (Tribal language spoken.) I'm Winter
4 Hawk Rouse. I'm 12 years old, and
5 this is our homeland. Our water is
6 not for sale. The fish and animals
7 are my relatives. Oh.

8 ~~FACILITATOR: Monica Moreno. Are you Monica?~~

9 ~~Okay. No, we need to go in the order.~~

10 ~~Go ahead. Our next speaker Kenwani.~~

11 ~~KENWANI KROWITZ: (Tribal language spoken.) Hello, my~~
12 ~~name is Kenwani Krowitz. I am here~~
13 ~~today in the capacity of the Madesi~~
14 ~~multicultural rep, alternate for the~~
15 ~~circular nation, however, I also~~
16 ~~distend from the Winnemen nom prenom~~
17 ~~and nom pre bands of the Pit River~~
18 ~~people. We come from -- our nom~~
19 ~~prenom people come from the east fork~~
20 ~~of the Trinity River. That's where~~
21 ~~the Hammawi come from. The nom prenom~~
22 ~~people come from the upper Sacramento~~
23 ~~River. The Winnemen come from McCloud~~
24 ~~River, and my Pit River people come~~
25 ~~from the Big Bend of the Pit River.~~

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1 ~~havoc on communities who have been~~
2 ~~struggling because of the greed of big~~
3 ~~corporate agriculture and farms~~
4 ~~planted in deserts. No tunnel is good~~
5 ~~for the Delta. No tunnel is good for~~
6 ~~tribal folks, and no tunnel is good~~
7 ~~for California.~~

8 ~~Thank you.~~

9 ANNELIA HILLMAN: Annelia Hillman. The State of
10 California has a legacy of raping and
11 pillaging and stealing and destroying
12 the people of this land. The
13 destruction needs to stop, and it
14 needs to stop at this tunnel project.
15 You can't fool us anymore. We know
16 that the tunnels manipulate natural
17 flows, and we know that there -- it
18 will affect our communities. It will
19 affect the Klamath River. It will
20 affect the Trinity River. We're not
21 going to stand by and watch this,
22 okay. That is what I'm -- my message
23 I want to tell you today is that
24 whatever your plans are, this water
25 plan, we're not going to sit by and

1 watch it happen, okay.

2 I don't know if you've paid attention
3 to what's happening in Canada.

4 They're shutting it down, right.

5 Well, the people of California, we've
6 had enough. We're going to shut it
7 down. We will come together. We are
8 united, and we will shut it down.

9 ~~FACILITATOR: Mr. Mitchell. I'm sorry, we have more~~
10 ~~comments. Thank you.~~

11 ~~LAURENCE MITCHELL: My name is Laurence Mitchell. I come~~
12 ~~to you as one of many fishermen that~~
13 ~~all my people talk about, and it's sad~~
14 ~~to see that we have to always come and~~
15 ~~beg and plead and cry, yell for you~~
16 ~~guys to stop taking water from us.~~
17 ~~It's not fair. Not fair to me. It's~~
18 ~~not fair to my family because my~~
19 ~~family depends on that fish. Depends~~
20 ~~on the eel, sturgeon, all that. You~~
21 ~~take that away from us. You take the~~
22 ~~water away from us, then we're~~
23 ~~nothing, and it's sad to see that you~~
24 ~~guys don't even bat a eyelash. Don't~~
25 ~~even care. And it hurts. It hurts a~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.

(800) 288-3376

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REPORTED BY: CHRISTENA GRAY, CSR No. 9360

FILE NO.: AE01D5F

1 nonnative because this affects
2 everybody. This is nonpartisan. This
3 is non-gender. This is not anything
4 to do with race whatsoever.
5 So thank you very much, at least, for
6 giving us this opportunity. There
7 should be more, like people have said,
8 but I want to thank you guys, at
9 least, for that and really look in
10 your heart and do your best to make
11 this, again, resonate and mean as much
12 as it can because this is important to
13 us and all that stuff.
14 Thank you.
15 FACILITATOR: Thank you.
16 Okay. The next speaker is Louis
17 Gustefson. Okay. And then I'm going
18 to call the next three. Jasper
19 Hostler, Lorenita McKinnen and Jason
20 Franklin. If you can line up in front
21 of the microphone Jasper Hostler,
22 Lorenita or Lovenita McKinnen.
23 Lorenita. Thank you. And Jason
24 Franklin.
25 **JASPER HOSTLER:** Hi, my name I'm Jasper Hostler. I'm a

1 17-year-old kid from Hoopa Valley, and
2 I grew up my whole life just knowing
3 the river is a source of food, life,
4 culture, and just a way in anybody's
5 life, and water should be a basic
6 human right for everybody, not a
7 privilege. And to me that -- when you
8 take our water, it's a punch in the
9 gut to us. And sometimes the scars
10 don't heal because back in 2002 when I
11 was only three months old around
12 35,000 to 70,000 fish were killed.
13 And to me, that just hurts because I
14 grew up catching fish and looking at
15 them and admiring them, and if you
16 can't give us enough water to support
17 their lives, then why are you
18 supporting us as people because
19 they're living, breathing creatures
20 too, and I just want to say that
21 everybody deserves enough water to
22 function. Fish, people, everybody.
23 And if you don't give us enough water
24 for our dances or everything -- like
25 in our boat dance, if a boat tips over

1 for being too -- for the water being
2 too shallow, that's bad medicine on
3 everybody. A whole village.
4 And that's all I really have to say.
5 Thank you.

6 ~~FACILITATOR: Thank you. Ms. McKinnen.~~

~~7 LORENITA MCKINNEN: (Tribal language spoken.) I just said
8 that my name is Lorenita McKinnen. I
9 live in Hoopa. I come from -- or I go
10 to school at Hoopa High, and my mom is
11 Crystal McKinnen.
12 I think water is the most important
13 thing because we can't live without
14 it. Like it is so sad when we go to
15 our dances and we don't have salmon.
16 Like or when I take fish to my aunties
17 and they're so thankful because they
18 don't get it. It's not something that
19 you can get all the time anymore.
20 And I guarantee if you look at
21 pictures for 40 years ago of our
22 river, it is three times the size of
23 what it is now. And I go to the river
24 whenever things are hard at home or
25 I'm depressed or having anxiety. I'll~~

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1 difference. This was a federal
2 senator telling my father this. So
3 our existing water contracts -- this
4 water that you're talking about and
5 the increased water downstream, it
6 threatens the salmon. We already have
7 the science that shows that if you
8 have the salmon collapse, you will
9 have a major catastrophic
10 environmental collapse.
11 I am absolutely opposed to this.
12 Southern California has the water.
13 Figure out down there, and stop this
14 because you have contracts that belong
15 to the Delta. You allow the salinity
16 to come back into the Delta, it will
17 impact the farms that already have
18 contracts that are required to it.
19 Protect the people up here. Protect
20 the people.

21 FACILITATOR: Thank you.

22 ISAAC KINNEY: (Tribal language spoken.) Hello, my
23 name is Isaac Kinney. I want to say
24 thank you to the Winnemen Wintu for
25 opening up this place for us to

1 provide this input. I have my -- I'll
2 just go down by bullet points here.
3 To start off, State of California is
4 out of its jurisdiction because the
5 state was illegal established through
6 executive order. The materials of
7 this project go over the natural law
8 of the Trinity River flowing into the
9 Klamath. Stop the stealing. Before
10 it was the land, the gold, and now the
11 water.
12 We must remember without the Owens
13 Valley we do not have Hollywood.
14 Without the Hoopa Valley we do not
15 have the Bay Area.
16 Klamath and Trinity River gives me and
17 my family and our community the path
18 to regeneration. This project
19 directly threatens our way of life.
20 This -- the Trinity River feeds my
21 family. It's a part of our religion,
22 a part of our governance systems, and
23 a part of our economic systems.
24 There's not enough safeguards to
25 prevent the adverse effects of the --

1 to the Trinity River. Please include
2 the cumulative effects. This project
3 perpetuates the economic apartheid
4 affecting indigenous communities on a
5 local, regional and global level.
6 This is a classic divide and conquer
7 attempt, i.e., fish versus farms, and
8 that is an untrue narrative. This
9 project does not support local market
10 resilience. As well this project does
11 not promote water resilience in my
12 community.

13 This project is affiliated with
14 short-term jobs, meaning that it's a
15 Band-Aid solution to the employment
16 issues in our state. Please develop
17 indigenous led solutions instead of
18 this obsolete and unstable
19 infrastructure.

20 Also, the water credits that you're
21 using to finance this project will not
22 work, as it's further disconnecting us
23 from our communities and is built on
24 imperialistic dominance and
25 capitalism. No tunnel. No consent.

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1 ~~France, and I'm sorry, is it Misa Joe~~
2 ~~and grandson, and Georgiana Gensaw.~~

3 ~~So please come up.~~

4 ~~Yeah. It's okay. You can go out of~~
5 ~~order. It's all right. As long as I~~
6 ~~hear your name when you come up.~~

7 ~~MISA JOE: This is a perfect place for all of us~~
8 ~~to meet.~~

9 ~~FACILITATOR: Can you state your name?~~

10 ~~MISA JOE: Misa Joe.~~

11 ~~FACILITATOR: Thank you.~~

12 **MISA JOE:** This is a perfect place for all of us
13 to meet. The love of this community
14 for the Sacramento River is evident.
15 This is Winnemen Wintu territory. The
16 Chief Caleen Sisk has brought
17 attention to what has happened to this
18 river with the Run4Salmon Prayer Run
19 bringing together each year many
20 Californians south to the San Diego
21 coast to the Bay Delta all the way up
22 to the high mountain area where the
23 McCloud River tributary runs.
24 The chief sings and prays to this
25 beautiful river from its place of

1 origin, an alpine meadow spring on
2 Mount Shasta.

3 We support Governor Newsom's protest
4 of Trump dropping the wild salmon from
5 the plan, but I am here to say to you
6 that the governor's protest is not
7 enough to save the salmon if this
8 water plan becomes real.

9 For too long the federal and state
10 government have paid close and
11 solicitous attention to the interests
12 of a few big ag businesses, about 100
13 families who farmed in the desert
14 draining lakes and diverting rivers
15 for irrigation. Less than 100 years
16 later we see the result of their
17 folly. Salinated fields that can no
18 longer can grow crops and poisoning of
19 the community's drinking water. These
20 ag businesses cannot really be called
21 farmers. They are changing from
22 growing watermelon, almonds and rice
23 to marketing and selling water, this
24 water, and they want more.
25 Privatized water in California means

1 that the wealthy can buy taxpayer
2 subsidized water and that are allowed
3 to sell surplus water from their
4 fields to the communities left without
5 drinking water for a higher price and
6 to oil companies for fracking, and we
7 say enough.

8 Accommodating this endless need of
9 water for profit endangers the rivers
10 and now the Bay Delta, the largest
11 estuary on this side of the Pacific.
12 We oppose these extreme projects.
13 You don't even mention Shasta Dam
14 raise. It will drown the Winnemen,
15 and with its breaches it will destroy
16 Redding and wreak havoc all the way to
17 the bay. Building sites reservoir
18 steals enough of the Trinity River,
19 not an indirect thing to kill off
20 important salmon runs as the Delta
21 Single Tunnel Project that the
22 governor is pushing will destroy the
23 incubator of life, including our
24 salmon runs, and will compromise the
25 quality of life for all the cities

1 built around the Bay. All of this
2 life and quality of life is sacrificed
3 so a few families can keep profiting,
4 and this has to stop.
5 These ag businesses can profit from
6 green projects.
7 It's time for the governor and his
8 administration to focus on what has
9 been ignored too long, and that is our
10 wellbeing from the mountains to the
11 Bay Delta and taking care of the
12 rivers, not feather the pockets of the
13 rich so that the precious Bay Delta
14 and the rivers of California and the
15 salmon can keep flowing to the sea.

16 ~~FACILITATOR: Thank you.~~

17 ~~MISA JOE: Thank you.~~

18 ~~JEANNE FRANCE: I am Jeanne France.~~

19 ~~FACILITATOR: Okay.~~

20 ~~JEANNE FRANCE: Okay. I don't have anything prepared.~~

21 ~~I just want to say 20 years ago there~~
22 ~~was too much water being taken out of~~
23 ~~the Delta. You're harming the Delta.~~
24 ~~You're harming the environment of the~~
25 ~~Delta. The fish cannot survive with~~

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1 live in this ecosystem as partners of
2 this environment for a long time. And
3 within the last 200 years this state
4 and this nation has been able to
5 decimate these rivers and these lands.
6 California has always been one of the
7 most diverse regions in the world, and
8 it's because we were able to live in
9 connection with each other and
10 understand that robbing your neighbor
11 isn't going to be sustainable for a
12 community, and that's what's happening
13 here. Our southern neighbors are
14 robbing us, and they've decimated our
15 territories. They've decimated our
16 rivers.

17 I want to let Gavin Newsom know that
18 his apology for the atrocities that
19 this state has against its indigenous
20 people's a joke. He cannot apologize
21 in one hand and then steal from us in
22 the other hand. And that you guys are
23 continuing to carry on this legacy,
24 and I know that you guys are
25 representatives like was stated

1 earlier, but there's a message that
2 you need to take and recognize that
3 you too hold responsibility for this
4 devastation amongst our people. These
5 are -- this is your job and your duty,
6 and as we've had a young group of
7 people that come from Hoopa that
8 initiated this process, I ask you to
9 ask your children because they have
10 the answers that you're looking for.
11 They know. They understand that this
12 society can't continue to act in the
13 manner that it's continuing to act in.
14 We can't continue to cause genocide
15 amongst indigenous people or destroy
16 their ecosystems. We can't continue
17 to prolong this take, take, take. A
18 new pathway needs to be formed, and
19 your children and your grandchildren
20 understand that. So have a
21 conversation with them, and know and
22 understand that they have the
23 solutions, and it's about respect, and
24 it's about thinking about things
25 differently, building a society that

1 can be sustainable, one that was able
2 to be sustainable in this region for
3 thousands of years. We have to
4 respect each other. We have to know
5 that there's a balance that needs to
6 be met. And we've -- and you're
7 growing food in the desert. You have
8 decimated the people of Paiute Numa
9 and the Shoshone-Paiute people of
10 Owens Valley that's now known as Owens
11 Valley because of the greed and the
12 rivers that they've taken down to a
13 level where it's now a desert and
14 never used to be. So we understand
15 because of our indigenous knowledge
16 collected by all of us how bad it
17 really can get, how far this greed can
18 really go. And I know other people
19 stated it before, but we're going
20 to state -- I'm going to state it
21 again. This project is not going to
22 happen. We will shut it down, and if
23 that means shutting down the economy
24 of California and hurting everybody so
25 they know what it feels like to be

1 heard, then maybe that's what we'll
2 have to do.

3 ~~FACILITATOR: Okay. Chief -- okay. So Chief Sisk,~~
4 ~~just before you talk, I'm going to~~
5 ~~call the next three up.~~

6 ~~Okay. Molly Culton, Robert Weese Duhn~~
7 ~~and Vernon Wilson.~~

8 ~~And Chief Sisk, please proceed. Yeah.~~

9 ~~CHIEF SISK: I'm Chief Sisk of the Winnemen Wintu~~
10 ~~Tribe of the McCloud River. I'm the~~
11 ~~fifth leader since the beginning of~~
12 ~~this whole water project, and we~~
13 ~~didn't get three minutes. Not even~~
14 ~~three minutes when they built the~~
15 ~~Shasta Dam, and they covered up 26~~
16 ~~miles of our sacred villages, grave~~
17 ~~sites, sacred places, places where our~~
18 ~~people grew up and lived, and we -- we~~
19 ~~look now at the poison at the bottom~~
20 ~~of that lake. The arsenic, the copper~~
21 ~~smelter mines that are at the bottom~~
22 ~~of that lake that's being transported~~
23 ~~to people unknowingly of that water,~~
24 ~~what's in that water. Because the~~
25 ~~fish are already poisoned with mercury~~

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1 — Thank you.

2 FACILITATOR: — Thank you.

3 PECTAH IKE KINNEY: I am Pectah Kinney, and fish need
4 — water. Let the water flow.

5 FACILITATOR: — Thank you.

6 **KEE-POON KINNEY:** I am Kee-Poon Kinney, and no more
7 — diversions.

8 FACILITATOR: — So I'm going to call the next three
9 — people. Frank Toriello. Lanis — is
10 — it Louis Gustefson and Kylee Sorrell,
11 — and thank you for putting that back
12 — up.

13 — I also wanted to mentioned that
14 — our meeting was supposed to end at
15 — eight, but we were able to get it
16 — extended to 8:45. We do have a
17 — hard stop at 8:45 though according to
18 — the hotel, so we're going to try to
19 — get through everybody by then.

20 — Thanks. When you're ready.

21 FRANK TORIELLO: — Hello. And operations of the new
22 — Delta Conveyance Project would
23 — increase the Department of Water
24 — Resource's ability to capture water
25 — during high flow events, the same as

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1 ~~Thank you very much.~~

2 ~~You can go ahead.~~

3 WINTER HAWK: ~~(Tribal language spoken.) I'm Winter~~

4 ~~Hawk Rouse. I'm 12 years old, and~~

5 ~~this is our homeland. Our water is~~

6 ~~not for sale. The fish and animals~~

7 ~~are my relatives. Oh.~~

8 FACILITATOR: ~~Monica Moreno. Are you Monica?~~

9 ~~Okay. No, we need to go in the order.~~

10 ~~Go ahead. Our next speaker Kenwani.~~

11 KENWANI KROWITZ: (Tribal language spoken.) Hello, my

12 name is Kenwani Krowitz. I am here

13 today in the capacity of the **Madesi**

14 multicultural rep, alternate for the

15 circular nation, however, I also

16 distend from the Winnemen nom prenom

17 and nom pre bands of the Pit River

18 people. We come from -- our nom

19 prenom people come from the east fork

20 of the Trinity River. That's where

21 the Hammawi come from. The nom prenom

22 people come from the upper Sacramento

23 River. The Winnemen come from McCloud

24 River, and my Pit River people come

25 from the Big Bend of the Pit River.

1 I'm going to speak to you from my
2 heart. My ancestors have been here
3 since time and memorial. This is the
4 only place where we exist. This is
5 where we come from. This is who we
6 are. We preexisted the United States
7 of America. We are human beings. And
8 ever since the Winnelaqui, in our
9 language that means the wanderer, came
10 to our homeland has been taking. And
11 I'm speaking -- I need to doctor your
12 minds to have you understand speaking
13 from my heart is wandering and taking
14 in the dark groping, groping trying to
15 fix something trying to manage Mother
16 Nature. You can't do that. You can't
17 do that.

18 Ever since I was a little girl, I
19 heard of the stories of our ancestors
20 walking across the river on the backs
21 of the salmon, and I haven't seen it.
22 My grandson hasn't seen it. When
23 Creator made the Earth, everything was
24 in balance, and this knowledge was
25 transferred to our ancestors and in

1 continuum taught to us to keep the
2 balance.
3 The WaterFix will only end in
4 destruction. It's not going to fix
5 anything. You can't manage Mother
6 Earth. You'll never be able to
7 mitigate the impact that you've had
8 upon our environment and our people.
9 And I'm going to continue on because I
10 need -- what I need to say is
11 important.
12 We're in Elpom Wintu territory right
13 now, the place where a treaty was
14 written. They kicked us out, and then
15 the United States Government never
16 ratified that treaty. My Wintu people
17 are not federally recognized. All
18 this water comes from our homeland.
19 We need to keep balance here. These
20 impacts are going to -- they're going
21 to impact your children too. You need
22 to think about that.
23 This Earth is out of balance because
24 of all the Winnelaqui has done.
25 Just think about it.

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1 ~~the water shape of northern people of~~
2 ~~California.~~

3 ~~And on a personal note, I want to say~~
4 ~~that if the governor chooses to decide~~
5 ~~to go ahead with this, it is cultural~~
6 ~~genocide for all of our people in the~~
7 ~~north state. Cultural genocide~~
8 ~~because we have songs and dancers --~~
9 ~~dances that reflect the sacredness of~~
10 ~~water, the spirit of our salmon, and~~
11 ~~when they no longer happen, we no~~
12 ~~longer happen. It's as simple as~~
13 ~~that.~~

14 ~~And I stand to oppose it in any way I~~
15 ~~can, and I say nonviolent resistance~~
16 ~~is the way, but direct action must be~~
17 ~~taken.~~

18 ~~Thank you.~~

19 FACILITATOR: ~~If I could just have a minute. If I~~
20 ~~could just call up the next three~~
21 ~~people. I have Bob Borden, Sue Hokey~~
22 ~~and Tom Stokey. Next three.~~

23 ~~So please proceed.~~

24 **DAVID LEDGER:** ~~Okay. My name is a David Ledger, and~~
25 ~~I'm from Shasta Environmental Alliance~~

1 located here in Redding, and part of
2 our mission is to protect the
3 watershed of the Sacramento River.
4 And I'm kind of concerned about this
5 project because of the wide amounts of
6 water that can be sucked out of the
7 Sacramento River. You have down there
8 seven -- the tunnels could take up to
9 7,500 cubic feet per second, plus you
10 may also run the pumps at the same
11 time. So what I see this as kind of a
12 concern is that this is going to aid
13 towards raising Shasta Dam, and it's
14 just going to be extremely bad on --
15 not only the Delta but everything
16 upstream of the Delta taking all of
17 that water out or having that
18 possibility to because it would be
19 more pressure on it from ag business
20 in the valley.

21 I do want to say one thing. I'm
22 really impressed with native peoples
23 that are here and hearing their
24 statements about how much water is
25 important to them, and I'm really glad

1 they're speaking out here and they're
2 coming out in such force and listening
3 to their speeches they gave out before
4 the meeting.

5 Thank you.

6 ~~TOM STOKEY: I'm Tom Stokey with Save California~~
7 ~~Salmon. I oppose this project, but~~
8 ~~we're here to give you scoping~~
9 ~~comments.~~

10 ~~The talk that this increases~~
11 ~~reliability of water supply is double~~
12 ~~speak for increased water deliveries.~~

13 ~~The Central Valley Project and the~~
14 ~~State Water Project contracts are~~
15 ~~rarely provided at 100 percent so~~
16 ~~increased reliability means you will~~
17 ~~be taking more northern California~~
18 ~~water south.~~

19 ~~Secondly, your claims that Trinity~~
20 ~~River water is not part of this~~
21 ~~project are patently false. There is~~
22 ~~an intertie between the Delta-Mendota~~
23 ~~Canal, the federal canal south of the~~
24 ~~Delta, and the California Aqueduct.~~
25 ~~You regularly pump Trinity River water~~

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1 ~~folks are saving water. The people in~~
2 ~~the cities want to protect the~~
3 ~~environment. It is rich agricultural~~
4 ~~interests like Westlands Water~~
5 ~~District. It is truly the one percent~~
6 ~~that is getting this water, and we're~~
7 ~~sick of traveling six hours so we can~~
8 ~~testify for our rivers when the people~~
9 ~~who are getting the water don't have~~
10 ~~to do the same thing. They just take~~
11 ~~and take and take.~~
12 ~~So no water for the one percent. And~~
13 ~~it's time for Governor Newsom to start~~
14 ~~coming into our communities and~~
15 ~~listening and thinking about climate~~
16 ~~resilience and thinking about the~~
17 ~~people who depend on water and~~
18 ~~thinking about the people whose land~~
19 ~~he's on.~~
20 ~~Thank you.~~
21 ~~FACILITATOR: Thank you, Regina.~~
22 ~~Okay. I think our next speaker is~~
23 ~~JoAnne Lee.~~
24 **JOANNE LEE:** Hi, my name is JoAnne Lee. I am with
25 the California Indian Environmental

1 Alliance, but I am also a member of
2 the North Fork Rancheria of
3 California. So I am -- according to
4 AB52, the state is required to have
5 consultation with tribes in regards to
6 tribal cultural resources. We
7 understand that consultation is being
8 held, but it is not meaningful.
9 There's no free prior informed
10 consent.

11 In accordance, when Governor Brown's
12 Executive Order B6018 which requires
13 tribals to engage in consultation with
14 tribes in accordance with Executive
15 Order B1011, the lack of consent in
16 only providing information to tribes
17 does not align with Governor Newsom's
18 apology Executive Order 915 -- N1519
19 and his intended attempt at reparation
20 with his creation of the Truth and
21 Healing Council.

22 On page 16 of the portfolio it states,
23 California's main system of water
24 conveyance which moves a large portion
25 of the state's surface water supply

1 continues to be under threat from
2 flood, subsid -- earthquake and
3 climate change and that an earthquake
4 can disable the current levy supported
5 conveyance infrastructure in the
6 Delta threatening the drinking water
7 of over half of all Californians,
8 however, on page 15 of the Delta
9 Conveyance Design Infrastructure
10 Authority, ICR Panel Memorandum, it
11 states that there is no active fault
12 crossings along the Delta Conveyance
13 alignment and that the current seismic
14 demands are not extreme compared to
15 other projects, therefore, this
16 proposed project is unnecessary
17 because the current system is
18 sufficient. And then on page 11,
19 there's mention of the land
20 management, however, there is no
21 mention of TEK, which is Tradition of
22 the Ecological Knowledge that has been
23 used in order to manage the lands.
24 These tribal strategies should be
25 highlighted and reintegrated into our

1 statewide planning. The stewardship
2 and management of indigenous people
3 globally resulted in carbon
4 sequestration and health climate that
5 we have benefited from until the
6 industrial revolution spiraled us
7 towards the climate crises that we are
8 facing today. On the same page,
9 there's no mention of the two new
10 beneficial uses adopted by the State
11 Water Resources Control Board, tribal
12 subsistent fish consumption and tribal
13 cultural uses as well as commercial
14 and sports fishing, subsistent fishing
15 for general public and the human
16 rights to water.

17 As seen in part two of the Water
18 Quality Control Plan for inland
19 surface waters in closed bays and
20 estuaries of California, tribal and
21 subsistent fishing beneficial uses and
22 mercury provisions, these specific
23 uses are really important to any
24 statewide planning document and should
25 be included in the document every

1 place where beneficial uses are
2 mentioned. This document limits the
3 possibility for health surface and
4 ground water can be enhanced by
5 restoration and enhancement of natural
6 system. It largely focuses on how
7 much water can be stored and diverted
8 instead of focusing on how Upland
9 Meadows slowly meandering streams and
10 rivers supported by wide riparian
11 zones and wetlands could greatly
12 enhance ground water sequestration and
13 surface water slowing.
14 The reintroduction of species such as
15 beaver and other traditionally
16 cultural important species in
17 strategic areas would assist us in
18 naturally slowing water after seasonal
19 rains providing water and wildland for
20 fire protection and cooling water for
21 fish.

22 FACILITATOR: Can we get your final comment?
23 JOANNE LEE: Yes, I'm almost done.
24 We are concerned that the ten acres of
25 farmland near each of these

1 maintenance shafts within every five
2 miles are being sacrificed to
3 unsustainably bring water to an area
4 already needing water.
5 We ask that you take these items into
6 consideration and consult and work
7 more closely with tribes to create a
8 sustainable plan for California that
9 has less of a detrimental impact on
10 both the environment and on
11 Native-American people.

12 ~~FACILITATOR: Thank you, Ms. Lee.~~
13 ~~Winter Hawk, go ahead and step up to~~
14 ~~the microphone, and before you begin,~~
15 ~~please let me call the next three.~~
16 ~~Actually, I'm going to call -- yes,~~
17 ~~three people, and that will be the end~~
18 ~~of our speakers tonight. If you can~~
19 ~~line up, that would be great so we~~
20 ~~don't lose any time because we really~~
21 ~~need to be checking out of this room~~
22 ~~shortly. Monica Moreno, Kenwani~~
23 ~~Krowitz, and Susan Murray, if you~~
24 ~~could line up behind our speaker, that~~
25 ~~would be great.~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.

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REPORTED BY: CHRISTENA GRAY, CSR No. 9360

FILE NO.: AE01D5F

1 ~~FACILITATOR: Thank you.~~

~~2 So just before you start, the next~~

~~3 three folks I have are Annelia~~

~~4 Hillman, Laurence Mitchell and Margo~~

~~5 Robbins.~~

~~6 Please proceed.~~

7 **MARIAH LOONEY:** Hello. My name is Mariah Looney. I'm

8 the campaign manager for Restore The

9 Delta. You all know me. I have been

10 to every single scoping meeting except

11 for LA and Clarksburg, but tonight I

12 am extremely honored to stand in

13 solidarity with our indigenous sisters

14 and brothers who have always

15 historically and purposefully been

16 left out of the decisions regarding

17 water. I'm here to lift up their

18 voices and help amplify their message

19 and my only ask of you tonight is

20 because I've been to all of these

21 meetings, and you've heard me say the

22 same thing over and over again is to

23 strongly consider a no tunnel

24 alternative over any plans for

25 conveyance. It will wreak even more

1 havoc on communities who have been
2 struggling because of the greed of big
3 corporate agriculture and farms
4 planted in deserts. No tunnel is good
5 for the Delta. No tunnel is good for
6 tribal folks, and no tunnel is good
7 for California.

8 Thank you.

9 ~~ANNELIA HILLMAN: Annelia Hillman. The State of~~
10 ~~California has a legacy of raping and~~
11 ~~pillaging and stealing and destroying~~
12 ~~the people of this land. The~~
13 ~~destruction needs to stop, and it~~
14 ~~needs to stop at this tunnel project.~~
15 ~~You can't fool us anymore. We know~~
16 ~~that the tunnels manipulate natural~~
17 ~~flows, and we know that there -- it~~
18 ~~will affect our communities. It will~~
19 ~~affect the Klamath River. It will~~
20 ~~affect the Trinity River. We're not~~
21 ~~going to stand by and watch this,~~
22 ~~okay. That is what I'm -- my message~~
23 ~~I want to tell you today is that~~
24 ~~whatever your plans are, this water~~
25 ~~plan, we're not going to sit by and~~

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1 ~~out our river communities, our poor~~
2 ~~river communities. More meetings that~~
3 ~~we have to go to to stand up again and~~
4 ~~remind you again that the fish that~~
5 ~~cannot speak for themselves need to be~~
6 ~~heard, and we will be here again to~~
7 ~~tell you again that the river is~~
8 ~~important, and it needs the water more~~
9 ~~than Southern California.~~

10 FACILITATOR: ~~Thank you.~~

11 **RUTHIE MALONEY:** My name is Ruthie Maloney. I am Yurok
12 and Navajo. I come from the rivers
13 from Hoopa Valley on the Trinity
14 River. I was born and raised there.
15 I come from a family that is from
16 Smoker Falls in Weitchpec off the
17 Klamath and Trinity Rivers. I've seen
18 in my lifetime the degradation and the
19 ruining of our water and what it's
20 done to our valley and to our families
21 and to our spirits there.
22 We can no longer continue to give
23 something that we never had the right
24 to give you anyway. You know, water
25 needs to flow. It always has. And

1 what you've done, what the state has
2 done, it's obvious. It's all around
3 us. It's all over. It can't be
4 ignored anymore.
5 You know, I've spent my life working
6 my -- on water issues. I've been at
7 DWR at their table at the Tribal Water
8 Summit. I've been on their Tribal
9 Communication Plan. I have done what
10 I can to convey how important water,
11 clean, quality water for our fish, for
12 our people, for our ceremonies. I
13 don't know if you're going to hear us.
14 Honestly, I don't think so.
15 My masters thesis addressed the issues
16 of our tribal water issues. It's
17 called Visionary Policy, The Tribal
18 Water Story trying to convey to the
19 state and our managers how important
20 it is that -- for our tribal people
21 that we need to have this to carry on
22 for future generations the way our
23 life -- and I mean, my grand kids have
24 to see this. So do I feel that
25 this -- this is not our first process.

1 We've been through Marine Life
2 Protection Act. You know, we've been
3 through this. This is not our first
4 go-round.
5 One thing I do want you to know is
6 we're not going to stop. You're going
7 to see us here, and it's only going to
8 get bigger because this is your
9 first -- this is your first meeting,
10 you know, and how many people that
11 couldn't be here today? My family.
12 My daughter. My son. My grand kids.
13 My friends. My fishing family who has
14 a loss that can't be here. We have
15 people in the community that depend on
16 the river, that depend on our culture
17 to feed us as people. We're not going
18 anywhere.
19 No tunnel. Quit taking our water. We
20 need to have our water for things
21 that -- for everything. For life.
22 Water is life. I don't get why it's
23 so hard to understand. If we don't
24 have clean water, none of us are going
25 to be here. (Tribal language spoken.)

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1 lot. To be honest, it feels like you
2 guys are the next Christopher Columbus
3 or whatever and sad to see.
4 Thank you.
5 FACILITATOR: Thank you.
6 So I'm just going to call the next
7 three people up. Is it Anna -- I'm
8 sorry, I can't read the last name.
9 Thank you. Okay. You're next. Dania
10 Colegrove and Jenel McCovey, so if
11 you could get ready. McCovey. Sorry.
12 Thank you.
13 Please proceed.
14 MARGO ROBBINS: My name is Margo Robbins. I'd like to
15 cede my time to Hoopa Valley High
16 School water protector Chao-Nuucks
17 Manuel.
18 CHAO-NUUCKS
19 MANUEL: (Tribal language spoken.)
20 Chao-Nuucks. This is a big part of my
21 life because it's the Klamath and
22 Trinity River, and that's all I know.
23 My great grandma walked up and down
24 that river, and I appreciated her
25 stories. My great grandma told us

1 about our Yurok language. Also, the
2 2002 fish kill filled the banks of the
3 river, and our tribes and our families
4 were broken and devastated.
5 I sit back and think about something
6 that was said. The Earth does not
7 need any more wealthy or successful
8 people. This world needs peacemakers
9 and healers and lovers of all kinds.
10 I heard indigenous woman once say in a
11 poem since 1964 we're still at war.
12 Forever I will be inspired to work for
13 our river, and I will stop at nothing,
14 and I will be fulfilled, and I will
15 push through whatever I need to.
16 I was just thinking I showed up to the
17 last -- the last hearing I showed up
18 to, there was a lot of good -- good
19 questions asked that you guys weren't
20 able to answer for us, and I'm just
21 wondering why you would want to put --
22 or propose without having any
23 information from any of the tribes
24 that live in the area and would be
25 affected if your plan does not work

1 out the way you want it to.

2 All I really have -- else I have left
3 to say is the new generation will take
4 care of things here. I am 14 and I go
5 to Hoopa Valley High. (Tribal
6 language spoken.)

7 ~~FACILITATOR: Thank you.~~

8 ~~Tell us your name.~~

9 ~~MARIAH: My name is Mariah, but I never had~~
10 ~~Hoopa name for, you know, because I~~
11 ~~didn't have fun actually, you know. I~~
12 ~~never have fun dance because I was so~~
13 ~~scared to have fire. You know, you're~~
14 ~~supposed to like not cry or anything.~~
15 ~~So I'm always crying. Always crying~~
16 ~~now. And I find no one doing. The~~
17 ~~only thing, you know, all you got to~~
18 ~~do is burn on paper and then you burn~~
19 ~~it and let it go so you're not any~~
20 ~~sad. And I never had like someone~~
21 ~~to talk to because I had my sister and~~
22 ~~I'm always running away and like not~~
23 ~~even telling people. So I was like I~~
24 ~~need my sister so bad, and so I have a~~
25 ~~song to sing since I never had a Hoopa~~

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1 ~~be one, and I'm a people. I don't --~~
2 ~~I don't really know what to say.~~
3 ~~This is a undertaking project, and~~
4 ~~it's -- it's an undertaking. It's an~~
5 ~~undertaking. There's no doubt in my~~
6 ~~mind it's an undertaking.~~
7 ~~I don't know, maybe we should tell the~~
8 ~~president that there's immigrants~~
9 ~~coming through the tunnel.~~
10 ~~FACILITATOR: Thank you. Thank you. Thank you.~~
11 **JENEL McCOVEY:** That's a hard act to follow.
12 My name is Jenel McCovey. My
13 granddaughter is Jeanne McCovey. This
14 is a moral issue. It -- it's between
15 an anadromous fish versus the seeds
16 that can be germinated elsewhere.
17 Age-old gardens have been sold to
18 almond orchards who forgot the senior
19 water rights with it. We talk about
20 the senior water rights of Humboldt
21 County and the Trinity River, and they
22 were a deal at the same time.
23 California water's hierarchy is
24 issuing paper water. It's not real.
25 It's on paper. Over allocation is to

1 not be permitted.

2 When you go down the Sacramento River
3 upstream from where the Trinity River
4 comes into the -- to the Sacramento
5 River is a pond of red water from a
6 mine. So that degradation of water is
7 in the Sacramento River, and it mixes
8 with the Trinity.

9 In that this young lady sang from her
10 heart, and how do you go to the
11 administrators who are doing an
12 Environmental Impact Statement that
13 should be redressed and addressed in a
14 way less legal and scientific.

15 And when we go home, we go back to the
16 dance ground, and I shared this story
17 earlier, and it's 123 times I've told
18 this story. One of our elders was at
19 the dance, and she saw a row of
20 spirits above the dancers looking down
21 behind them. There was a second row
22 of spirits, and they were looking out
23 over at the audience past them, past
24 the fire. Then she saw a third row of
25 spirits, and they were looking out

1 behind her behind the audience. She
2 turned around and she didn't see
3 anything. But when the dancers
4 started to dance and sing, the spirits
5 behind her in the lagoon began to
6 sing. She turned around, and she saw
7 a thousand spirits.

8 The nineteenth time I told this story
9 I was telling my niece, and I says I
10 think those thousands of spirits are
11 the ones who are coming after us.
12 So we are walking in humanity on
13 Mother Earth as Mother Earth's
14 children, and we need to walk better
15 because with climate change and the
16 degradation of our air, our water, and
17 our fertile soil is -- we need to do
18 better, and it starts here. It's been
19 ongoing, and we're collecting momentum
20 with our prayers and our love in our
21 heart for humanity.

22 ~~FACILITATOR: Is there a Danya or Dania Colegrove.~~
23 ~~Dania Colegrove. Okay. Thank you.~~
24 ~~Whenever you're ready.~~

25 ~~DANIA COLEGROVE: I apologize to you guys because I know~~

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1 ~~for being too -- for the water being~~
2 ~~too shallow, that's bad medicine on~~
3 ~~everybody. A whole village.~~
4 ~~And that's all I really have to say.~~
5 ~~Thank you.~~

6 ~~FACILITATOR: Thank you. Ms. McKinnen.~~

7 **LORENITA MCKINNEN:** (Tribal language spoken.) I just said
8 that my name is Lorenita McKinnen. I
9 live in Hoopa. I come from -- or I go
10 to school at Hoopa High, and my mom is
11 Crystal McKinnen.
12 I think water is the most important
13 thing because we can't live without
14 it. Like it is so sad when we go to
15 our dances and we don't have salmon.
16 Like or when I take fish to my aunties
17 and they're so thankful because they
18 don't get it. It's not something that
19 you can get all the time anymore.
20 And I guarantee if you look at
21 pictures for 40 years ago of our
22 river, it is three times the size of
23 what it is now. And I go to the river
24 whenever things are hard at home or
25 I'm depressed or having anxiety. I'll

1 go down there in the middle of the day
2 when it's lunchtime and just go listen
3 and sit and be around all the things.
4 Like it's something indescribable that
5 you can't replace and you can't ever
6 get back. It's those moments in life
7 where it's just so peaceful, and you
8 just take everything in. And I'm
9 thankful for what we have, but also it
10 doesn't mean it can't get better. And
11 it's just so devastating to see how
12 small it is, and I look at pictures
13 from when my grandpa was alive and he
14 was fishing on the river, you know,
15 with an old net, and I can't believe
16 that's what our river used to look
17 like.
18 Like I guarantee my sister won't see
19 it when she grows up to be my age if
20 this continues. And it's just going
21 to be so heartbreaking when she tries
22 to go down there and swim at the end
23 of the Summer when the river's so
24 disgusting and warm and dead fish
25 laying in the river, you know, it's

1 something you don't even want to go
2 in.

3 It's honestly sad and makes me want to
4 cry, and I'm having a hard time just
5 thinking about you guys doing this or
6 like allowing this. It's not okay,
7 and I hope my sister doesn't have to
8 go through this when she gets older.
9 (Tribal language spoken.)

10 ~~FACILITATOR: Thank you, Ms. McKinnen.~~
11 ~~Jason Franklin, and then Mr. Franklin,~~
12 ~~before you begin, I'd like to call the~~
13 ~~next three speakers who could line up~~
14 ~~behind Mr. Franklin, please. Willard~~
15 ~~Carlson, Clark Tuthill, and Regina --~~
16 ~~I cannot pronounce the last name --~~
17 ~~but from Save California Salmon. Yes,~~
18 ~~very good. Again, Willard Carlson,~~
19 ~~Clark Tuthill and Regina from Save~~
20 ~~Our California Salmon.~~
21 ~~Mr. Franklin, you can go ahead.~~

22 ~~JASON FRANKLIN: My name is Jason Franklin. I'm here~~
23 ~~representing Eel River Wildlife and~~
24 ~~their unrecognized tribe over around~~
25 ~~Briceland area, Northern Mendocino and~~

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1 ~~FACILITATOR: Thank you.~~

2 ~~Next Speaker's Luda Miller. Luda~~

3 ~~Miller.~~

4 LUDA MILLER: Yes. I've identified six reservoirs

5 in Southern California that could

6 contribute water towards the Westlands

7 Water District. Westlands Water

8 District is the largest water district

9 within our country. Bernhardt who is

10 in charge of the Department of

11 Interior was their major attorney, and

12 then he became their major lobbyist.

13 He divested so he could become the

14 head of the Department of Interior

15 Bureau of Reclamation. So they're

16 pressuring Gavin Newsom now to force

17 some sort of a solution, and this is

18 the solution that we're coming up

19 with.

20 As a taxpayer, I'm ticked off that we

21 are supporting a multimillion or

22 billion dollar corporation in order --

23 we're funding them, and we get nothing

24 back for this.

25 These waters that you're proposing

1 include increase 6,000 cubic feet per
2 second downstream. That means on an
3 average in the Summertime rather than
4 9,220 -- 13,000 cubic feet per second,
5 which are the contract requirements
6 today, that it will be 15 to 18,000
7 cubic feet per second. Where do you
8 think the water is going to come from?
9 Because we have less water.

10 I propose that the EIR actually
11 investigate these lands that created
12 this selenium runoff, which is part of
13 the reason why we're having to ship
14 this water south, is to dilute the
15 pollution being created by an EIR that
16 obviously was not done on that land
17 and does not -- never showed that that
18 land should be fallow and should have
19 never been farmed.

20 These are my people. All of these
21 people are my people. I grew up here.
22 And my father had Bizz Johnson tell
23 him many years ago that there were
24 things done up here to us because we
25 didn't have the votes to make a

1 difference. This was a federal
2 senator telling my father this. So
3 our existing water contracts -- this
4 water that you're talking about and
5 the increased water downstream, it
6 threatens the salmon. We already have
7 the science that shows that if you
8 have the salmon collapse, you will
9 have a major catastrophic
10 environmental collapse.
11 I am absolutely opposed to this.
12 Southern California has the water.
13 Figure out down there, and stop this
14 because you have contracts that belong
15 to the Delta. You allow the salinity
16 to come back into the Delta, it will
17 impact the farms that already have
18 contracts that are required to it.
19 Protect the people up here. Protect
20 the people.
21 ~~FACILITATOR: Thank you.~~
22 ~~ISAAC KINNEY: (Tribal language spoken.) Hello, my~~
23 ~~name is Isaac Kinney. I want to say~~
24 ~~thank you to the Winnemen Wintu for~~
25 ~~opening up this place for us to~~

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1 ~~watch it happen, okay.~~

2 ~~I don't know if you've paid attention~~

3 ~~to what's happening in Canada.~~

4 ~~They're shutting it down, right.~~

5 ~~Well, the people of California, we've~~

6 ~~had enough. We're going to shut it~~

7 ~~down. We will come together. We are~~

8 ~~united, and we will shut it down.~~

9 FACILITATOR: ~~Mr. Mitchell. I'm sorry, we have more~~

10 ~~comments. Thank you.~~

11 **LAURENCE MITCHELL:** My name is Laurence Mitchell. I come
12 to you as one of many fishermen that
13 all my people talk about, and it's sad
14 to see that we have to always come and
15 beg and plead and cry, yell for you
16 guys to stop taking water from us.
17 It's not fair. Not fair to me. It's
18 not fair to my family because my
19 family depends on that fish. Depends
20 on the eel, sturgeon, all that. You
21 take that away from us. You take the
22 water away from us, then we're
23 nothing, and it's sad to see that you
24 guys don't even bat a eyelash. Don't
25 even care. And it hurts. It hurts a

1 lot. To be honest, it feels like you
2 guys are the next Christopher Columbus
3 or whatever and sad to see.
4 Thank you.
5 ~~FACILITATOR: Thank you.~~
6 ~~So I'm just going to call the next~~
7 ~~three people up. Is it Anna -- I'm~~
8 ~~sorry, I can't read the last name.~~
9 ~~Thank you. Okay. You're next. Dania~~
10 ~~Colegrove and Jenel McCovey, so if~~
11 ~~you could get ready. McCovey. Sorry.~~
12 ~~Thank you.~~
13 ~~Please proceed.~~
14 ~~MARGO ROBBINS: My name is Margo Robbins. I'd like to~~
15 ~~cede my time to Hoopa Valley High~~
16 ~~School water protector Chao-Nuucks~~
17 ~~Manuel.~~
18 ~~CHAO-NUUCKS~~
19 ~~MANUEL: (Tribal language spoken.)~~
20 ~~Chao-Nuucks. This is a big part of my~~
21 ~~life because it's the Klamath and~~
22 ~~Trinity River, and that's all I know.~~
23 ~~My great grandma walked up and down~~
24 ~~that river, and I appreciated her~~
25 ~~stories. My great grandma told us~~

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1 would be doing by approving these
2 tunnels. The social impact that it
3 will have on our people is
4 detrimental. It's a part -- it's an
5 active genocide, and if you guys want
6 to be part of that, have your names
7 under that, then, I mean, that's the
8 decision you guys make, but I'm sure
9 your guys' ancestors worked very hard
10 to get you guys in the positions where
11 you guys are at right now. That's
12 what we're here to -- our ancestors
13 fought very hard for us to be here
14 today, and we will not sit by and let
15 you guys do this to our land no more.
16 Thank you.

17 FACILITATOR: Thank you. And our last speaker for
18 the evening is Susan Murray.

19 SUSAN MURRAY: Hello, my name is Susan Murray, and I
20 don't represent anybody except myself.
21 Tonight I've been sitting here
22 listening to many, many compassionate
23 stories, music, speeches, and it has
24 very much moved me.
25 My question is that a few years ago we

1 had a drought situation, and we had to
2 watch our water consumption. What's
3 going to happen when -- because they
4 are going to be moving 6,000 cubic
5 feet per second down the river, what's
6 going to happen if we are in a drought
7 position again? What's going to
8 happen to our water here when we're
9 sending it down south?

10 My other question is when we had --
11 when we had the drought, a number of
12 the trees died because of the drought,
13 and so when we had the Carr Fire that
14 happened over a year ago, people have
15 indicated that because of the drought
16 that we had the trees were no
17 longer -- whether they were
18 sustainable or they were dying, and
19 that's why we had such a terrific fire
20 for the Carr.

21 We need the water for -- to sustain
22 ourselves and not go into these -- the
23 governor has indicated to us that we
24 need to go ahead and start doing
25 something as to getting the old -- old

1 wood out of the -- for the trees and
2 things like what, but if he takes away
3 the water, then we -- then we will
4 have sustainable trees.

5 So that is my question. Nobody has
6 brought up about the fires, and that
7 was my concern. Yes, we need it for
8 the fish. We need it for our
9 recreation. We need it for a lot of
10 things, but I -- I think it's only --
11 I think it's all -- it's all generated
12 by money, and I don't like to see
13 this. They're trying to build this
14 going wherever, and they're also doing
15 the twin -- twin tunnels, and that's
16 not a good idea. I think it's
17 reckless and I --

18 ~~FACILITATOR: Thank you, Ms. Murray.~~
19 ~~Okay. I would like to thank you very~~
20 ~~much for your participation in this~~
21 ~~eighth and final scoping meeting. I~~
22 ~~appreciate the turnout and your~~
23 ~~comments today.~~
24 ~~Just a reminder that the closing of~~
25 ~~the public scoping period is March~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.

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FILE NO.: AE01D5F

1 Thank you.

2 ~~FACILITATOR: Thank you.~~

3 **PECTAH IKE KINNEY:** I am Pectah Kinney, and fish need
4 water. Let the water flow.

5 ~~FACILITATOR: Thank you.~~

6 ~~KEE-POON KINNEY: I am Kee-Poon Kinney, and no more
7 diversions.~~

8 ~~FACILITATOR: So I'm going to call the next three
9 people. Frank Toriello. Lanis -- is
10 it Louis Gustefson and Kylee Sorrell,
11 and thank you for putting that back
12 up.~~

13 ~~I also wanted to mentioned that
14 our meeting was supposed to end at
15 eight, but we were able to get it
16 extended to 8:45. We do have a
17 hard stop at 8:45 though according to
18 the hotel, so we're going to try to
19 get through everybody by then.~~

20 ~~Thanks. When you're ready.~~

21 ~~FRANK TORIELLO: Hello. And operations of the new
22 Delta Conveyance Project would
23 increase the Department of Water
24 Resource's ability to capture water
25 during high flow events, the same as~~

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1 ~~to follow that.~~

2 ~~If there's -- if there happens to be~~
3 ~~time at the end and you wanted to say~~
4 ~~more that you didn't get to, we'll do~~
5 ~~that for sure, but let me try to get~~
6 ~~through as many speakers as we can.~~

7 ~~So, thank you, and Ms. Powell.~~

8 **JANICE POWELL:** Hi, everyone. I'm Janice Powell. I'm
9 the Mayor of the City of Shasta Lake.
10 And first off, what I think is very
11 important is that we all acknowledge
12 that we're holding this gathering on
13 traditional Wintu homeland, and we
14 need to respect the indigenous people.
15 All of them that are here are
16 traditional stewards of this land and
17 acknowledge their trauma throughout
18 the years and honor the resilience
19 that they seem to hold on their
20 shoulders. You can see that they're
21 all here. I want you to give them the
22 respect that they -- they deserve.
23 They're asking some basic questions,
24 more than what I have here, but I
25 think what I hear is that your NOP

1 doesn't include the impacts on the
2 rivers of Northern California. You
3 don't even bother to have them on the
4 maps. So we need to make sure that
5 that NOP has those Northern California
6 tributaries included in the NOP.
7 Also, you say nothing about the fish
8 and the other habitat that will be
9 impacted by this tunnel, and that's a
10 very important part of the project for
11 all of us up here in Northern
12 California.
13 Also, I did not see anything in the
14 NOP that shows any other alternatives
15 instead of a tunnel. You can ask
16 Chief Sisk of the Winnemen Wintu.
17 They have other alternatives, and the
18 state never seems to recognize that.
19 They are traditional water keepers.
20 They know more than we do, so I think
21 they need a place at the table.
22 Thank you.
23 ~~FACILITATOR: Thank you very much. Okay. Next up.~~
24 ~~WILL HARLING: My name is Will Harling, and I want~~
25 ~~you to consider the no tunnel~~

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1 Thank you.

~~2 FACILITATOR: Thank you.~~

~~3 The next speaker is Sarah Murray --~~

~~4 Susan Murray, excuse me.~~

~~5 JASON REED: I'm not Susan, but I drove over three~~

~~6 hours to be here today so I think I~~

~~7 could -- you know, deserve to have two~~

~~8 and a half minutes to hear me out.~~

~~9 You guys told me that you guys weren't~~

~~10 accepting comments anymore.~~

~~11 FACILITATOR: Say your name, please, for the court~~

~~12 reporter.~~

13 JASON REED: My name is Jason Reed. I'm a Hoopa

14 Tribal member of Hoopa Yurok descent.

15 I'm here representing Big Klamath

16 Basin and my people of Hoopa, Hoopa

17 Tribe as well. I want to talk a

18 little bit about the 2002 fish kill.

19 I was there. I was getting ready to

20 catch the bus to go to school when a

21 local hydrologist came up to me and

22 asked me if I'd been to the river and

23 seen that fish kill, and as a kid,

24 it's not something you're supposed to

25 see. You know, the fish are

1 relations, and just overnight I had
2 7,000 of my relations killed over
3 decisions that, you know, were made by
4 people in your guys' position, and my
5 inherent responsibility after that is
6 to be -- to be a manager, a steward of
7 this land. You know, that's my
8 inherent responsibility.

9 I had to go to school to get a degree
10 just to come back to get a voice at
11 the table to get a seat at the table
12 so people in your guys' position will
13 hear me out and not just think I'm
14 wild and just making up nonsense. I
15 had to go -- I had to defer to Western
16 Science. Western Science still has
17 not caught up to traditional science.
18 You want to talk about that fish kill
19 and the biological impact it had on --
20 it had on our waters, well, the social
21 impact it had on our people, the
22 mental, the spiritual, the cultural,
23 that is all very live in our people.
24 Talk about mental illness, suicide,
25 depression, this is what you guys

1 would be doing by approving these
2 tunnels. The social impact that it
3 will have on our people is
4 detrimental. It's a part -- it's an
5 active genocide, and if you guys want
6 to be part of that, have your names
7 under that, then, I mean, that's the
8 decision you guys make, but I'm sure
9 your guys' ancestors worked very hard
10 to get you guys in the positions where
11 you guys are at right now. That's
12 what we're here to -- our ancestors
13 fought very hard for us to be here
14 today, and we will not sit by and let
15 you guys do this to our land no more.
16 Thank you.

17 ~~FACILITATOR: Thank you. And our last speaker for~~
18 ~~the evening is Susan Murray.~~

19 ~~SUSAN MURRAY: Hello, my name is Susan Murray, and I~~
20 ~~don't represent anybody except myself.~~
21 ~~Tonight I've been sitting here~~
22 ~~listening to many, many compassionate~~
23 ~~stories, music, speeches, and it has~~
24 ~~very much moved me.~~
25 ~~My question is that a few years ago we~~

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1 ~~alternative, and I want to give the~~
2 ~~rest of my time to this young woman~~
3 ~~here, Margo Robbins.~~
4 ~~FACILITATOR: Okay. Hang on just a second.~~
5 ~~So I didn't address that before in~~
6 ~~terms of ceding time. I don't have~~
7 ~~enough time in the day to cede time,~~
8 ~~so you can either use your time or not~~
9 ~~use your time. I just don't have -- I~~
10 ~~have too many cards.~~
11 ~~So I need to have order in the room so~~
12 ~~that we can hear all the comments.~~
13 ~~WILL HARLING: You can start my time now?~~
14 ~~FACILITATOR: Yes.~~
15 ~~WILL HARLING: All right. Now, you can talk.~~
16 **MARGO ROBBINS:** My name is Margo Robbins. I am here
17 to request that you consider the
18 effects to the Klamath and Trinity
19 Rivers in your Environmental Impact
20 Report. I think that you must include
21 the -- the 2000 Record of Decision and
22 also the 50-acre feet that Humboldt
23 County has been guaranteed, that that
24 needs to be included in the modeling.
25 The current modeling does not need to

1 include that. It is mandated by law,
2 and so it needs to take that into
3 consideration.

4 The Klamath and Trinity Rivers already
5 do not have enough water. In 2002
6 this was the result of not enough
7 water.

8 Does Governor Newsom want to be the
9 author of another fish kill? Because
10 that's what siphoning more water away
11 from the Trinity River will do.

12 We are not going to stand idly by
13 and let you destroy our rivers. You
14 need to consider the effects of the
15 actions that you're proposing.

16 There's not enough water to grow
17 watering crops in the desert. There's
18 not enough water for fracking.

19 There is enough water for salmon, for
20 drinking, for swimming and for
21 conscientious farming, not for big ag
22 and sales.

23 ~~FACILITATOR: Thank you.~~

24 ~~And is there a Debora Chapman?~~

25 ~~Okay. The next three up are Jeanne~~

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1 ~~provide reliable water supply to~~
2 ~~Southern California cities such as~~
3 ~~recycling, conservation, storm water~~
4 ~~capture, and in fact, if you did a~~
5 ~~reasonable and a honest cost-effective~~
6 ~~analysis -- cost-benefit analysis, you~~
7 ~~would find that they're much more~~
8 ~~cost-effective than this project.~~
9 ~~I testified four times at the Water~~
10 ~~Right Hearing on the Twin Tunnels. I~~
11 ~~cross-examined your expert witnesses.~~
12 ~~We killed that project, and we will~~
13 ~~kill this project again.~~
14 ~~Thank you.~~
15 FACILITATOR: ~~Is there -- is there -- okay. Thank~~
16 ~~you. Is there a Bob Borden or Boden?~~
17 ~~Oh, you're going to skip? Okay. Do~~
18 ~~you want me to save you for later~~
19 ~~maybe? Maybe. Okay.~~
20 ~~And then is it Sue Harky or Hokey?~~
21 ~~Sue? No? You're going to skip?~~
22 ~~Okay. And Ken Robison, Morningstar~~
23 ~~Cali and Mariah Looney.~~
24 **KEN ROBISON:** I'm Ken Robison with the Golden State
25 Salmon Association, and the Golden

1 State Salmon Association is against
2 this proposal as it currently stands.
3 The Federal Clean Water Act requires
4 the State Water Board to assess the
5 Bay Delta water quality every three
6 years. The State Water Board has not
7 done their required work for 12 years.
8 Any reasonable person would want to
9 have a water quality baseline before
10 making any decisions about diverting
11 water, and that is the position of the
12 Golden State Salmon Association.
13 The federally required directive to
14 assess the Bay Delta water quality is
15 an absolute prerequisite. For a
16 concept relativity, you're talking
17 about 6,000 cfs or 7,500 cfs. Right
18 now approximately 5,500 cfs is going
19 down the river. You're proposing to
20 divert an entire river.

21 ~~MORNINGSTAR CALI: Good evening. My name is Morningstar~~
22 ~~Gali. I am Ajumawi Band of Pit~~
23 ~~River. I just want to say greetings~~
24 ~~to all of the relatives here tonight.~~
25 ~~I see Pit River, Wintu, Yurok, Hoopa~~

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1 ecosystem is something that not only
2 tribal people benefit from but all
3 California residents.

4 I came today to support northern
5 tribes and all tribes that will be
6 impacted by this proposed project. We
7 are connected, we are here, and we
8 have a voice, and we want you to
9 listen.

10 Thank you.

11 FACILITATOR: Thank you, Malissa.

12 Next speaker is Rain Scher.

13 RAIN SCHER: Hi, I'm Rain Scher, and first I want
14 to acknowledge that I am a guest here
15 on Wintu land. I live in Chico where
16 I am a guest on Mechoopda Maidu land,
17 and fundamentally speaking, this
18 project is unsustainable, and there is
19 no amount of changes that you can make
20 to this project to make it
21 sustainable.

22 I'm here to amplify the voices of all
23 the native folks who have been trying
24 to tell you and everyone else who has
25 tried to do projects like this since

1 the beginning. There's no way that
2 you can take water from up here and
3 send it down there and have any kind
4 of life continue.
5 Fundamentally speaking, policy
6 speakers tend to look at indigenous
7 land management practices as knowledge
8 of the past, and there is no way that
9 we can continue to live on this land
10 without acknowledging that indigenous
11 people are not just knowledgeable
12 about what happened here in the past,
13 but are most knowledgeable about how
14 to adapt to conditions on this land.
15 There is no way that life will
16 continue on this land without
17 following the leadership of the
18 indigenous people who have been
19 protecting, preserving and living
20 interdependently on this land for
21 thousands of years.
22 Fundamentally, I'm against this
23 project, and I'm also one of many
24 people both native and nonnative who
25 are ready, willing and able to do

1 whatever it takes including physically
2 block projects like this.

3 ~~FACILITATOR:~~ ~~Thank you.~~

4 ~~Next speaker is Evan Aanenson.~~

5 ~~EVAN AANENSON:~~ ~~My name is Evan Aanenson. I'm a~~

6 ~~Medaki Pit River Tribal member. I'm~~

7 ~~here to just amplify all the voices --~~

8 ~~sorry, my name is Evan Aanenson. I'm~~

9 ~~a Medaki Pit River Tribal member, and~~

10 ~~I'm just here to amplify all the~~

11 ~~voices of the indigenous people who~~

12 ~~spoke before me.~~

13 ~~Okay. Thank you. Bye. I also don't~~

14 ~~approve of this project.~~

15 ~~FACILITATOR:~~ ~~Before you begin, Corey, let me just~~

16 ~~call the next three speakers, and so~~

17 ~~you can line up behind Mr. Collier.~~

18 ~~The next three are Luda Miller, Isaac,~~

19 ~~last initial is K, and then Kee-Poon~~

20 ~~Kinney. If you could line up behind~~

21 ~~Corey Collier and get ready to speak,~~

22 ~~that would be great.~~

23 ~~Please go ahead.~~

24 ~~COREY COLLIER:~~ ~~I'd like to second the~~

25 ~~acknowledgement that this is the~~

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1 ~~heard, then maybe that's what we'll~~
2 ~~have to do.~~

3 ~~FACILITATOR: Okay. Chief -- okay. So Chief Sisk,~~
4 ~~just before you talk, I'm going to~~
5 ~~call the next three up.~~

6 ~~Okay. Molly Culton, Robert Weese Duhn~~
7 ~~and Vernon Wilson.~~

8 ~~And Chief Sisk, please proceed. Yeah.~~

9 **CHIEF SISK:** I'm Chief Sisk of the **Winnemen Wintu**
10 **Tribe** of the McCloud River. I'm the
11 fifth leader since the beginning of
12 this whole water project, and we
13 didn't get three minutes. Not even
14 three minutes when they built the
15 Shasta Dam, and they covered up 26
16 miles of our sacred villages, grave
17 sites, sacred places, places where our
18 people grew up and lived, and we -- we
19 look now at the poison at the bottom
20 of that lake. The arsenic, the copper
21 smelter mines that are at the bottom
22 of that lake that's being transported
23 to people unknowingly of that water,
24 what's in that water. Because the
25 fish are already poisoned with mercury

1 in the lake, but nobody talks about
2 it. There's already a study on it,
3 but nobody talks about it. And they
4 took that water even though we hold
5 first in time water rights. We still
6 hold first in time water rights.
7 Because you know what, we're not under
8 the BIA. We are unrecognized wild
9 Indians still of the McCloud River.
10 You have not adjudicated our water
11 rights, timber rights or anything else
12 or the land, so we own all of those
13 things still. The studies about
14 digging up the Delta, the results of
15 the science on the arsenic, mercury,
16 soil slurry lies also where the Miwok
17 Village sites, sacred sites, there's
18 no studies on the outtakes. What are
19 you going to do when you come across
20 those things? How do you know if the
21 Miwoks have decided to meet with you
22 about those things, but you will --
23 you will find them because all around
24 the Delta was filled with Indian
25 villages. There needs to be a better

1 process where you are meeting with
2 people's questions. You know, this --
3 this meeting is unacceptable when you
4 can't allow all the speakers to talk.
5 Another meeting should be scheduled
6 when you come across a community that
7 has this many concerned citizens about
8 the water issues.

9 The other is there needs to be a
10 reorganizing of the south gates,
11 necessary fish screens and the
12 increase for Chinook. California
13 needs to become a salmon state again.
14 Get out of the desert. Let the fish
15 come back because that's the health of
16 community. That's the health of our
17 rivers. That's how we're going to
18 have clean water.

19 Right now we're sending contaminated
20 water to the south. What the
21 governor's doing is not bringing truth
22 and healing. As you know, Doug
23 LaMalfa is for the horrific heightened
24 water exports to Westlands. When will
25 the questions asked at these meetings,

1 because I've been to several, be
2 answered? And how will they be
3 answered. So far none of my questions
4 have come up with an answer. No one
5 has come back to me and said oh, we
6 took that comment that you made and we
7 found out about it. All we're doing
8 is speaking to you guys who have these
9 little jobs who you probably don't
10 even know who is making the major
11 decisions. But see this water here,
12 this is from Mount Shasta, and we are
13 the people who pray for that water,
14 and that water goes all the way to LA
15 and San Diego. And so these things
16 need to be considered when you're
17 taking our cards, taking our notes.
18 How are you going to get back to us,
19 and you need to reschedule a meeting
20 here.

21 Thank you.

22 ~~MOLLY CULTON: Hello.~~

23 ~~FACILITATOR: Tip that up, if you would. Yeah.~~

24 ~~MOLLY CULTON: Good evening. My name is Molly~~

25 ~~Culton. I'm speaking on behalf of~~

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1 accomplished stopping water deliveries
2 to the Westlands Water District where
3 evermore thirsty crops such as almonds
4 are being planted mostly for export.
5 A Westlands farmer has reported to
6 district plaintiffs to convert most of
7 their farmland into solar farms
8 anyway. So this is about the water
9 rights and enriching corporate
10 interests, not about feeding America.
11 This is not a complicated topic. This
12 scheme is a scam to privilege the 350
13 entities in the Westlands Water
14 District with more water rights at the
15 expense of the health and wealth of
16 the citizens of California.
17 I would -- I would also like to note
18 that it's obvious that there's a
19 larger scheme involving the sites
20 reservoir and the raise on the Shasta
21 Dam. CEQA specifically prohibits
22 piecemealing, so these should be
23 included in the EIR.
24 **KYLEE SORRELL:** Hello, my name is Kylee Sorrell. I'm
25 a proud member of the Hoopa Valley

1 Tribe and a very proud member of the
2 Water Protectors Club. I'm here to
3 stand before you to tell you how wrong
4 this really is and for the people that
5 have lived and that do live on the
6 river and how this is going to affect
7 all of us in this room. Most people
8 know the river as a sacred place and
9 for me I know as a healing place, a
10 place for fun and a place of a
11 resource of food, and to take it away
12 from a lifestyle from a large amount
13 of people is cruel.

14 The only time the river gets high in
15 my valley is when it rains, and even
16 that lasts maybe two to three days.
17 I'd be so ashamed if my kids grew up
18 not knowing what a river was, a
19 healthy, full river because people
20 want to make profit off of my water,
21 off of their water, off of our water.
22 Native-American people suffered so
23 much. Why do you guys -- why do they
24 keep taking stuff from us. You know,
25 I started traveling at two p.m. today.

1 I should have been in school. We
2 don't get out until 3:40. I should
3 have been learning. I should be home
4 helping my mom take care of the kids
5 and doing my homework, but I'm here
6 fighting for a basic necessity to my
7 people, to their people, to everybody
8 on the river. I shouldn't be here,
9 but I'm here fighting for a basic
10 necessity.

11 And before I end, show the Trinity
12 River. Show the rivers when you're
13 going to do something to the Trinity.
14 Show on your maps or we see
15 something -- you have something to
16 hide. Know while I'm here I'm not
17 letting my river, the Trinity River,
18 or the rivers and The Rivers to be
19 harmed.

20 Thank you.

21 ~~LOUIS GUSTEFSON: My name is Louis Gustefson. I'm~~
22 ~~Itsatawi. I represent Its, which is~~
23 ~~now known as the Pit River Tribe.~~
24 ~~I'm just here in solidarity. There is~~
25 ~~a lot more I wanted to say. I know~~

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1 ~~— you get ready to speak and then Rain~~
2 ~~Scher.~~

3 **RAVEN STEVENS:** The clock should read three minutes,
4 please. Yes? Don't I get three
5 minutes? Okay. Well, I'll be taking
6 three minutes. Thank you.
7 I want to honor the traditional lands
8 of the Winnemen Tribe where we
9 currently stand. My name is Raven
10 Stevens, and I live on the west side
11 of Uytaahkoo or Mount Shasta as you
12 might know it, which is a major source
13 area of California's water, and in
14 Mount Shasta we are the headwaters of
15 the Sacramento River.
16 Thank you for bringing the meeting up
17 north. You must continue to hold
18 meetings up here so the public can
19 participate. And it might make it
20 easier for some if you actually went
21 up to Yreka so they didn't have to
22 drive an extra hour and a half.
23 The definition of insanity is doing
24 the same thing and expecting different
25 results, therefore, this project must

1 take into consideration how past
2 policies have failed tribes, the
3 environment, fish, people, and all who
4 need water to survive. Have we
5 learned nothing from history? The
6 destruction of tribes by genocidal
7 policies, we've seen that. We've seen
8 the changing of policy or laws for
9 corporate interests, which you might
10 call family farms, and in turn the
11 severe decline of Winter and Spring
12 run Steelhead, Delta Smelt and Green
13 Sturgeon. The water that flows from
14 source areas is considered a public
15 trust. This means that our water must
16 never, must never be allowed to be
17 sold for a profit.
18 How will the EIR deal with for-profit
19 companies like Westlands Water
20 District who will make decisions that
21 only benefit their for-profit schemes?
22 Westlands provides water for corporate
23 farms. These corporations farm on
24 arid and now polluted lands which
25 should be pushed into retirement from

1 agricultural production. The EIR
2 needs to analyze how district one
3 benefits from the shipping of water
4 out of our area to south. What are
5 the realtime mitigations in place to
6 support water recharge areas where the
7 water is source survived. This is
8 administration's new biological
9 opinion. There needs to be a swim way
10 put in place around Shasta Dam and no
11 Shasta Dam raise. How will we
12 redirect -- how will we redirect the
13 fresh water flow in the proposed
14 tunnel, and it affects the water
15 quality in the Delta and surrounding
16 areas? The EIR must analyze the
17 ability -- I mean, it must analyze the
18 impacts to salinity, pesticide levels,
19 toxic hotspots, mercury and the
20 ability of all wildlife to survive
21 more changes.
22 Lastly, how does climate change play
23 into this project? Overall scientists
24 agree there will be less snow pack
25 like this year, and therefore, less

1 fresh water flowing into our creeks,
2 streams and rivers. In the EIR you
3 must include how this project works
4 when there is less recharge water
5 flowing into these river systems.
6 If the Delta Tunnel goes online, it
7 also must take less water according to
8 the amount flowing in just like other
9 users must take less when the State
10 Water Board tells them to.
11 Having this hearing today is not about
12 your agency just checking off the box
13 and saying oh, now we're done. We
14 cannot continue with the
15 short-sidedness that has gotten us
16 into this mess. In order to make real
17 change, your agency must always
18 consult, learn from and follow
19 indigenous leadership.
20 Thank you.

21 FACILITATOR: Thank you for your comment.
22 Our next speaker is Malissa Tayaba.
23 And while Malissa comes up, I'm going
24 to call the next three. Please line
25 up behind Malissa.

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.

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REPORTED BY: CHRISTENA GRAY, CSR No. 9360

FILE NO.: AE01D5F

1 **ATTA STEVENSON:** Hello. My name is Atta. That's all
2 you need to know. I am a member of
3 the California Indian Water
4 Commission. We have been battling
5 these water before DWR became in
6 existence.
7 One of the reasons that I'm here to
8 talk a little bit about the California
9 Indian Water Commission, we hereby
10 strongly oppose the Delta Conveyance
11 Project.
12 It appears that the water resiliency
13 proposal and the sites reservoir and
14 the voluntary agreement do not give
15 credence nor even acknowledge
16 traditional known -- traditional
17 knowledge, historical data or salmon
18 sustainability for the increased water
19 diversions from the Trinity, Klamath
20 and Sacramento rivers.
21 Diminished water conveyance from
22 northern sources to Southern
23 California will only create alarming
24 already existing crises in several
25 aspects. Tribal subsistence depends

1 on a healthy salmon run, thus
2 sustaining ceremonial and traditional
3 stewardship, fishing techniques, songs
4 and stories that keep salmon sacred.
5 Increased water diversions clearly
6 discriminates against small rural
7 communities, jobs that healthy salmon
8 runs give economic relief.
9 The California Indian Water Commission
10 hereby supports the Hoopa youth who
11 valiantly campaigned for a public
12 scoping forum that will allow Northern
13 California residents traditional
14 practitioner, fishing people, families
15 and businesses to publicly voice our
16 concerns.
17 In closing, the Delta Conveyance
18 Project is a flawed tool. It is our
19 desire that the governor will
20 reconsider all the sciences that is
21 provided by traditional knowledge as
22 well as mainstream science. This is
23 clearly stating that future
24 catastrophic consequence of a critical
25 decision that will ultimately reshape

1 the water shape of northern people of
2 California.

3 And on a personal note, I want to say
4 that if the governor chooses to decide
5 to go ahead with this, it is cultural
6 genocide for all of our people in the
7 north state. Cultural genocide
8 because we have songs and dancers --
9 dances that reflect the sacredness of
10 water, the spirit of our salmon, and
11 when they no longer happen, we no
12 longer happen. It's as simple as
13 that.

14 And I stand to oppose it in any way I
15 can, and I say nonviolent resistance
16 is the way, but direct action must be
17 taken.

18 Thank you.

19 ~~FACILITATOR: If I could just have a minute. If I~~
20 ~~could just call up the next three~~
21 ~~people. I have Bob Borden, Sue Hokey~~
22 ~~and Tom Stokey. Next three.~~
23 ~~So please proceed.~~

24 ~~DAVID LEDGER: Okay. My name is a David Ledger, and~~
25 ~~I'm from Shasta Environmental Alliance~~

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FILE NO.: AE01D5F

1 ~~they're speaking out here and they're~~
2 ~~coming out in such force and listening~~
3 ~~to their speeches they gave out before~~
4 ~~the meeting.~~

5 ~~Thank you.~~

6 TOM STOKEY: I'm Tom Stokey with Save California
7 Salmon. I oppose this project, but
8 we're here to give you scoping
9 comments.

10 The talk that this increases
11 reliability of water supply is double
12 speak for increased water deliveries.
13 The Central Valley Project and the
14 State Water Project contracts are
15 rarely provided at 100 percent so
16 increased reliability means you will
17 be taking more northern California
18 water south.

19 Secondly, your claims that Trinity
20 River water is not part of this
21 project are patently false. There is
22 an intertie between the Delta-Mendota
23 Canal, the federal canal south of the
24 Delta, and the California Aqueduct.
25 You regularly pump Trinity River water

1 through state facilities, and you
2 contribute to the decline of the
3 Trinity River and the depletion of
4 cold water storage in Trinity Lake.
5 So I'm going to ask you to include
6 some things in your EIR. One is to be
7 honest that Trinity River water is
8 pumped through state facilities, and
9 it will be pumped through the tunnel.
10 Secondly, the Trinity River is at
11 great risk because of cold water
12 carryover storage. The new Trump
13 Water Plan actually lies in the
14 modeling about how much carryover
15 storage there will be to the tune of
16 up to 350,000 acre feet less, so
17 what I'd like to see you do is provide
18 some protection for the Trinity River
19 and cop to the fact that you're
20 harming the Trinity River by this
21 project and by your ongoing
22 operations, and that would include one
23 of two options.
24 The first option would be to flat out
25 refuse to deliver any Central Valley

1 Project water through state facilities
2 through the tunnel, as well as through
3 the Banks Pumping Plant. In lieu of
4 that you need to have the Bureau of
5 Reclamation amend their water rights
6 before the state water board to
7 provide protection for the Trinity
8 River. That would include
9 incorporation of the Trinity record of
10 decision flows, Humboldt County's
11 50,000 acre feet and the lower Klamath
12 record of decision, which I might add
13 I would like to see all of those
14 in your modeling as well, the Lower
15 Klamath Rod, the Trinity Record of
16 Decision and Humboldt County's 50,000
17 acre feet.

18 And then finally, there are other
19 options to this, and I would ask you
20 in your environmental document to
21 include analysis of the California
22 Environmental Water Caucuses Water
23 Solutions Now as an alternative to the
24 tunnels.

25 There are plenty of other solutions to

1 provide reliable water supply to
2 Southern California cities such as
3 recycling, conservation, storm water
4 capture, and in fact, if you did a
5 reasonable and a honest cost-effective
6 analysis -- cost-benefit analysis, you
7 would find that they're much more
8 cost-effective than this project.
9 I testified four times at the Water
10 Right Hearing on the Twin Tunnels. I
11 cross-examined your expert witnesses.
12 We killed that project, and we will
13 kill this project again.
14 Thank you.

15 ~~FACILITATOR: Is there -- is there -- okay. Thank~~
16 ~~you. Is there a Bob Borden or Boden?~~
17 ~~Oh, you're going to skip? Okay. Do~~
18 ~~you want me to save you for later~~
19 ~~maybe? Maybe. Okay.~~
20 ~~And then is it Sue Harky or Hokey?~~
21 ~~Sue? No? You're going to skip?~~
22 ~~Okay. And Ken Robison, Morningstar~~
23 ~~Cali and Mariah Looney.~~
24 ~~KEN ROBISON: I'm Ken Robison with the Golden State~~
25 ~~Salmon Association, and the Golden~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

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FILE NO.: AE01D5F

1 ~~The next three are Rain Scher, Evan~~
2 ~~Aanenson -- excuse me if I~~
3 ~~mispronounce that -- and Corey~~
4 ~~Collier. Okay. Behind Malissa is~~
5 ~~Rain Sche, Evan Aanenson and Corey~~
6 ~~Collier.~~
7 ~~Okay. Malissa, please go ahead.~~
8 ~~Thank you.~~

9 MALISSA TAYABA: First, I would like to start by
10 honoring the Wintu Nation. Say thank
11 you. I want to say greetings to all
12 of our tribal people here. From the
13 north I want to say thank you. It's
14 really wonderful to see how you guys
15 get together, and I just want to say
16 thank you for trying to save our lives.
17 My name is Malissa Tayaba. I'm a
18 tribal member from Shingle Springs
19 Rancheria. I'm from the Sacramento
20 River. Today I came to express that
21 this project will have a negative
22 effect on my tribe and other Delta
23 Tribes. This project will impact our
24 sacred sites gathering areas,
25 ceremonial villages, and even burials

1 would be destroyed and disturbed.
2 I am a weaver. That is how I am
3 connected to the water. So where this
4 project is proposed would have a major
5 impact on our gathering areas.
6 My tribal people want to know what
7 will happen to our food? What about
8 the plants and animals and why haven't
9 they been considered? Tribal people
10 want to know how you will bring the
11 salmon back.
12 The ITR Report recommended the eastern
13 corridor, which is directly across
14 from a wildlife refuge and very
15 culturally sensitive area. All of the
16 plants and animals will be in
17 jeopardy. Where is Fish and Wild
18 Life? When do we get to hear from
19 them? We should have more talks about
20 how to avoid this project, and can you
21 guys say with scientific certainty
22 that it will work and why? Maybe we
23 just need to come up with more plans
24 on how to conserve water.
25 The health and preservation of the

1 ecosystem is something that not only
2 tribal people benefit from but all
3 California residents.

4 I came today to support northern
5 tribes and all tribes that will be
6 impacted by this proposed project. We
7 are connected, we are here, and we
8 have a voice, and we want you to
9 listen.

10 Thank you.

11 ~~FACILITATOR: Thank you, Malissa.~~

12 ~~Next speaker is Rain Scher.~~

13 ~~RAIN SCHER: Hi, I'm Rain Scher, and first I want~~
14 ~~to acknowledge that I am a guest here~~
15 ~~on Wintu land. I live in Chico where~~
16 ~~I am a guest on Mechoopda Maidu land,~~
17 ~~and fundamentally speaking, this~~
18 ~~project is unsustainable, and there is~~
19 ~~no amount of changes that you can make~~
20 ~~to this project to make it~~
21 ~~sustainable.~~

22 ~~I'm here to amplify the voices of all~~
23 ~~the native folks who have been trying~~
24 ~~to tell you and everyone else who has~~
25 ~~tried to do projects like this since~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

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FILE NO.: AE01D5F

1 Thank you.

2 FACILITATOR: Thank you.

3 PECTAH IKE KINNEY: I am Pectah Kinney, and fish need
4 water. Let the water flow.

5 FACILITATOR: Thank you.

6 KEE-POON KINNEY: I am Kee-Poon Kinney, and no more
7 diversions.

8 FACILITATOR: So I'm going to call the next three
9 people. Frank Toriello. Lanis -- is
10 it Louis Gustefson and Kylee Sorrell,
11 and thank you for putting that back
12 up.

13 I also wanted to mentioned that
14 our meeting was supposed to end at
15 eight, but we were able to get it
16 extended to 8:45. We do have a
17 hard stop at 8:45 though according to
18 the hotel, so we're going to try to
19 get through everybody by then.

20 Thanks. When you're ready.

21 FRANK TORIELLO: Hello. And operations of the new
22 Delta Conveyance Project would
23 increase the Department of Water
24 Resource's ability to capture water
25 during high flow events, the same as

1 with the proposed Sites Reservoir
2 Project. Along with increased
3 impoundment behind the raise Shasta
4 Dam, these diversions would result in
5 a great decrease in water quality
6 resulting in increase in salinity,
7 toxic hotspots, pesticides, mercury
8 and other pollutant discharge that
9 won't be cleaned out due to a lack of
10 seasonal high fresh water flows in the
11 Delta with resulting detrimental
12 impacts on the aquatic life in the San
13 Francisco Bay and Delta. Already
14 there's a severe drop in the numbers
15 of returning Sacramento River Chinook
16 Salmon. Scientists agree that
17 allowing more, not less water to flow
18 through the Delta and west towards San
19 Francisco Bay is essential for
20 protecting fish life and providing a
21 clean supply of drinking water for
22 current and future generations. That
23 means restricting pumping of water out
24 of the south end of the Delta into the
25 Central Valley farmland.

1 The National Oceanic and Atmospheric
2 Administration has reported over 80
3 percent of collected fish exhibited
4 spinal deformities due to selenium,
5 yet the Central Valley Regional Water
6 Board has issued a 25-year permit for
7 toxic discharges of agricultural
8 wastewater coming from the Westlands
9 Water District into the San Joaquin
10 River and the Delta and the Bay. This
11 discharge is high in selenium,
12 mercury, nitrates, pesticides and
13 other toxins and is being discharged
14 into the San Joaquin River and thus
15 into the drinking water supply of Bay
16 Area residents and millions of
17 Californians.

18 The EIR should analyze water
19 conservation, efficiency and
20 additional demand reduction measures
21 that would be less environmentally
22 harmful than the tunnel and achieve
23 the same water supply reliability
24 goals and targets that the tunnel
25 project proposes. This might best be

1 accomplished stopping water deliveries
2 to the Westlands Water District where
3 evermore thirsty crops such as almonds
4 are being planted mostly for export.
5 A Westlands farmer has reported to
6 district plaintiffs to convert most of
7 their farmland into solar farms
8 anyway. So this is about the water
9 rights and enriching corporate
10 interests, not about feeding America.
11 This is not a complicated topic. This
12 scheme is a scam to privilege the 350
13 entities in the Westlands Water
14 District with more water rights at the
15 expense of the health and wealth of
16 the citizens of California.
17 I would -- I would also like to note
18 that it's obvious that there's a
19 larger scheme involving the sites
20 reservoir and the raise on the Shasta
21 Dam. CEQA specifically prohibits
22 piecemealing, so these should be
23 included in the EIR.

24 ~~KYLEE SORRELL: Hello, my name is Kylee Sorrell. I'm~~
25 ~~a proud member of the Hoopa Valley~~

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FILE NO.: AE01D5F

1 you guys are just messengers.
2 Before when I questioned you guys'
3 plan here, I didn't see Trinity River
4 or the Klamath River on your guys' --
5 on your map. Very concerning.
6 I'm opposing your guys' plan. You
7 guys -- your twin tunnel was a dump.
8 Now your single tunnel's going to be a
9 dump. We need to go it zero tunnel.
10 You guys aren't thinking about -- you
11 aren't thinking about north of the
12 north state. You guys are all just
13 thinking about Southern California
14 where everybody's at. Well, what are
15 they going to do when they run out of
16 water because we're going to cut them
17 off?
18 FACILITATOR: The next three people are Thomas
19 Joseph, Jack Trout and Chief Caleen
20 Sisk.
21 So Thomas.
22 JACK TROUT: This way?
23 FACILITATOR: Yeah.
24 JACK TROUT: Okay. Hi, my name's Jack Trout. I've
25 been a fly fishing outfitter up in

1 Mount Shasta for 26 years, and I
2 oppose the Delta Tunnel. The reason
3 being is that I have seen such a
4 decline in salmon populations in all
5 rivers in Northern California that for
6 me it's ludicrous that you're even
7 considering this project.

8 Do you realize at one time we had all
9 the same salmon as they have now in
10 Alaska. We've lost Kokanee. We've
11 lost Sockeye. We've lost pink salmon.
12 Two years ago the Department of Fish
13 and Game here in Redding told me they
14 came up with one pink salmon, okay.
15 We've lost 19 of our historical 22
16 salmon runs. There used to be salmon
17 in the Sacramento River year-round.
18 We've lost that now. We are on the
19 brink of extinction. Let me sound the
20 bell and say that one more time. We
21 are now on the brink of extinction.
22 These salmon in the Fall when they
23 spawn, they lay eggs. The eggs feed
24 Steelhead and Trout. So with that, as
25 we lose our salmon in the next coming

1 50 years, we will start to then lose
2 our Steelhead populations and then, of
3 course, Trout too because if you all
4 look outside right now, there are no
5 leaves on the trees, okay. Leaves
6 hold insects. The Trout and Steelhead
7 rely on the eggs of the salmon through
8 the Winter months. So if we deplete
9 our salmon populations, we will end up
10 having no fish in our rivers. This
11 can happen because we've lost the
12 Kokanee. We've lost the Sockeye.
13 We've even lost a trout called the
14 Stone Trout, which was a prolific
15 trout that only existed in the McCloud
16 River. It is now extirpated also, and
17 we need to think of resolutions where
18 communities that are south of us can
19 fend for their own water, okay. This
20 is the only way that we can control
21 population. And by making them rely
22 on building their own reservoirs,
23 their own catch pots for water
24 storage, that -- that is the only
25 solution, and Gavin Newsom has this

1 wrong. Doug LaMalfa's never
2 represented us. Brian Dahle is a
3 loser, and the Westlands Water
4 District is the most corrupt water
5 district in all of the United States.
6 They have -- let me finish here. They
7 have -- they have FCC violations.
8 They have been tagged by the FCC for
9 insider trading. Also for -- for Tom
10 Burmingham, their leader at the time,
11 was doing Enron accounting with their
12 own invest -- their own investors. We
13 cannot trust these people from the
14 Westlands Water District. They can
15 never be trusted for the dam raise or
16 for any project that has to do with
17 the Delta Tunnel.
18 Thank you.

19 ~~THOMAS JOSEPH: My name is Thomas Joseph. I'd like to~~
20 ~~recognize that we are on the Winnemen~~
21 ~~Wintu ancestral territories and~~
22 ~~lands and that there is many~~
23 ~~indigenous nations here represented~~
24 ~~from the Trinity River and the Klamath~~
25 ~~River and that we have been able to~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

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FILE NO.: AE01D5F

1 ~~something, maybe resolve this, and~~
2 ~~hopefully you can -- hopefully you can~~
3 ~~come to a good decision. If not, I~~
4 ~~respectfully ask you to withdraw this~~
5 ~~process.~~

6 FACILITATOR: Thank you.

7 Next speaker is Clark Tuthill.

8 CLARK TUTHILL: Okay. My name's Clark Tuthill. I've
9 lived up here in Shasta County,
10 Trinity County area since 1970. A lot
11 of things have been said here this
12 evening, and I would be redundant to
13 try to repeat any of them. I think
14 what Mr. Stokey said and the fellow
15 from Mount Shasta spoke here just a
16 few moments ago pretty much hit the
17 nail on the head. Oh, okay. Can you
18 hear me all right? What Mr. Stokey
19 and the gentleman from Mount Shasta
20 mentioned here just a few moments ago
21 pretty much hit the nail on the head.
22 A lot of things have been said about
23 personal things, but the bottom line
24 is there has been a water grab in
25 California since the 1920's when

1 William Mulholland and his partner
2 misrepresented what was going to
3 happen in the Owens Valley. Started
4 there, and it's been going on ever
5 since.

6 I lived in the San Joaquin Valley in
7 the early sixties, and I coached at a
8 high school there right in the middle
9 of where Westlands is now, and those
10 guys knew it was coming. It was
11 planned. They talked about getting
12 water out of Friant Dam for small
13 family farms which were 250 acres.
14 Guess what? They're not there
15 anymore. It's all big corporate
16 farms, and that's where the water's
17 going.

18 You think this tunnel is not part of
19 the project? It's a plan. It's been
20 going on for a long time. If you're
21 quiet enough, when they build that,
22 you will hear the sucking sound coming
23 from here all the way down to the San
24 Joaquin Delta, the valley. Don't kid
25 yourself. You guys should be ashamed

1 of yourself being here now saying that
2 this is going to be all nice and easy
3 and we're going to have a great EIR
4 and all this kind of stuff. Watch it.
5 This has been going on for a long
6 time.
7 California Water Project under Edmund
8 G. Brown. Lake Orville. Okay. Where
9 does the water go? Goes down to
10 Tracy. Where does the water from here
11 go? Down to Tracy. All the water is
12 down here. This is -- this is like a
13 huge heart up here and all the veins
14 go down and they go to Southern
15 California. It's been going on for a
16 long time, and don't think for a
17 minute that this isn't part of the
18 project. It's been there. We used to
19 call it the peripheral tunnel.
20 Anybody remember the peripheral
21 tunnel? We voted on it. The State of
22 California voted on it. We voted it
23 down. So then they came up with other
24 projects, and then it was going to be
25 a twin tunnel. Now it's a single

1 tunnel. It's a plan.

2 Thank you.

3 ~~FACILITATOR: Thank you Mr. Tuthill.~~

4 ~~Okay. Our next speaker is Regina, but~~

5 ~~before you begin Regina, please let me~~

6 ~~call the next three to line up after~~

7 ~~you. JoAnne Lee, Winter Hawk Rouse,~~

8 ~~and Chao Nuucks Manuel. Chao Nuucks.~~

9 ~~Thank you.~~

10 ~~Okay. Regina.~~

11 ~~REGINA ANIDROLE: We're going to switch turns because~~

12 ~~she's ready now.~~

13 ~~CHAO NUUCKS: I just want -- I probably won't need~~

14 ~~as much time that's on there, but I~~

15 ~~just wanted to -- I'm a rush dance~~

16 ~~girl. Anybody want to hear a rush~~

17 ~~dance song? Can I sing them a song or~~

18 ~~two? It won't take as long.~~

19 ~~FACILITATOR: It's your timeframe.~~

20 ~~CHAO NUUCKS: Okay. Oh, I just wanted to mention~~

21 ~~too also I will allow -- I give~~

22 ~~permission out to record, but I can't~~

23 ~~let this go on any social media, you~~

24 ~~know. (Tribal language song.)~~

25 ~~That was what I would say. Do you~~

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING
REDDING, CALIFORNIA
MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.
(800) 288-3376
www.depo.com

REPORTED BY: CHRISTENA GRAY, CSR No. 9360
FILE NO.: AE01D5F

1 ~~the ecosystem so that communities that~~
2 ~~depend on these ecosystems will once~~
3 ~~again have the opportunity to thrive.~~

4 Thank you.

5 FACILITATOR: Thank you.

6 **VERNON WILSON:** Vernon Wilson. Cohto Tribe, Northern
7 Mendocino County.

8 I don't think our tribe was actually
9 notified. I accidentally came upon
10 this notice through one of the local
11 papers in my community, so that right
12 there is wrong, but what I want to --
13 first what I want to do is honor our
14 Wintu Tribe for being on their
15 ancestral turf here. I was brought up
16 to, you know, address that when you
17 come into somebody else's homelands is
18 that you show respect, and you honor
19 them in a good way, so I honor the
20 Wintuan people here and all the other
21 nations represented here.

22 I have a lot of friends on all these
23 rivers that you people are talking
24 about. I have friends and relatives
25 that live on these rivers, and they

1 depend on these rivers, and it's
2 pretty sad that, once again, you know,
3 the indigenous people have to come
4 last. We -- you know, we have no say.
5 We -- you know, when these projects
6 come up, it should -- it should be
7 addressed, and it should be put
8 forward to the indigenous people of
9 these lands that it's going to affect
10 the most, and they should be the
11 decision makers. They should say yea,
12 nay, bad idea, go somewhere else, get
13 your own water from somewhere else
14 because a lot of people -- when I was
15 a little boy, I was taught to if you
16 approach the water, that is a living
17 thing, that is that you tell it
18 what -- who you are, where you're
19 from, your intentions. And if it's
20 the headwaters of a creek or a river,
21 then you explain, you know, who you
22 are.
23 You know, I'm the people of this land.
24 We've been living together for ten
25 thousands years. And at one time we

1 had a perfect system here, and that's
2 when the indigenous people weren't in
3 control of it, but they were in sync
4 with it, you know, so that's -- that's
5 what it needs to go back to because
6 we've done it -- we've done it your
7 way. It's been forced upon us, and
8 like my friend Atta said, this is just
9 another form of genocide. You guys
10 give it this really cute name. You
11 give it this really fancy title. That
12 is not what it is. It is a form of
13 genocide. It's to -- it's to make
14 people weak, needy, and suppressed
15 and -- and not -- and just not
16 allowing people to say something.
17 That's wrong in itself. You know, so
18 I just want to let all the tribal
19 nations that I -- that I see coming up
20 to this mic that we do support you.
21 We will fight with you, and I oppose
22 your project, and I think that Mr.
23 Gavin should be here answering
24 in-person these people.
25 Thank you for your time.

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SAN JOAQUIN COUNCIL OF GOVERNMENTS

PUBLIC MEETING

REDDING, CALIFORNIA

MONDAY, MARCH 2, 2020

ATKINSON-BAKER, INC.

(800) 288-3376

www.depo.com

REPORTED BY: CHRISTENA GRAY, CSR No. 9360

FILE NO.: AE01D5F

From: [Jacklyn Shaw](#)
To: [McCarthy Kevin Congressman](#); [Representative Jerry McNeerney](#); [Corky Kuykendall](#)
Cc: [Wid Anders Christenson,mngr](#); belliot@sjgov.org; cwinn@sjgov.org
Subject: Clueless by choice or denial? "Devastating" Drought recycles to Dust Bowl from Delta if any tunnel, states Supervisors Coalition of Five Delta Counties
Date: Thursday, April 2, 2020 11:24:07 AM

on 4.2.2020

Hi Kevin McCarthy, Minority Leader, House, (CA-Fresno); Secretary D.L. Bernardt, DOI:

FYI: Clueless by choice or denial? "Devastating" Drought recycles to Dust Bowl from Delta if any tunnel, states Supervisors Coalition of Five Delta Counties, Fwd: I regret to inform you...

It would be "Devastating" Drought recycles to Dust Bowl from Delta if any tunnel, as stated by the Supervisors Coalition of Five Delta Counties. (So why were votes lost from this area?) Where is regional responsibility? For Delta, it is only negotiable **for Delta River west**. That is if any wet season after increasing drought recycles, to keep agreements.

Further, San Francisco has a Desalination plant, but it has to be used every day, according to a water engineer. Likewise, Fresno County's regional responsibility best reclaim HETCH HETCH HETCHY and "FRIANT" dam.

Moreover, Desalination grants are due to California, where it was researched/invented at UCB with J. Leibovitz, Ph.D, 1977. It has since been used in over 100 nations. Time is a wasting for California. Alleged As Assistant and former Lobbyist to Westlands landowner of Fiji Water and South Central Valley, CA, -- Secretary DLB best recuse himself. Otherwise, he makes the President subject to cronyism. Also, Bakersfield Basin can serve for Desalination. With Mokelumne (River) Aqueduct, Lodi, CA has been fleeced since Pardee Dam, 1929. (February was worst drought in Lodi history.)

We do not need to displace generational families with temporary construction jobs and ignoring control agreements. San Joaquin County, arguably 2/3 of the Delta, produces over 100 -200 kinds of fresh produce to USA and the world. That means Agricultural industries and agri-tourism would be impacted. How is Woodbridge, WID vs East Bay/MUD (Lodinews.com/Jan.31.2018)? Los Angeles County did not keep its agreement with Mono Lake, and they favor God's natural rivers. This year news, 2020, Anderson Dam meant flooding in Silicon Valley.

In concerns of health and soil salinity, Delta Breeze, 20–60-90 miles per hour, can cause increased health problems of allergies, dry throat and more. Stirring up itchy, peat dirt (fertile for fresh food crops) would mean increased health problems, east of Delta River. Any conveyance, 60 feet wide, near Terminous with Tower Park and water recreation, is horrifying to those few who have seen the map plan. That would be 7-12 miles from my folks homestead vineyard and City of Lodi.

This threat and denial of local representation -- is appalling, if not unconstitutional. As God is my witness,

Sincerely horrified,

Prof. Jacklyn E. Shaw, Grower
Lodi, CA 95242

cc: See email addresses and others

From: [JAMES HALL](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: DELTA CONVEYANCE CONTINUED ACTIONS WITHOUT PUBLIC PARTICIPATION DUE TO COVID
Date: Wednesday, April 1, 2020 4:35:06 PM

Dear sirs,

I am a central California resident and deeply concerned about the Water Conveyance Proposals that are continuing to be put forth without the ability of residents to participate. I happen to be stuck in Hawaii (I know, I get very little sympathy about this). None the less, I, like many others are not able to get back and participate in this process due to COVID policies and restrictions put forth by various governments and common sense. There are Americans, Californians, stuck overseas. They are stuck on Cruise Ships and God knows where. I probably will not be able to get back to California until May and who knows if I, or any of us, will even be able to travel then. Your continued actions, without taking into account the real impact on the people involved during these unique times, are counter to public interest, the public process and full transparency. I urge you to delay any further actions until this crisis is over. It is highly likely that any actions you take during this time will be deemed an illegal process in a court case. Government restrictions on travel, both federal and California, have prohibited the public participation and full due process in these activities and as such, your Department can not take advantage to streamline and fast track or even " business as usual" your functions at the expense of those citizens directly affected. Please revise your process to take this into account until we are over the crisis.

sincerely,

Jim Hall
Linda Hall

Sent from the Cold Duck

From: [Entitlements](#)
To: [DWR Delta Conveyance Scoping](#)
Cc: [Rob Ferrera](#)
Subject: Delta Conveyance Project / NOP / 2020010227
Date: Wednesday, April 1, 2020 8:09:35 PM
Attachments: [2020010227_Delta Conveyance Project_CEOA Letter.pdf](#)

Good Evening Marcus,

Attached is SMUD's comment letter for the project listed above. Please confirm receipt of this email with the attachment.

Thank you in advance and have a wonderful rest of your day.

Sara Christian

Regional and Local Government Affairs

w.916-732-5380 | entitlements@smud.org

SMUD | Powering forward. Together.

6201 S Street, Mail Stop B404, Sacramento, CA 95817

P.O. Box 15830, Sacramento, CA 95852-0830

***Sent Via E-Mail***

April 1, 2020

Marcus Yee
Department of Water Resources
901 P Street
Sacramento, CA 95814
DeltaConveyanceScoping@water.ca.gov

Subject: **Delta Conveyance Project / NOP / 2020010227**

Dear Mr. Yee:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) for the Delta Conveyance Project (Project, SCH 2020010227). SMUD is the primary energy provider for Sacramento County and a portion of the proposed Project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

It is our desire that the Project Environmental Impact Report (EIR) will acknowledge any Project impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on smud.org for more information regarding transmission encroachment:
 - <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>
 - <https://www.smud.org/en/Corporate/Do-Business-with-SMUD/Land-Use/Transmission-Right-of-Way>
- Utility line routing
- Energy Efficiency
- Climate Change
- Cumulative impacts related to the need for increased electrical delivery
- The potential need to relocate and or remove any SMUD infrastructure that may be affected in or around the Project area

More specifically, SMUD would like to have information on the load requirements for the project incorporated in to the Draft EIR. Based on SMUD's discussions and previous experience with the cancelled CA Water Fix Project (see Water Fix EIR addendum submitted 1/23/2018) the Delta Conveyance Project will have a significant impact on SMUD's system requiring substantial new facilities to support it.

SMUD looks forward to continuing to work with the DWR team to evaluate and identify the requirements to serve the Project and would like to be involved with discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed Project. Please ensure that the information included in this response is conveyed to the Project planners and the appropriate Project proponents.

Environmental leadership is a core value of SMUD, and we look forward to collaborating further with you on this Project. Again, we appreciate the opportunity to provide input in response to this NOP. If you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Ferrera', with a long horizontal stroke extending to the right.

Rob Ferrera
Environmental Services Specialist
Sacramento Municipal Utility District
6201 S Street
Sacramento, CA 95817
916.732.6676
rob.ferrera@smud.org

cc: Entitlements

From: [Marsha Hansen](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Delta Conveyance Scoping - El Segundo Chamber of Commerce
Date: Friday, March 27, 2020 4:06:36 PM
Attachments: [Delta Conveyance Scoping - March 2020.pdf](#)

Attached please find a letter regarding Delta Conveyance Scoping from the El Segundo Chamber of Commerce. If you have any questions, please contact us at 310-322-1220 or director@elsegundochamber.org.

Thank you,
Marsha Hansen

Marsha Hansen, CEO/President
Connect • Collaborate • Succeed
El Segundo Chamber of Commerce
427 Main Street
El Segundo, CA 90245
310/322-1220
www.elsegundochamber.com
<https://www.facebook.com/elsegundochamber>



Sent Via Email: DeltaConveyanceScoping@water.ca.gov

March 18, 2020

Ms. Renee Rodriguez
California Department of Water Resources
Post Office Box 942836
Sacramento, California 94236

RE: Delta Conveyance Scoping Comments

Dear Ms. Rodriguez:

On behalf of the El Segundo Chamber of Commerce Board of Directors, I am pleased to provide input for the scoping process of the single-tunnel Delta conveyance project being advanced by the California Department of Water Resources. We appreciate Governor Newsom's leadership to help ensure, safe, affordable and reliable water supplies to much of California.

We are not alone in our support. There is widespread backing for the project in Southern California and throughout the state from diverse and prominent interests, ranging from labor and business to public agencies, nonprofits and agriculture. We all recognize that a severe water shortage would come with an enormous economic cost and the time to move forward is now.

This project is not the only step we must take to ensure water resiliency. Ensuring Southern California has a reliable water supply in the future requires a diverse portfolio of both imported and local supplies and conservation. Much progress and significant investments are being made on a wide range of local projects and water efficiency, but the Delta conveyance project remains vitally important.

We support the Newsom administration's work to move forward in the planning process in a manner that achieves the goals of water supply reliability and ecosystem restoration. With our largest and most affordable supply at risk, we need the reliability the proposed Delta conveyance project will provide.

Sincerely,

Marsha Hansen

Marsha Hansen
CEO/President
El Segundo Chamber of Commerce

El Segundo Chamber of Commerce

427 Main Street • El Segundo California 90234 • 310-322-1220 • www.elsegundochamber.org

From: [Thomas P. Schlosser](#)
To: [DWR Delta Conveyance Scoping](#); [Small, Nadine@DWR](#); [carrie.buckman@water.ca.gov](#); [anecitaagustinez@gmail.com](#); [Bobbie.Randhawa@water.ca.gov](#); [Marquez, Katherine@DWR](#); [Ken.Bogdan@water.ca.gov](#); [Kistina.Reese@water.ca.gov](#); [Nelson, Tim@DWR](#)
Cc: [Michael Orcutt \(director@hoopa-nsn.gov\)](#); [Danny Jordan \(de_jordan@earthlink.net\)](#); [Joseph R. Membrino - Hall, Estill, Hardwick, Gable, Golden & Nelson \(Membrino, Joseph\)](#); [Alexandra Mojado \(hvtota.mojado@gmail.com\)](#); [Amber Turner \(hvtcsecretary@hoopa-nsn.gov\)](#); [Colegrove, Tess \(ota@hoopa-nsn.gov\)](#); [Darcy Miller \(hupa_darcy@yahoo.com\)](#); [Davis, Joe \(jgd119@humboldt.edu\)](#); [Everett, gov \(Everett.colegrove@hoopa-nsn.gov\)](#); [Hedi Bogda \(hedibogda@hotmail.com\)](#); [Leilani Pole \(witchpeccion@aol.com\)](#); [nelson Jr. Byron \(bighorn1004@hotmail.com\)](#); [Oscar Billings \(oscar.billings@hoopa-nsn.gov\)](#); [Ryan Jackson](#); [Vivienna Orcutt \(viorcutt@gmail.com\)](#)
Subject: Comments of Hoopa Valley Tribe re Notice of Preparation of EIR for Delta Conveyance Project
Date: Friday, April 3, 2020 10:11:55 AM
Attachments: [Signed Comment Letter DWR Notice Preparation of EIR Delta Tunnel.pdf](#)

Attached please find the comments of the Hoopa Valley Tribe. Please let me know if you have any difficulty with the document or have questions concerning issues noted there.

Best,

Tom Schlosser
Hoopa Valley Tribe attorney
206 386 5200



HOOPA VALLEY TRIBAL COUNCIL

Hoopa Valley Tribe

Post Office Box 1348 Hoopa, California 95546

PH (530) 625-4211 • FX (530) 625-4594

www.hoopa-nsn.gov



Chairman Byron Nelson, Jr.

April 2, 2020

Via E-mail (DeltaConveyanceScoping@water.ca.gov)

Delta Conveyance Scoping Comments

Attn: Renee Rodriguez

Department of Water Resources

P.O. Box 942836

Sacramento, CA 94236

Re: Scoping Comments of Hoopa Valley Tribe on Notice of Preparation of an Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin Delta, California

Dear Ms. Rodriguez:

On behalf of the Hoopa Valley Tribe (“Tribe”), we submit the following scoping comments on the Department’s Notice of Preparation (“NOP”) of an Environmental Impact Report (“EIR”) for the Delta Conveyance Project in the Sacramento-San Joaquin Delta, California, which was published on January 15, 2020. The Tribe’s intent is to provide the Department of Water Resources (“DWR”), as the lead agency, with specific detail about the scope, significant environmental issues, reasonable alternatives, and mitigation measures related to the Tribe’s area of statutory responsibility that will need to be explored by DWR in the EIR.

As shown in the NOP, the “Trinity System” is part of the Project Area, north of the Delta. Briefly, the significant issues of concern to the Tribe are centered on (1) protection of the water reserved to the Trinity River by federal law and the 2000 Trinity River Fisheries Restoration Record of Decision (ROD); (2) protection of water quality, particularly temperature, of that reserved Trinity River water; and (3) protection of other water reserved to the Trinity River by the Trinity River Division Act of 1955, (Pub. L. No. 84-386) (1955 Act). These issues directly affect the timing and amount of water available to the conveyance project, and hence, its benefits.

Interest of the Hoopa Valley Tribe

The Tribe is a federally recognized Indian tribe and is located on the Hoopa Valley Reservation (“Reservation”), which was established for the Tribe by the United States in 1864. *Parravano v. Babbitt*, 70 F.3d 539, 542 (9th Cir. 1995), *cert. denied*, 518 U.S.1016 (1996). The lower twelve miles of the Trinity River, and a stretch of the Klamath River near the Trinity confluence, flow through the Tribe’s Reservation. Since time immemorial, the fishery resources of the Trinity and Klamath Rivers have been the mainstay of the life and culture of the Tribe.

April 2, 2020
Page 2

The principal purpose of the Tribe's Reservation was to set aside sufficient resources of these rivers for the Indians to be self-sufficient and achieve a moderate standard of living based on fish. Memorandum from John D. Leshy (M-36979), Solicitor of the Department of the Interior to the Secretary of the Interior (Oct. 4, 1993), *cited with approval*, *Parravano*, 70 F.3d at 542. The United States, as trustee for the Tribe, has a fiduciary responsibility to protect and preserve the Tribe's trust resources. *Klamath Water Users Ass'n v. Patterson*, 204 F.3d 1206, 1213 (9th Cir. 2000); Memorandum to Regional Director, Bureau of Reclamation from Regional Solicitor, Pacific Southwest Region (July 25, 1995) ("Reclamation must exercise its statutory and contractual authority to the fullest extent to protect the tribal fisheries and tribal water rights").

When Congress authorized the Trinity River Division ("TRD") of the Central Valley Project ("CVP") in 1955, Congress recognized that "an asset to the Trinity River Basin, as well as to the whole north coastal area, are the fishery resources of the Trinity River." S. Rep. No. 1154, 84 Cong., 1st Sess. (1955 Senate Report) at 5; H.R. Rep. No. 602, 84th Cong., 1st Sess. (1955 House Report) at 4. Congress accordingly limited the integration of the TRD into the CVP and required the Secretary of the Interior to exercise a priority for use of all TRD water necessary to protect fish and other in-basin needs. 1955 Trinity River Division Central Valley Project Act, Pub. L. No. 84-386, 69 Stat. 719 ("1955 Act"), § 2 (provisos); Memorandum from Solicitor to Assistant Secretary, Land and Water Resources, Dec. 7, 1979. *See also* Memorandum from Solicitor to Secretary (M-37030) re Trinity River Division Authorization's 50,000 Acre-Foot Proviso and the 1959 Contract between the Bureau of Reclamation and Humboldt County, December 23, 2014.¹

Nonetheless, development and operation of the TRD without faithful adherence to the foregoing legal and fiduciary obligations took a devastating toll on the Tribe, its tribal members, the tribal community, the Trinity and Klamath Rivers, and the fish species that rely on those rivers. Between 1963 and 1981, Chinook salmon runs in the Trinity River declined by 80%. Eighty to ninety percent of total salmonid habitat in the Trinity Basin was lost during that time. In 1981, relying on an environmental study, the authority provided by the 1955 Act, § 2, and the trust obligation to protect tribal resources, the Secretary ordered an increase of annual flows released from the TRD to the Trinity River downstream of Lewiston Dam to 340,000 acre-feet annually and further directed initiation of a Trinity River Flow Evaluation Study ("TRFES") to study and develop a flow regime and other measures to improve habitat conditions in the Trinity River. The Secretary concluded "there are responsibilities arising from congressional enactments, which are augmented by the federal trust responsibility to the Hupa and Yurok tribes, that compel restoration of the river's salmon and steelhead resources to pre-project levels." 1981 Secretarial Order.

In 1984, Congress affirmed and authorized the Secretary's restoration directive in the

¹ The first proviso of Section 2 of the 1955 Act provides that "... the Secretary is authorized and directed to adopt appropriate measures to insure the preservation and propagation of fish and wildlife . . ." The second proviso of Section 2 of the 1955 Act provides that "... not less than 50,000 acre-feet shall be released annually from the Trinity Reservoir and made available to Humboldt County and downstream water users." These two provisos "represent separate and independent limitations on the TRD's integration with, and thus diversion of water to, the CVP." Memorandum M-37030, December 23, 2014.

Trinity River Basin Fish and Wildlife Management Act (“1984 Act”), Pub. L. No. 98-541, 98 Stat. 2721. Congress extended the scope of the restoration mandate to the Klamath River in the Klamath River Basin Conservation Restoration Area Act (“1986 Act”), Pub. L. No. 99-552, 100 Stat. 3080. The express goal and directive of these acts was to restore anadromous fish populations to optimum levels in both the Klamath and Trinity River Basins. Congress reauthorized and amended the 1984 Act in the Trinity River Basin Fish and Wildlife Management Act of 1996 (“1996 Act”), Pub. L. No. 104-143, 110 Stat. 1339 (1996). The 1996 Act amended and expanded the scope of the 1984 Act’s mandate to include rehabilitation of fish habitat “in the Klamath River downstream of the confluence with the Trinity River.” 1996 Act, § 3(b).

In 1992, Congress passed the Central Valley Project Improvement Act (“CVPIA”), Pub. L. No. 102-575, § § 3401-12, 106 Stat. 4600, 4706-31 (1992). Section 3406(a) of the CVPIA modified the purposes of the CVP to include the mitigation, protection, and restoration of fish and wildlife. Section 3406(b)(23) of the CVPIA expressly confirmed the Bureau of Reclamation’s trust responsibility to the Tribe and its fishery. The CVPIA required the Secretary to take specific actions “in order to meet Federal trust responsibilities to protect the fishery resources of the Tribe, and to meet the fishery restoration goals of the [1984 Act].” CVPIA, § 3406(b)(23). Congress directed the Secretary to complete the TRFES and, if the Secretary and the Tribe concurred in the TRFES’ recommendations once completed, directed the Secretary to implement any increase in flow and CVP operations accordingly. *Id.*, § 3406(b)(23)(B).

The U.S. Fish and Wildlife Service, the Tribe and other agencies completed the TRFES in 1999. The TRFES recommended a flow regime and management actions to rehabilitate habitat in the mainstem channel of the Trinity River between Lewiston Dam and the Klamath confluence at Weitchpec. The TRFES did not address restoration issues downstream of the Trinity-Klamath confluence. Following completion of the TRFES and an EIS under NEPA, the Secretary, with the Tribe’s concurrence as required by Section 3406(b)(23) of the CVPIA, executed the Trinity River Mainstem Fishery Restoration Record of Decision (“ROD”) in December 2000. The 2000 Trinity ROD adopted the TRFES’ recommendations to restore physical fishery habitat in the mainstem Trinity River pursuant to Congress’ direction in the 1984 Act and the CVPIA. The Tribe has been and remains an active leader in implementation of habitat rehabilitation projects pursuant to the ROD.

In September 2002, thousands of fall-run Chinook salmon died in the lower-Klamath River during their migration upstream when a combination of unusually low flows, warm water temperatures, and a large number of returning fish led to a severe disease outbreak. In certain recent years (2003-2004, 2012-2015), the Secretary has scheduled extra releases of water from Trinity Reservoir during the late summer when fishery managers and scientists determined that fish returns and low flow conditions were expected to duplicate conditions present in 2002. The Ninth Circuit affirmed the Secretary’s authority to implement these “flow augmentation releases” pursuant to Section 2 of the 1955 Act. *San Luis & Delta-Mendota Authority v. Haugrud*, 848 F.3d 1216 (9th Cir. 2017). On April 20, 2017, the Bureau of Reclamation executed its Record of Decision re Long-Term Plan to Protect Adult Salmon in the Lower Klamath River Final Environmental Impact Statement (FARs ROD). The Bureau selected the

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Page 4

Proposed Action of providing supplemental flows from mid-August to late September, from Lewiston Dam to prevent a disease outbreak in the lower Klamath River in years when the flow in the lower Klamath River is projected to be less than 2,800 cfs. The Bureau relied on Section 2 of the 1955 Act for the statutory authority for its decision.

The current state of the fishery in the Klamath-Trinity river system remains unstable and imperiled due to continued federal mismanagement, particularly in the coordinated operation of the CVP and SWP. Abundance and fishery allowances for Chinook salmon in 2017 were at the lowest levels since the stock was first managed in 1978. In consideration of the unprecedented low stock size, the Pacific Fishery Management Council significantly limited 2017 marine fisheries affecting Klamath River fall Chinook ("KRFC"). The harvest guideline for the in river Tribal fishery was set to 814 adult KRFC. The Tribe and the Yurok Tribe share the annual harvestable surplus of KRFC on a 50-50 basis with non-Tribal fisheries. This harvest of only 814 KRFC was the lowest ever reserved for the two tribes whose collective membership exceeds 8,000 persons. Adding to the collapse of the tribal fishery for KRFC were record low returns of Coho salmon, which are listed (since 1997) under the Federal ESA as a "threatened" species. Klamath-Trinity origin Coho salmon are part of the Southern Oregon Northern California Coastal ("SONCC") Evolutionarily Significant Unit ("ESU") that are listed under the Federal Environmental Species Act ("ESA").

The federal statutory directive to return fish species in the Klamath and Trinity Rivers to pre-TRD levels has fallen woefully short due to mismanagement and continuing failure to recognize the priority for use of TRD water necessary to protect fish and other in-basin needs and for economic development. As an example, Trinity hatchery mismanagement has contributed to the instability and degradation of the fishery through CVP/SWP coordination mismanagement lacking proper oversight or goal and objective review. Nor can the Hoopa Valley Tribe or its members achieve the promised moderate livelihood based on fish. The United States, the State of California, and the Bureau of Reclamation, collectively and independently have a responsibility to ensure protection, preservation, and restoration of the Tribe's fisheries resources, which at the present time are in extremely imperiled condition. Any action taken by DWR with respect to coordinated operations of the CVP must be consistent with existing legal obligations to the Tribe and the Trinity and Klamath Rivers.

Scoping Comments of the Hoopa Valley Tribe

1. Modification of Coordinated SWP-CVP Operations Must Fully Account For, Develop, and Implement Necessary Measures for Mitigation, Restoration, Preservation, and Propagation of the Affected Fish Species, Habitat, and Indian Trust Assets.

The January 15, 2020 Notice of Preparation appears to be focused on physical alternatives to maximize water deliveries for consumptive purposes south of the Delta while largely ignoring environmental impacts of the coordinated operations with the CVP. However, one of the essential purposes of the CVP, as approved by Congress, is to mitigate, restore, preserve, and propagate fish and wildlife. CVPIA Section 3406(a). Consequently, the description of the purpose of the proposal as well as subordinate objectives must also include protection of

fisheries, including those in the Trinity and Klamath rivers, for which the State of California is responsible. To ensure full disclosure of environmental impacts, inclusion of fisheries protection to the EIR statement of purpose is required as a benchmark against which EIR alternatives will be measured. Moreover, as discussed above, federal reclamation law establishes a first priority for use of the CVP water developed by the TRD for restoration, preservation and propagation of Trinity River fish and wildlife, and economic development of the Hoopa Valley Tribe and other water users downstream of the TRD. Any alternatives considered for long-term operation with the CVP must consider ways to fully implement the mitigation, restoration, preservation, and propagation of fish and wildlife and Hoopa Valley Tribe economic development as mandated by Congress and required by the United States' and the State's obligations.

Specific examples of protective and restorative measures that the EIR should evaluate and ultimately adopt include:

- Full funding and implementation of actions under the 2000 ROD.
- Augmentation of flows beyond the requirements of the 2000 ROD as necessary for preservation and propagation of fish in the Trinity and/or Klamath Rivers when conditions warrant.
- Coordinating and integrating operation of CVP/TRD operations with the Klamath Irrigation Project in a joint directorate with the Tribe.
- Funding and developing infrastructure to establish and maintain temperature of water releases from TRD facilities suitable for fish and wildlife preservation and propagation.
- Upgrading the TRD hatchery facilities and funding the Tribe's plans for additional selective harvest;
- Transferring management of TRD hatchery to the Tribe.
- When called upon by the Tribe as a third party beneficiary of the June 19, 1959 contract between the United States and Humboldt County for annual release of 50,000 acre-feet of TRD water for: (a) facilitating economic development of the Hoopa Valley Reservation; and (b) fishery preservation and propagation activities in addition to those provided for with Proviso 1 TRD water.
- Accumulating and maintaining in TRD carryover storage for use in the Trinity/Klamath basin for beneficial uses, up to 150,000 acre-feet of Proviso 2 water.
- Facilitating lease or exchange of Proviso 2 water in carryover storage to CVP contractors and the State Water Project on terms acceptable to the Tribe.

In summary, no coordinated CVP-SWP operations should be undertaken without full recognition and implementation of the Congressional priorities and mandate to mitigate, restore, preserve, and propagate fish and wildlife and provide for economic development of TRD water in the Trinity/Klamath basin. The Hoopa Valley Tribe depends on the water and fish of the Trinity and Klamath Rivers and the EIR must recognize that the Bureau of Reclamation, as trustee to the Tribe, must exercise its statutory and contractual authority to the fullest extent to protect the tribal resources and the in-basin water needs. The Secretary must identify and avoid any impacts in any program it undertakes to make water deliveries to CVP contractors whose

entitlement to use CVP water is manifestly junior to the Tribe's right under reclamation law to CVP water.

2. Recognize Priorities for use of TRD water downstream of Lewiston Dam.

As described above, the Trinity River Fishery Restoration ROD of 2000 resulted from Congress's requirement in CVPIA Section 3406(b)(23). In that subsection, Congress directed that the ROD concerning "the minimum Trinity River instream fishery releases established under this paragraph [(b)(23)] and the operating criteria and procedures referred to in subparagraph (A) shall be implemented accordingly." Thus, federal law demands compliance with the ROD. The ROD provides detailed flow releases for each day, depending on the water year type. These are mandatory. It also projects that "long-term average water exports to the Central Valley would be 630,000 acre-feet."

Further, Proviso 1 TRD water for fishery preservation and propagation is also established in the 2017 FARs ROD. There may be additional Proviso 1 needs identified in the future, which also will have priority over diversions to the CVP. 1955 Act Proviso 2 water for economic development must also be protected from export. Accordingly, the EIR must make no assumption that, on average, more water can be exported from the Trinity System to the CVP-DWR coordinated operation than the amounts required to fulfill Proviso 1 and Proviso 2 priorities. Only water surplus to the flow releases of those provisos, and other federal obligations, is available to the coordinated operations of the CVP and SWP.

3. Avoid assuming that changes in the timing of TRD water exports to the CVP can be made.

Trinity River water is stored behind Trinity Dam, then flows approximately 10 miles to Lewiston Dam, where it is either released by the Bureau of Reclamation to the Trinity River or diverted to the Sacramento River. During warm weather, the temperature of water released to the Trinity can rise substantially as it flows between the two dams, especially when Trinity Dam releases are small and little flow is present in that reach. For this reason, the ROD provides: "the TRD [will] be operated to release additional water to the Trinity River, and the timing of exports to the Central Valley would be shifted to later in the summer to help meet Trinity River instream temperature requirements."

Compliance with Trinity River instream temperature requirements is required by water quality standards of the North Coast Regional Water Quality Control Board (NCRWQCB), the water rights permits of the Bureau of Reclamation, and by the Biological Opinion adopted by the ROD. The Biological Opinion includes a mandatory condition, as follows: "7. In dry and critically dry water year types, Reclamation and USFWS shall work cooperatively with the upper Sacramento River Temperature Task Group to develop temperature control plans that provide for compliance with temperature objectives in both the Trinity and Sacramento rivers."

The NCRWQCB temperature objectives are:

Lewiston Dam to Douglas City Bridge

April 2, 2020
Page 7

60°F July 1 – September 14
56°F September 15 – October 1

Lewiston Dam to confluence of North Fork
Trinity River

56°F
October 1 - December 31

Further, Water Rights Order 90□5, which governs the Bureau of Reclamation’s TRD water rights certificates, provides:

Permittee shall not operate its Trinity River Division for water temperature control on the Sacramento River in such a manner as to adversely affect salmonid spawning and egg incubation in the Trinity River. Adverse effects shall be deemed to occur when average daily water temperature exceeds 56F at the Douglas City Bridge between September 15 and October 1, or at the confluence of the North Fork Trinity River between October 1 and December 31 due to factors which are (a) controllable by permittee and (b) are a result of modification of Trinity River operations for temperature control on the Sacramento River. If the temperatures in the Trinity River exceed 56F at the specified locations during the specified periods, Permittee shall immediately file with the Chief of the Division of Water Rights a report containing project operational data sufficient to demonstrate that the exceedance was not due to modifications of Trinity River operations for water temperature control on the Sacramento River. If, within fifteen days, the Chief of the Division of Water Rights does not advise Permittee that it is violating this condition of its water right, Permittee shall be deemed not to have caused the exceedance in order to control temperature on the Sacramento River.

These temperature standards require rigorous adherence; they can be made unattainable if the schedule for water exports to the CVP-SWP is modified. Accordingly, it is essential that the EIR not assume that changes in the schedule of Trinity River exports are possible even if that is desirable from the standpoint of the Delta conveyance.

4. Recognize the influence that management of TRD carryover has on the ability to meet water quality standards in Trinity River

End of season carryover storage behind Trinity Dam influences the ability to meet water temperature standards protective of salmon spawning below Lewiston Dam. Specifically, the total volume of cold water available on 1 June is of significance; this can vary substantially from year to year with volume of runoff, volume and temperature profile of carryover from previous years, and temperature of the present year’s runoff into Trinity Lake.

Limitations of TRD infrastructure also affect the ability to meet water temperature needs, as the current facilities cannot be operated to avoid considerable heat gain during summer months. As described in a letter written on 23 May 2016 by the Chair of the Trinity River Restoration Program, Federico Barajas, in a letter to Reclamation Regional Director, David Murillo. *“During periods of drought, and in the future under virtually all climate warming*

scenarios, the 2-3°F increase in water temperature that occurs in Lewiston Reservoir will likely elevate temperatures to unsuitable levels for salmonids for which Reclamation has Tribal Trust, Public Trust, and Endangered Species Act (ESA) responsibilities.”

Water temperature standards for Trinity River below Lewiston Dam were exceeded in October 2015 for a period of two weeks during the onset of salmon spawning. On 21 January 2016, the Tribe filed a request for enforcement of Water Rights Order 90-5², which prohibits diversions from Trinity River that adversely affect salmonid spawning and incubation.

5. Model water deliveries in recognition of 1955 Act priorities for use of Trinity River water.

The second exception in Section 2 of the 1955 Act states: “That not less than 50,000 acre-feet shall be released annually from the Trinity Reservoir and made available to Humboldt County and downstream water users.” That mandate requires the annual 50,000 acre-feet release from the Trinity Division to be made in such a way that the water will be available for use by Humboldt County and downstream users. In other words, the 50,000 acre-feet comes with the attributes of TRD storage, regulation and scheduling.

The State of California issued several permits for the Trinity Division. Permit 11968 includes conditions that limit diversions. Permit Condition 9 states “Permittee [Bureau of Reclamation] shall release sufficient water from Trinity and/or Lewiston Reservoirs into the Trinity River so that not less than an annual quantity of 50,000 acre-feet will be available for the beneficial use of Humboldt County and other downstream users.” Permit Condition 10 states: “This permit shall be subject to the prior rights of the county in which the water sought to be appropriated originates to use such water as may be necessary for the development of the county, as provided in Section 10505 of the Water Code of California.”

In the Department’s previous planning, such as the Delta Plan planning process, it appears that modelers assumed that the 1955 Act’s reserved 50,000 acre-feet of water could be treated as available for diversion to the Central Valley. This is unlawful. In 1979 the Solicitor of the Department of the Interior reviewed the legal status of the fishery flow releases and the 50,000 acre-feet of water developed and controlled by the Trinity Division. The Solicitor wrote:

On occasion the Congress has specifically limited the Secretary’s discretion in meeting the general CVP priorities. For example, in authorizing the Trinity River Division of the CVP in 1955, Congress specifically provided that in-basin flows (in excess of a statutorily prescribed minimum) determined by the Secretary to be necessary to meet in-basin needs take precedence over needs to be served by out-of-basin diversion. See Pub. L. No. 84-386, §2. In that case, Congress’ usual direction that the Trinity River Division be integrated into the overall CVP, set forth at the beginning of section 2, is expressly modified by and made subject to the provisos that follow giving specific direction to the

² Letter from Ryan P. Jackson, Chair Hoopa Valley Tribal Council, to John O’Hagan, Permitting and Enforcement Branch Assistant Deputy Director, Division of Water Rights, California State Water Resources Board

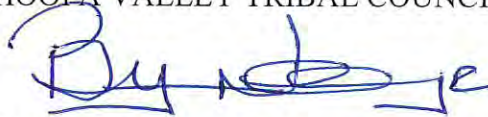
Secretary regarding in-basin needs.

Memorandum opinion from the Solicitor to the Assistant Secretary, Land and Water Resources 3-4 (December 7, 1979) (1979 Opinion). *See also* Memorandum from Solicitor to Secretary (M-37030) re Trinity River Division Authorization's 50,000 Acre-Foot Proviso and the 1959 Contract between the Bureau of Reclamation and Humboldt County, December 23, 2014. So long as the EIR does not confirm that the 50,000 acre-feet entitlement for the Trinity Basin is unavailable to the CVP-DWR coordinated operation, it will significantly overstate the water benefits of the alternatives under consideration.

In summary, no further planning for the Bay-Delta should occur that assumes the availability for diversion of any Trinity River water resources that are committed by law to the Trinity River Basin and its communities. The EIR should preclude the availability for use in a delta conveyance water allocated to: the ROD flow releases; the 50,000 acre-feet of additional Trinity Division water for Humboldt County and downstream users; the carryover storage for preservation of temperatures needed for the Trinity River fishery; or the area of origin rights of Trinity County.

Sincerely yours,

HOOPA VALLEY TRIBAL COUNCIL



Byron Nelson, Jr., Chairman



From: [Socorro Pantaleon](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Cucamonga Valley Water District Letter of Support for the Delta Conveyance Project
Date: Tuesday, April 7, 2020 3:00:12 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Comment Letter for Delta Conveyance Scoping Process.pdf](#)

Good Afternoon,

Cucamonga Valley Water District is pleased to provide input for the scoping process of the single-tunnel Delta conveyance project being advanced by the Department of Water Resources. We appreciate Governor Newsom’s leadership to help ensure, safe, affordable and reliable water supplies to much of California. If you have any questions, please don’t hesitate in contacting our District.

Thank you,

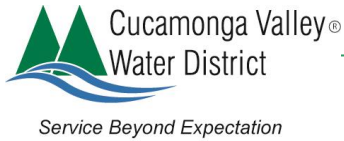
Socorro Pantaleon
Government and Public Affairs
Ph: 909-483-7491
Fax: 909-476-5694



10440 Ashford Street
Rancho Cucamonga, CA 91730
CVWDwater.com

Connect with us on social media!





10440 Ashford Street, Rancho Cucamonga, CA 91730-2799
 P.O. Box 638, Rancho Cucamonga, CA 91729-0638
 (909) 987-2591 Fax (909) 476-8032

John Bosler
 Secretary/General Manager/CEO

April 6, 2020

Delta Conveyance Scoping Comments
 Attn: Renee Rodriguez
 California Department of Water Resources
 P.O. Box 942836
 Sacramento, CA 94236

RE: Comment Letter for Delta Conveyance Scooping Process

Dear Renee Rodriguez:

On behalf of the Cucamonga Valley Water District, I am pleased to provide input for the scoping process of the single-tunnel Delta conveyance project being advanced by the Department of Water Resources. We appreciate Governor Newsom's leadership to help ensure, safe, affordable and reliable water supplies to much of California.

Modernizing and improving California's water system is essential for the reliable delivery of water supplies to much of the state. Depending on the year, the Cucamonga Valley Water District's water supply is comprised of anywhere from 40-50% of imported water, which is water that comes from Northern California via the Sacramento-San Joaquin Delta and the State Water Project. But the Delta's declining ecosystem and 1,100 miles of levees are increasingly vulnerable to earthquakes, flooding, saltwater intrusion, and further environmental degradation.

More than 30 percent of Southern California's water supply comes from the Sierra Nevada and it provides the backbone water supply for millions of people, our \$1.6 trillion economy, farms and our environment. Modernizing and upgrading our state's aging infrastructure with a single tunnel properly sized to convey 6,000 cubic-feet-per-second of water supply for the State Water Project will allow us to more efficiently move water, restore the Delta ecosystem and manage our water supply through climate extremes.

We are not alone in our support. There is widespread backing for the project in Southern California and throughout the state from diverse interests, ranging from labor and business to public agencies, nonprofits and agriculture. We all recognize that a severe water shortage would come with an enormous economic cost and the time to move forward is now.

This project is not the only step we must take to ensure water resiliency. Ensuring Southern California has a reliable water supply in the future requires a diverse portfolio of both imported and local supplies and conservation. Much progress and significant investments are being made on a wide

James V. Curatalo Jr.
 President

Randall James Reed
 Vice President

Luis Cetina
 Director

Kevin Kenley
 Director

Mark Gibboney
 Director

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range of local projects and water efficiency, but the Delta conveyance project remains vitally important.

We support the Newsom administration's work to move forward in the planning process in a manner that achieves the goals of water supply reliability and ecosystem restoration. With our largest and most affordable supply at risk, we need the reliability the proposed Delta conveyance project will provide.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bosler". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

John Bosler
General Manager/CEO

Cc: Association of California Water Agencies

From: [Jacklyn Shaw](#)
To: [DWR Delta Conveyance Scoping](#); [Wid Anders Christenson.mngr](#); [Winn Charles](#); [belliot@sjgov.org](#); [Interior U S Department of the](#)
Cc: [Amber McDowell](#); [JD. judicial Watch](#); [Tom fitton](#); [Jeanine Pirro](#)
Subject: FYI/Feedback? Save the rivers. Avoid Dust Bowl. Check with elected Supervisors Coalition of Five Delta Counties vs Devastating Water Exports
Date: Monday, April 6, 2020 11:26:32 AM

Who is saving the rivers? (It is not by water exports/infrastructure bills, NorCal to SoCal) Delta River, Sierra Rivers, Delta East side, like Terminous recreation area and San Joaquin County with over 100 fresh food crops. If any pipeline (conveyance, tunnel, etc) put on West side of Delta River... That meets agreements for only when wet. Meanwhile, salt makes more salt, drought cycles make more drought, forewarned to avoid Dust Bowl. Check with Woodbridge/WID vs EastBay EBMUD, in water exports since Pardee Dam, 1929, of Mokelumne (River) Aqueduct towards Port of Oakland. Note: Who plays with the spigots or water bond profits? San Francisco has DESALINATION plants to use every day, and Port of Oakland must do the same. Desal was invented at UCB, with J. Leibovitz, Ph.D., 1977 and since used in 100 nations. California had warranted grants from DOI and Bureau of Reclamation --for Desalination, which costs less than construction, displacing generational agricultural families or small family business. Help please. Check with San Joaquin County Supervisors, [sjcgov.org](#) Supervisors of Five Delta counties all have written that any tunnel, water exports, would be devastating (to health, agricultural economy, etc.). Sincerely, Jacklyn Shaw, Grower, Lodi, CA 95242. *7-12 miles from map plan of any fertile, itchy peat dirt and dust kicking "conveyance", 60 feet wide...) What is with Ignoring local elected county supervisors! [facebook.com/CaliforniaWaterSolutions](#) (and also DeltaCurrents, pending) Sincerely, [jacklyn.el.shaw@icloud.com](#) What is email for WashingtonTimes? or [SHannity@foxnews.com](#)

1 ~~of the waterways to navigable -- to navigation during~~
2 ~~the lengthy almost 13-year construction period.~~

3 ~~Recreational Boaters has seen the absence of a~~
4 ~~plan to ensure that the Delta's infrastructure will not~~
5 ~~only be preserved but improved, and we are concerned~~
6 ~~with the lack of surety that the plan will address the~~
7 ~~threat to climate change and increased water transfer~~
8 ~~posed to the amount and quality of the water. And I'd~~
9 ~~like to leave this with you.~~

10 ~~MS. BARBIERI: Thank you.~~

11 MR. ALBERT: My name address Heinrich Albert.
12 I don't live here in the Delta. I live up on the
13 Cosumnes River, which feeds the Delta.

14 So the Cosumnes is one of the many rivers
15 that's important to the Delta, but the Delta is also
16 very important to the Cosumnes, because the salmon and
17 other fish that spawn in the Cosumnes, they have to have
18 decent water conditions in the Delta, both, when the
19 young are moving out and heading towards the sea, and
20 when the adults are coming back to spawn.

21 The fact that there are no clear limitations
22 to the amount of water that will be diverted by this
23 system I think poses a great threat to our salmon that
24 depend on the Cosumnes and depend on all of the other
25 tributaries that feed into the Delta.

1 You mentioned, in response to my clarifying
2 question, that we don't have -- we won't have hard,
3 fixed operations because there might be last-minute
4 changes that are required by the fisheries agencies.

5 I think that's an important consideration, but
6 given the all-out assault that is coming from the Trump
7 administration on the biops, the biological opinions,
8 that limit the amounts that can be diverted, I don't
9 think that that is a reliable way to assure that we
10 won't be taking too much water out of the system. We
11 need more water in the system, not less. Not more
12 diversions.

13 And I want to say that some months ago, when
14 the Trump administration first announced these really,
15 in my opinion, bogus biops that the administration said
16 that we would challenge this and challenge it in court,
17 but they didn't do anything and they bowed down to
18 Westland's irrigation district.

19 I understand, just recently, that the
20 administration is, again, saying that they will
21 challenge this in court, and I want to really thank you
22 folks in as much as you're representatives of the
23 administration for doing that. I hope that we really
24 follow-up and defend our resources, defend our rivers
25 against this assault that's coming from this very, I

1 think, irresponsible administration. Thank you.

2 ~~MS. BARBIERI: I wanted to call the next few~~
3 ~~folks up. The next three will be Supervisor Burgis,~~
4 ~~Michael Brodsky and, is it Tommy Willis? Johnny Willis?~~
5 ~~So please proceed.~~

6 ~~MR. GUZZAROO: We're coming up to the strength~~
7 ~~of the lineup behind me. I'm Mike Guzzaroo. My wife~~
8 ~~Jules and I live here on the California Delta in~~
9 ~~Discovery Bay. I grew up on the Bay, San Francisco Bay,~~
10 ~~near San Francisco Yacht Club. I taught sailing there.~~
11 ~~I raced competitive boat racing.~~

12 ~~I came up the Delta with my family as a young~~
13 ~~child, and I've witnessed generations of families~~
14 ~~enjoying the Delta. There's a lot of great evidence of~~
15 ~~why this project should not happen as it is and~~
16 ~~alternatives should be signed.~~

17 ~~I mentioned some alternatives earlier;~~
18 ~~regional self-sufficiency, storage, water storage. I~~
19 ~~can't see why the governor is looking at this project,~~
20 ~~unless he's got something personal to gain from it.~~
21 ~~It's a dangerous project any way you look at it. The~~
22 ~~science doesn't back doing this over the other~~
23 ~~alternatives.~~

24 ~~And my friends, like Dane and Pam and Mary and~~
25 ~~Suzi and Gary, we all came here for a reason. We lived~~

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CALIFORNIA DEPARTMENT OF WATER RESOURCES

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DELTA CONVEYANCE PROJECT CEQA)
PUBLIC SCOPING MEETING AGENDA,)
_____)

PUBLIC MEETING
BRENTWOOD, CALIFORNIA
FEBRUARY 20, 2020

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REPORTED BY: CARI L. GONZAGA, CSR NO. 12401
FILE NO.: AE00EC5