

1 ~~(inaudible) versus -- based on the watering commission.~~

2 ~~MS. SIGN: So can I rephrase my question?~~

3 ~~MS. BUCKMAN: Sure.~~

4 ~~MS. SIGN: Who are the decision-makers?~~

5 ~~MS. BUCKMAN: The governor will eventually~~
6 ~~decide on the alternatives, but the decision will be~~
7 ~~made by the Department Water Resources.~~

8 ~~MS. SIGN: Thank you.~~

9 RICHARD: My name is Richard, that's good
10 enough. I've been to a lot of these water meetings,
11 from the -- one of the first ones was actually in
12 Brentwood. From the get-go in all these water meetings,
13 from the first on, and it all started with some doctor
14 from the Blue Ribbon Task Force who said you can't
15 manage the Delta as a fresh water Marsh. You manage it
16 as a salt water marsh, and that's where it all started.

17 But I've been to all of these meetings, and
18 the stakeholders are LA Power and Water, Westland Water
19 District. Those are the two main guys. And they are
20 all -- LA Power and Water said they were going to pay
21 for the aboveground canal at the very first meeting.

22 Did that ever happen? No. Are we going to
23 get to vote on this again? No. Nobody in the Delta.
24 Nobody in Northern California ever gets to vote on these
25 things. They eliminated everybody. That's said and

1 done.

2 Are we going to get to vote on it now? No.
3 Okay. There's a new project coming up. Some of you in
4 Bethel Island know about it. Its's the Frank Tract
5 Project. Look into it. It's all tied in with that.
6 They're going to abandon Sherman Island as the mixing
7 bowl. Salt water's invaded Sherman Island. Salt
8 water's in Sherman Island. Jellyfish in Frank's -- in
9 Sherman island. In fact, they live there.

10 Seals, bottlenose dolphin in the river, we
11 know about it. Seals are having babies in the river.
12 Salt water. They're here. It's all tied in together.
13 So look into all of this stuff because it's all going to
14 impact it. They've made plans, factored in the
15 dredging.

16 Where is all of this soil going to go when
17 they dredge the tunnels? They're coming to us. They
18 bought the three islands. They're going to dump that
19 stuff to these islands, and when the wind comes up,
20 where's it going? Disco Bay. Look into this stuff
21 because it's where it's all coming. It's coming to us.
22 We have no say in it.

23 Remember, every drop of water you pull out of
24 that river, all of these cities north, their cities are
25 getting bigger. They're taking water. And East Bay MUD

1 is pumping more water. That's less water in the rivers
2 before they put (inaudible), so that's less and less
3 water. The Bay is getting starved for fresh water.

4 Things aren't growing in the Bay. The Western
5 Water District, they're pumping toxic waste into the
6 river now. They want to put a drain in. It used to be
7 called -- what was that thing called? The catchers and
8 drain, when they can't pump their stuff into the river,
9 they pump into the drain out, but they're going to be
10 pumping into the Bay. That article was in the paper two
11 weeks ago.

12 They're going to kill the Bay. They're
13 killing it now. They're killing the river now, and
14 you're going to -- we're going to get that toxic waste
15 in it. They need to dissipate. When they put the fresh
16 water down the river, we're going to get it.

17 So look into all of this stuff. Keep on top
18 of it because they're going to kill us. They're going
19 to make us what they did back east in that river. Look
20 into it.

21 ~~MR. COHEN: I'm Ray Cohen. I won't take the~~
22 ~~full three minutes. I heard the gentleman talking about~~
23 ~~boating. It seems to me not a few years ago when we~~
24 ~~talked about aboveground storage, dams, and so forth.~~
25 ~~The Director of California approved a bond, made it for~~

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DELTA CONVEYANCE PROJECT CEQA)
PUBLIC SCOPING MEETING AGENDA,)
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PUBLIC MEETING
BRENTWOOD, CALIFORNIA
FEBRUARY 20, 2020

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

1 salinity problems, so we need all of these things done.
2 Now, desalination. There's several ways to
3 desalinate water. The original water project, when they
4 did their cost analysis, they compared it to
5 distillation desalination. That's where you boil water
6 and condense it. That's the most inefficient way to
7 desalinate water.

8 Our boat studies (inaudible) you might have a
9 reverse osmosis system -- to create fresh water. Those
10 are energy whores, and they're hard to maintain
11 (inaudible). The Middle Eastern countries use them
12 because they have tons of energy. It's basically free
13 water.

14 A friend of mine, he pioneered the split thin.
15 His name is Bob Evans. His Consumnes business is
16 working really good, but he's working on a deal now with
17 oil rigs to use the pressure of the ocean and the
18 hypermanic forces to press membrane desalination. So
19 he's in the infancy of it. Now, solar desal -- solar
20 desal can work in California. There's money.

21 MS. BARBIERI: Thank you.

22 MS. BOLT: Hi. My name is Jamie Bolt. My
23 family runs the marina in Bethel Island. For 40 Years
24 it's been our business, and our customers come from all
25 over the Bay Area including Discovery Bay. I've

1 listened a lot to what LA has said about our Delta water
2 and accused us here in the Delta of hoarding our water,
3 of ending large flows of fresh water to the Bay as if we
4 just don't have enough to do with it.

5 I wanted to discuss -- thanks for the
6 opportunity to talk. I wanted to discuss with you --
7 we're talking about water quality in the drinking water.
8 Impinged with that is also waste water, and the area
9 here in Northern California Groves, we have about 72 new
10 housing developments just in the immediate area.

11 We have not just a need for more drinking
12 water, but we also have a huge growth in our waste water
13 plant. So this is something I wanted to talk about, the
14 environment issues with the Delta. This is already a
15 situation. There's at least four major growing hubs
16 that treat their waste water.

17 The secondary waste water then gets flushed
18 into the Delta. If we do not make sure that that flushy
19 flow reaches the Bay, therefore out to the ocean, we
20 have now contaminated our own water. We use the water,
21 the Delta water, in order to flush this house. That's
22 part of the system.

23 To allow Southern California to take the first
24 sip of fresh water flows leaves us now with further
25 contamination, further risk of contamination from waste

1 water, nitrates and ammonia, and not to mention just the
2 salt water intrusion from the reverse flows. Thank you.

3 ~~SUPERVISOR BURGIS: Thank you for the~~
4 ~~opportunity. You know, when you're talking in front of~~
5 ~~a bunch of people you get nervous.~~

6 ~~I wanted to make a point. The State of~~
7 ~~California and the Department of Water Resources~~
8 ~~investing in restoration projects and other projects to~~
9 ~~help us restore wetlands here in the area, and it seems~~
10 ~~counterintuitive for us to do something that's going to~~
11 ~~destroy all of that area.~~

12 ~~Before being on the board of supervisors, I~~
13 ~~headed up a group called Friends of Our Street, and I~~
14 ~~have some friends here in the room, and we would clean~~
15 ~~up the shoreline and we would plant plants, and we'd~~
16 ~~work on water quality and making sure that we were doing~~
17 ~~Bay-friendly gardening and improving water quality.~~

18 ~~And I work with kids, and the thing that they~~
19 ~~would always say is, We have this trapezoidal channel~~
20 ~~that's been engineered for flood control, but it wasn't~~
21 ~~really supporting the wildlife and the clean water goal.~~

22 ~~And they said, Well, why did you do that? And~~
23 ~~we said, We didn't know. But the thing is, we know now.~~
24 ~~We know what could happen, and we do have the technology~~
25 ~~to do better. And as I said before, there's other~~

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1 ~~want to take the water so high? They said, Because it~~
2 ~~tastes better.~~

3 ~~Why can't we do something where we don't~~
4 ~~destroy the Delta and we can still take care of our~~
5 ~~state? There are other options, and when we talk about~~
6 ~~the no tunnel option, we want that considered. Thank~~
7 ~~you.~~

8 MR. BRODSKY: My name's Michael Brodsky, and
9 I'm speaking on behalf of Save the California Delta
10 Alliance, and I want to propose some alternatives that
11 fully achieve the project's objectives where the tunnel
12 doesn't and with much less environment impact than the
13 tunnel.

14 The stated project objectives are, one, to
15 mitigate the risk of levee failure in an earthquake
16 which would cause salt water rush in and endanger water
17 supply. The alternatives to a tunnel. And is a common
18 sense answer of strengthening the levees, including more
19 setback levees in the channel margin habitat that have
20 an environmental benefit and a dual benefit of
21 protecting water supplies.

22 The second objective of the project is to
23 mitigate sea level rise caused by climate change. That
24 can be mitigated in several ways. The most obvious of
25 which is to allow more fresh water to flow through the

1 Delta and out to sea to push back salt water. And where
2 does that water come from? It comes from stopping
3 exporting water over the Tehachapi Mountains, which also
4 achieves the project objective of making the SWP
5 deliveries more reliable.

6 They're not reliable because you promised too
7 much water in too many places. Why do we stop at over
8 the Tehachapi? Because the State Water Project consumes
9 all of the electricity generated by all of the
10 California's hydroelectric dams, plus 4 or 5 billion
11 kilowatts of gas-fired carbon-emitting power every year.

12 The State Water Project is a climate atrocity.
13 Gavin Newsom has to face up to that. You are required
14 by the Public Trust Doctrine to exercise a continuing
15 duty of supervision in the public interest, and it's
16 obvious that the place of use in your water rights
17 permits south of the Tehachapi Mountains must be amended
18 so that that place of use is eliminated. So one of the
19 portfolio ordinants will contain a planned retreat from
20 exports south of the Tehachapi Mountains, phased out
21 over ten years.

22 Other elements that are included that do not
23 include a tunnel, as I mentioned before, would be
24 flooding some of the island. Some of the island the
25 levees can be strengthened. Others, they can be

1 sacrificed, and those islands can be flooded for habitat,
2 and also as a barrier to salt water intrusion.

3 And you weren't telling the truth when you
4 said decisions weren't made. The notice of preparation
5 defines the range of alternatives. It's been written to
6 exclude everything except Delta Conveyance.

7 So the major decisions have been made before
8 you go to these scoping meetings, but we're going to
9 insist that you study non-tunnel alternatives.

10 ~~MS. BARBIERI: Thank you. Robert Pyke, Mike~~
11 ~~Moran and Dan Lively, the next three.~~

12 ~~Please proceed.~~

13 ~~MR. WILLIS: My name's Jerry Willis. I want~~
14 ~~let you know that you guys spent \$2 billion on this~~
15 ~~report. That's what Jerry Brown said two years ago.~~
16 ~~\$2 billion. That could have built us a dam, certainly~~
17 ~~supplied water.~~

18 ~~What I'd like to see happen here in the Delta,~~
19 ~~I'm sure all my friends will agree with me, we'd like to~~
20 ~~see the crosscut channel shut off completely. Then what~~
21 ~~we want to do is to turn around, build dams for cheaper~~
22 ~~electricity, entertainment for resorts and stuff. Plus~~
23 ~~we could produce 5 to 9 billion acre feet a year and~~
24 ~~dump it on the east side of the Delta without dragging~~
25 ~~the water from the west side to the east side. That's~~

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Diane
Burgis

1 other places. We came because this is a beautiful
2 heritage that our families and friends are enjoying and
3 generations of people have lived and got their
4 livelihood and their families on the Delta.

5 There is no place like this place anyplace in
6 the world, and we shouldn't do this dangerous project.
7 We should be looking at the alternatives. Thank you.

8 SUPERVISOR BURGIS: I am a supervisor here in
9 Contra Costa County, and we will be making our official
10 comments about how it will impact swim control,
11 environmental health, land use, our airports, our
12 groundwater and our transportation.

13 And as a member of the Delta Coalition, we
14 will be making our comments, as well. And as a member
15 of the Delta Protection Commission, we'll be making our
16 comments.

17 But I am a resident of the Delta. I've raised
18 my children there, and I'd like to introduce you to my
19 neighbors. Some of them are farmers. Some of them are
20 boaters. Some of them recreate. Some of them have jobs
21 that depend on the Delta.

22 This is a precious place that obviously we
23 care about, and this idea of moving water from one place
24 to another is older than ideas like cell phones and how
25 far have we gotten. Technology has told us that we can

1 do more. We are doing more with technology. We don't
2 need to build a conveyance or a pipe to do that.

3 And we just went through a big drought a
4 couple of years ago, and we saw all these reservoirs
5 empty. And, you know, the governor is really interested
6 in housing, and he's trying to streamline it. Why don't
7 we streamline being able to improve storage in those
8 places when we have a drought.

9 We are losing a lot our snow packs because of
10 climate change, and we're seeing fires. We have to
11 invest in projects that actually create water, that
12 create local jobs and that don't destroy a precious
13 system that is very unique.

14 And we seem to be treated like we're on the
15 edge or we're, like, out there where nobody cares. But
16 if you look at the map of California, the fifth largest
17 economy in the world, we're smack-dab middle of the
18 whole Northern California region. We are an important
19 economic resource. We are a heritage. We have a
20 culture, and this is something that we need to be
21 investing in, not destroying.

22 So we need to invest in projects that are
23 going to create water. That are not going to take
24 water. And I have had discussions with people that are
25 working to get this project and when I said, Why do you

1 want to take the water so high? They said, Because it
2 tastes better.

3 Why can't we do something where we don't
4 destroy the Delta and we can still take care of our
5 state? There are other options, and when we talk about
6 the no tunnel option, we want that considered. Thank
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15 up the shoreline and we would plant plants, and we'd
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17 Bay-friendly gardening and improving water quality.

18 And I work with kids, and the thing that they
19 would always say is, We have this trapezoidal channel
20 that's been engineered for flood control, but it wasn't
21 really supporting the wildlife and the clean water goal.

22 And they said, Well, why did you do that? And
23 we said, We didn't know. But the thing is, we know now.
24 We know what could happen, and we do have the technology
25 to do better. And as I said before, there's other

1 options. And for us as a state and as a department to
2 invest in projects to help restore and then to be
3 working on another project that's going to destroy
4 doesn't make sense to me. It's not leadership and it's
5 not really making a difference. So I just wanted to
6 make that point.

7 MS. BARBIERI: ~~How many more people? Raise~~
~~8 your hands. One, two, three, four, five. And is one of~~
~~9 you Kristin Olnier?~~

10 MS. OLNER: Yeah.

11 MS. BARBIERI: Okay. Great. I wanted to make
12 sure we got you in.

13 MR. MORAN: It's Mike Moran again. I forgot
14 my invitation for Saturday, 11 a.m to have a big
15 (inaudible). Any terms you folks aren't familiar with
16 from tonight, any thoughts you want to share, any ideas,
17 anything you want at that learn about, come down.

18 MR. FITZ: My name's Rich Fitz (phonetic). I
19 just want to add an addendum to my previous comment
20 about the canal. I was just shocked to hear that none
21 of you knew what the canal is all about. Let me school
22 you.

23 The canal's idea was to load level high flow
24 times across the length of the Delta, that way
25 minimizing the risk of levees and also getting water

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1 particularly youths, do not feel comfortable going in
2 the water because it is green, and it smells and it's
3 toxic.

4 So, again, we are urging a no-tunnel
5 alternative, and I know everybody in this room agrees
6 with me. But we're really strongly urging that. Thank
7 you.

8 MS. BARBIERI: Thank you.

9 MR. HEINRICH: I don't think I was next.

10 MS. BARBIERI: I think it was Lenora Clark.

11 MS. CLARK: I am Lenora Clark and I'm speaking
12 to you not only as a resident of Discovery Bay for over
13 30 years, as a boater for over 50 years, and as a
14 concerned citizen. We get our water in Discovery Bay
15 from wells which means that when you continue to pump,
16 it also affects the groundwater and that affects the
17 water's quality that we have to drink.

18 I'm also a past president and director of
19 Recreational Boaters of California, statewide
20 organization. Recreational Boaters of California
21 opposed the WaterFix, and I hear you guys referring to
22 the WaterFix that is supposed to not be what we're
23 working on. We're working on a different system.

24 But Recreational Boaters is concerned that
25 significant negative impacts will occur with the closure

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.~~

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21 MR. COHEN: I'm Ray Cohen. I won't take the
22 full three minutes. I heard the gentleman talking about
23 boating. It seems to me not a few years ago when we
24 talked about aboveground storage, dams, and so forth.
25 The Director of California approved a bond, made it for

1 \$7 billion to build dams. As far as I know, no shovel
2 up there has been turned.

3 I just want to say, when we approved these
4 bonds and these sort of things like this, you have to
5 read the whole thing because somebody -- somewhere it
6 will say in that explanation and everything, we're going
7 to do this unless we come up with something that has a
8 better idea, and we think you guys don't know anything
9 about. You don't understand.

10 What are you going to take the money that you
11 hoped to spend on your dams, but we're going to spend it
12 on something else. Because we, they, whoever they are
13 have decided, that's more important than what we thought
14 we were going to do it our own way. So check that out.
15 Like this guy said, be on top of it.

16 ~~(Whereupon, at 7:55 p.m., the Delta Conveyance~~
17 ~~Project CEQA Public Scoping Meeting was concluded.)~~

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1 ~~creates an environment that fosters the spread invasive~~
2 ~~aquatic species, just to name a few.~~

3 ~~We are a state of unintended consequences too~~
4 ~~often moving forward on ill-conceived ideas, only to~~
5 ~~discover, when completed, that they yield undesired~~
6 ~~results. The WaterFix or this project by another name~~
7 ~~is a relic of the past and should being abandoned in~~
8 ~~favor of the plethora of ideas that are available that~~
9 ~~are less costly and more environmentally in tune with~~
10 ~~the needs of the Delta today. Thank you.~~

11 MR. COX: I'm James Cox. I am a retired
12 charter boat captain. I'm also president of the
13 California Striped Bass Association and an Antioch
14 resident. The law that passed that started all of this
15 had twin goals. Co-equal goals of improvement of water
16 system but restoring the habitat of the Delta.

17 Where is the habitat restoration? I've yet to
18 see word one about that, and that is why the previous
19 plan was not approved by the Delta Stewardship Council.
20 When will we see something about habitat in all of this?

21 Also, when the law was passed, there were a
22 lot of plans offered to have less reliance on Delta
23 water. This plan does not have less reliance of Delta
24 water. If anything, it's more reliant on Delta water.
25 There were many plans that had alternatives to pumping

1 out of the Delta. Local water, local supplies for
2 water, recycling of water, capture of rainwater. All of
3 these would give us long-term solutions rather than a
4 short-term solution, which is what the tunnel project
5 really is.

6 We live in the high tech capital of the world
7 but, yet, we can't come up with a solution that uses any
8 kind of engineering or any kind of technology that isn't
9 close to a century old. I think we can do better than
10 this, and I think the Delta deserves it. And the people
11 who live in the Delta deserve their home to not be just
12 a collection for water. Thank you.

13 ~~MR. McCABE: My name is Tim McCabe. First of~~
14 ~~all, I would like to find out, it's against the law for~~
15 ~~one community to take the other communities' resources~~
16 ~~for their benefit and not -- and devastating our~~
17 ~~community. So that's the first thing that you guys are~~
18 ~~breaking the law.~~

19 ~~Second of all, I'm wondering about the costs.~~
20 ~~The projected cost of this is, like, \$12 billion. In~~
21 ~~reality what they say it's going to cost is something,~~
22 ~~like, \$79 billion.~~

23 ~~Now, the people getting the water in LA and~~
24 ~~the southern company water district have the idea that~~
25 ~~it's going to cost \$12 billion. What happens when you~~

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FILE NO.: AE00EC5

1 ~~lot of my life and engineers are always hunting for a~~
2 ~~new challenging project. I think you guys are in that~~
3 ~~same boat. Thank you.~~

4 ~~MS. BARBIERI: I'm going to call the next~~
5 ~~three. Todd Combs, Lisa Combs, and Keri Richards.~~

6 MS. CULTON: Hello again. Molly Culton,
7 Sierra Club California. We object to both alignments of
8 the proposed project. The central alignment will
9 decimate natural habitats for wildlife and land that
10 have provided quality farming and livelihood for Delta
11 communities for decades. And the eastern alignment
12 provides a significant number of increased vermin impact
13 for all Delta residents. Especially those living near
14 the Port of Stockton.

15 Both alignments will worsen the earth quality,
16 increase pollution in Delta communities and provide no
17 benefits for anyone other than the large farming
18 operations south of the Delta.

19 So we ask that the EIR thoroughly consider a
20 no tunnel alternative that analyzes the state's use of
21 an investment in local programs and projects relating to
22 water conservation and efficiency measures, along with
23 others that achieve the same water reliability goals,
24 and expend less energy as the proposed project.

25 Moreover, this analysis should include

1 potential safe investment in restoring and strengthening
2 existing Delta levees and infrastructures. This, along
3 with increasing fresh water flows in the Delta, is a
4 less environmentally destructive and less costly option
5 that meets the state's objective of mitigating damage
6 from seismic activity and impacts from salt water
7 intrusion. Thank you.

8 ~~MR. COMBS: I'm Todd Combs from Discovery Bay.~~
~~9 One of the things that I've personally encountered while~~
~~10 boating last summer was pulling a wakeboarder down the~~
~~11 Old River section, and after that wakeboarder fell, we~~
~~12 noticed that we were floating as the current went~~
~~13 towards the Bay.~~

~~14 We reversed direction and went down towards~~
~~15 the Bay, and the wakeboarder dropped again. It fell~~
~~16 back in the water, we stopped the boat, when all of~~
~~17 sudden something strange happened. The current was now~~
~~18 taking us the opposite direction. The water was going~~
~~19 like this (indicating), and I realized, Why was that~~
~~20 happening?~~

~~21 Oh, guess what? Guess what that inlet is to~~
~~22 pump down to Southern California. So if you've got~~
~~23 water flowing in two different directions, you cannot~~
~~24 tell me that that does not impact our environment.~~

~~25 MS. COMBS: Hi. My name is Lisa Combs, and~~

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1 take down the Bay. So it kills an entire ecosystem, the
2 Bay and the Delta and all the fisheries. Not just the
3 Delta.

4 No. 10. Huge Achilles heel was the problem.
5 They never mitigated the drain issue. The jaws of San
6 Joaquin Valley is such that it traps water. It's
7 alluvial plain. It's got a salt layer underneath from
8 being up above sea level over ions.

9 There's a very shallow groundwater that's
10 easily pumped out. That's why they built Delta-Mendota
11 in the first place, for the subsidence. So when you
12 irrigate this, you wind up with ag runoffs. So the
13 (inaudible) are full of selenium and boron.

14 Does anyone remember Casterson? That was the
15 solution, the ag runoff. It's no solution. It's a
16 toxic waste dump. Killed the birds. Killed everything.
17 So there's a sandless drain that was built by the west
18 side guys. They never completed it. This should have
19 been mitigated in the 1940s and 1950s after
20 Delta-Mendota. They wiped off and said it's not a
21 problem. So with the selenium deposits you cannot
22 increase conveyance without fixing the drain. It's
23 hidden in Article 2. I'm done.

24 MS. BARBIERI: Okay. Thank you.

25 MS. DAWSON: My name is Darlene Dawson. I've

1 lived in the Delta my long life. I am a past Commodore
2 of Sportsman Yacht Club, a former Delta Redemption
3 Commissioner in charge of recreation.

4 The tunnel will send an undetermined amount of
5 water that will kill water sports, and water sports
6 create a large economic amount of money to this area.

7 I just have one question/statement. And it's,
8 I've been looking all over, because at another meeting
9 that I attended there was going to be a universal boat
10 trailer built that would move boats from blocked
11 waterways, and I just can't find that.

12 And one more thing, this is like Colombo here,
13 this is the book you should read and take a trip on the
14 Delta. Thank you.

15 ~~MR. VARGAS: I'm Vince Vargas. I'm a native~~
16 ~~son, not only of California but Contra Costa County. I~~
17 ~~was born here almost 85 years ago. I have lived in~~
18 ~~Contra Costa County and the Bay Area my entire life.~~
19 ~~I've lived through a lot of Pat Brown's/Jerry Brown's~~
20 ~~escapades and their wanting to have something to be~~
21 ~~remembered by.~~

22 ~~All I can say is, I can't speak to the~~
23 ~~scientific part or -- but I should can talk about to~~
24 ~~what hits the taxpayers and the State of California's~~
25 ~~inability to manage projects.~~

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1 What I can see here, this is, basically, meet
2 the new boss. Same as the old boss but we have
3 different clothes on it. This conveyance has been going
4 since last century. Again, somebody brought up the
5 peripheral canal, which the peripheral canal was soundly
6 defeated by the electric. And what we're doing -- the
7 only reason we ended up going with this tunnel way back
8 when it started was because certain -- the
9 administration found that they could bypass votes from
10 the electric.

11 So let's not play games that it's better and
12 great. It's far more expensive, the cost of that, than
13 the peripheral canal is -- you do the numbers. So we're
14 trying to do the same thing without -- and bypassing the
15 electric.

16 I can't think of anything. I know I had some
17 other things, but that's good for right now.

18 MS. BARBIERI: Sounds great. Thank you.

19 And before -- Mr. Scott [sic], before you
20 begin, I'm going to call the next three. Ray Qualls,
21 Jerry Creech and Steve Starratt. And proceed when
22 you're ready.

23 MR. DeBELLIS: I am Dominic DeBellis. I want
24 to build on what the first lady said. I want to go back
25 in the days when it was a CALFED, they called it. At

1 that time those people told me that they were going to
2 put 15 to 25 million people in California within a
3 certain length of time. I asked them, Where? They said
4 they were going to put them in Castro Valley.

5 So I look down there now and there are a lot
6 of people, more, in Castro Valley. So my comment and
7 question is, How is this project now going to help the
8 water quality that these people are going to have to
9 deal with when you keep bringing in all of these people
10 with the development, and then you're going to take
11 water from here and put it someplace else?

12 The other two questions I had. The lady
13 mentioned a word "salinity." Back in those days that
14 was a big issue. They said that the salinity in the
15 Sacramento River was getting harsher and farther up the
16 river. So I'm wondering, doing this, is that going to
17 make this situation better or worse?

18 And the last thing, back in those days there
19 was a gentleman running for political office. He was an
20 ex-Marine and a farmer, and he kept getting up and
21 people would call him Kuwait. But he said all the time,
22 Look, we live in a floodplain. That's what this,
23 basically, is.

24 And, so, what are we doing? And how does this
25 project affect any kind of development sense that we've

1 gotten in all of this time about where we develop? How
2 we develop? And how does this project fit into any of
3 that? That's all I had in my mind at this point.

4 MS. BARBIERI: Okay. Thank you very much.

5 MR. QUALLS: My name is Ray Qualls. I live in
6 Discovery Bay. I have a question first. You mentioned
7 you studied alternatives for that, but I haven't heard
8 one mentioned for this canal. So I'd like to hear some
9 alternatives.

10 And I'm going to be a little bit cynical. We,
11 as taxpayers, have spent millions and millions of
12 dollars on this nonsense over the years. Everything you
13 have learned, you can put six guys in a boat going up
14 and down this Delta and the river, and so forth, and
15 talk to the people who live along the water, that fish
16 along the water. We get fisherman all over the United
17 States here.

18 You can find out everything you need to know
19 of what's going to happen to our Delta. It's going to
20 deteriorate. It's been deteriorating for years and it's
21 going to get worse because more water is going to keep
22 coming down that river. It's going to get taken out and
23 shipped somewhere else.

24 Now, we love the people who live in
25 Discovery -- in Southern California, but we didn't take

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1 options. And for us as a state and as a department to
2 invest in projects to help restore and then to be
3 working on another project that's going to destroy
4 doesn't make sense to me. It's not leadership and it's
5 not really making a difference. So I just wanted to
6 make that point.

7 MS. BARBIERI: How many more people? Raise
8 your hands. One, two, three, four, five. And is one of
9 you Kristin Olnier?

10 MS. OLNIE: Yeah.

11 MS. BARBIERI: Okay. Great. I wanted to make
12 sure we got you in.

13 MR. MORAN: It's Mike Moran again. I forgot
14 my invitation for Saturday, 11 a.m to have a big
15 (inaudible). Any terms you folks aren't familiar with
16 from tonight, any thoughts you want to share, any ideas,
17 anything you want at that learn about, come down.

18 MR. FITZ: My name's Rich Fitz (phonetic). I
19 just want to add an addendum to my previous comment
20 about the canal. I was just shocked to hear that none
21 of you knew what the canal is all about. Let me school
22 you.

23 The canal's idea was to load level high flow
24 times across the length of the Delta, that way
25 minimizing the risk of levees and also getting water

1 quality or evenly distributed.

2 I took a course in oceanography, which
3 included half a semester of the Delta as part of the
4 deal in order to find out in early '70s what the Delta
5 Canal was all about.

6 And the bottom line of that tutorial was that,
7 it wasn't such a bad idea. The problem with it is, we
8 knew that they'd never turn the damn thing off so
9 everybody voted to not fund the Delta, the Peripheral
10 Canal. Do not think that your tunnels are a better
11 solution. It is the -- as bad as the canal was, the
12 tunnels are 100 times worse.

13 ~~MS. OLNER: My name is Kristin Olnier. I made~~
14 ~~my trip out her from Walnut Creek tonight to make sure~~
15 ~~that I had a chance just to say that a few things have~~
16 ~~come to mind lately that make me think this whole thing~~
17 ~~needs to be rethought.~~

18 ~~I recently listened to a podcast with a client~~
19 ~~who's a scientist. His name is Joe Rome (phonetic) and~~
20 ~~he has a new book out on climate change. I listened to~~
21 ~~it. In -- in these days of facts and alternative facts,~~
22 ~~I tend to go into things with an open mind, and I went~~
23 ~~in with an open mind, and I was convinced that the~~
24 ~~rising sea levels are coming and that anything that we~~
25 ~~thought previously needs to be rethought, and the~~

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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

1 other places. We came because this is a beautiful
2 heritage that our families and friends are enjoying and
3 generations of people have lived and got their
4 livelihood and their families on the Delta.

5 There is no place like this place anyplace in
6 the world, and we shouldn't do this dangerous project.
7 We should be looking at the alternatives. Thank you.

8 ~~SUPERVISOR BURGIS: I am a supervisor here in~~
~~9 Contra Costa County, and we will be making our official~~
~~10 comments about how it will impact swim control,~~
~~11 environmental health, land use, our airports, our~~
~~12 groundwater and our transportation.~~

13 ~~And as a member of the Delta Coalition, we~~
~~14 will be making our comments, as well. And as a member~~
~~15 of the Delta Protection Commission, we'll be making our~~
~~16 comments.~~

17 ~~But I am a resident of the Delta. I've raised~~
~~18 my children there, and I'd like to introduce you to my~~
~~19 neighbors. Some of them are farmers. Some of them are~~
~~20 boaters. Some of them recreate. Some of them have jobs~~
~~21 that depend on the Delta.~~

22 ~~This is a precious place that obviously we~~
~~23 care about, and this idea of moving water from one place~~
~~24 to another is older than ideas like cell phones and how~~
~~25 far have we gotten. Technology has told us that we can~~

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COMMENT SESSION

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MS. HALL: ~~This is Linda Hall. Some of the points that I'd like to make are concerning the salmon and other species in the Delta that will be impacted by salt water intrusion. And also a study on, what is going to be the water quality for communities like Discovery Bay, Bethel Island and many other around the Delta that depend on groundwater, well water? How is it going to be affected by salt water intrusion?~~

~~And I asked that question a couple of years ago at a meeting in Stockton to the engineers that developed the twin tunnel, and they said they hadn't studied that. And the document was so huge that they couldn't even know where to begin to look. So that's a short comment.~~

MS. BARBIERI: ~~Okay. Thank you very much. Oh, yeah. I'm sorry. If you could state your name at the beginning, that would be great.~~

MR. HALL: I'm Jim Hall. I'm a retired systems engineer. Been working in the seismic community since 1970, and most of that has been with government contract. So I know full well what gets involved with facts and figures.

1 What I can see here, this is, basically, meet
2 the new boss. Same as the old boss but we have
3 different clothes on it. This conveyance has been going
4 since last century. Again, somebody brought up the
5 peripheral canal, which the peripheral canal was soundly
6 defeated by the electric. And what we're doing -- the
7 only reason we ended up going with this tunnel way back
8 when it started was because certain -- the
9 administration found that they could bypass votes from
10 the electric.

11 So let's not play games that it's better and
12 great. It's far more expensive, the cost of that, than
13 the peripheral canal is -- you do the numbers. So we're
14 trying to do the same thing without -- and bypassing the
15 electric.

16 I can't think of anything. I know I had some
17 other things, but that's good for right now.

18 ~~MS. BARBIERI: Sounds great. Thank you.~~
19 ~~And before -- Mr. Scott [sic], before you~~
20 ~~begin, I'm going to call the next three. Ray Qualls,~~
21 ~~Jerry Creech and Steve Starratt. And proceed when~~
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23 ~~MR. DeBELLIS: I am Dominic DeBellis. I want~~
24 ~~to build on what the first lady said. I want to go back~~
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1 ~~500,000 acres of fertile farmland here in the Delta,~~
2 ~~peak soil, that relies on water siphoned out of the~~
3 ~~sloughs? If this tunnel goes through -- and it isn't~~
4 ~~just for high water runs -- if this tunnel goes through,~~
5 ~~what's going to happen to our Delta?~~

6 ~~We're going to be impacted by loss of~~
7 ~~recreation, loss of farming, impact on the water~~
8 ~~supplies. I hope you guys take that into account.~~

9 MS. McCLEERY: I'm Jan McCleery. Discovery
10 Bay. I'm dismayed at the water board and the Delta
11 Stewardship Council hearing. We proved that the
12 WaterFix Through-Delta Alignment would wipe out boating
13 and recreation throughout the Delta, would put
14 significant impact on Delta communities like the Mayor
15 from Oakley already talked about.

16 Hence, it was deemed by the Delta Stewardship
17 Council found to be inconsistent with the Delta plan.
18 Consistency is required for any project without them.
19 The construction of the intakes in the north on top of
20 the town hood, which to the legacy towns would decimate
21 those towns.

22 Neither the Water Board nor the Delta
23 Stewardship Council can approve intakes of those
24 locations, so I was dismayed when the new single tunnel
25 plan came out with the same rejected Through-Delta

1 route, relabeled the central corridor, and has an
2 alternative eastern corridor. They used a purple swath,
3 and it doesn't have any information, and we're hearing
4 that there's also problems there.

5 Regardless of route, the new plan has the same
6 intakes in the same location. We know that DWR has
7 existing water right there, but it's -- there's just too
8 many impacts and DFWR will have to request a new water
9 right if it's going to keep going forward with the
10 single tunnel.

11 But it's ironic that the stated purpose of the
12 tunnel is to mitigate climate change in order to fuel
13 consumer electricity is used pumping water up over the
14 Tehachapi to LA.

15 In the early BBCP -- when the early parts of
16 the BBCP was rejected desalination plan saying it was
17 too expensive, but in 2013 Dr. Jeffrey Michaels at the
18 University of the Pacific wrote about advances in
19 desalination technology, making it cheaper and more
20 effective.

21 It's now 2020. The EIR should study as an
22 alternative to a tunnel a plan to treat from it
23 exporting Delta water over the Tehachapi, replacing the
24 water with new sources from desalination, recycling,
25 conservation, replacing lawns with drought resistant

1 landscaping. In other words, LA should reduce reliance
2 on the Delta through improved regional self-reliance,
3 which is a requirement of the Delta plan.

4 Replacing lawns with better landscaping in LA
5 would take more water but is manually diverted from the
6 Delta. Common sense. Alternative likes these and
7 groundwater replenishment would allow more water to flow
8 through the Delta, keep the salt water at bay, and, if
9 needed, for the Brentwood sweet white corn, our
10 cherries, our Delta farms, and it's -- the Delta needs
11 more fresh water flowing through it, not less. So we
12 say no tunnel. One tunnel is one too many.

13 ~~MS. BARBIERI: Lenora Clark and Mike Guzzaroo~~
14 ~~and Heinrich Albert.~~

15 ~~MS. LOONEY: Hello. My name is Mariah Looney,~~
16 ~~and I'm the campaign coordinator for Restore the Delta.~~
17 ~~I'm here tonight, as I have been to every other scoping~~
18 ~~meeting, to urge DWR to strongly consider a no-tunnel~~
19 ~~alternative.~~

20 ~~Plain and simple, this project's proposed~~
21 ~~alignments would destroy the Delta we know and love.~~
22 ~~Both proposals for tunnel alignment are inadequate and~~
23 ~~do not offer equity to the Delta legacy communities,~~
24 ~~nor do they offer equities to South Stockton.~~

25 ~~The tunnel does nothing to improve safety from~~

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1 ~~potential safe investment in restoring and strengthening~~
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3 ~~with increasing fresh water flows in the Delta, is a~~
4 ~~less environmentally destructive and less costly option~~
5 ~~that meets the state's objective of mitigating damage~~
6 ~~from seismic activity and impacts from salt water~~
7 ~~intrusion. Thank you.~~

8 ~~MR. COMBS: I'm Todd Combs from Discovery Bay.~~
9 ~~One of the things that I've personally encountered while~~
10 ~~boating last summer was pulling a wakeboarder down the~~
11 ~~Old River section, and after that wakeboarder fell, we~~
12 ~~noticed that we were floating as the current went~~
13 ~~towards the Bay.~~

14 ~~We reversed direction and went down towards~~
15 ~~the Bay, and the wakeboarder dropped again. It fell~~
16 ~~back in the water, we stopped the boat, when all of~~
17 ~~sudden something strange happened. The current was now~~
18 ~~taking us the opposite direction. The water was going~~
19 ~~like this (indicating), and I realized, Why was that~~
20 ~~happening?~~

21 ~~Oh, guess what? Guess what that inlet is to~~
22 ~~pump down to Southern California. So if you've got~~
23 ~~water flowing in two different directions, you cannot~~
24 ~~tell me that that does not impact our environment.~~

25 ~~MS. COMBS: Hi. My name is Lisa Combs, and~~

1 I'm from Discovery Bay. I've been waterskiing in the
2 Delta since I was four years old. My parents have lived
3 in Contra Costa County. We've talked about some of this
4 already, but I already have my notes. You might hear a
5 repeat.

6 Science. So science has not supported two
7 tunnels, let alone it's not going to support one.
8 Hundreds of wildlife and plants are going to go extinct.
9 Thousands -- the salmon industry is worth \$1.5 billion
10 annually alone. We will not have salmon.

11 Hundreds of jobs and livelihood will be taken
12 away. There will be nothing for us. Our homes are
13 going to go down in price tremend- -- it's just going to
14 be ridiculous. We're not going to be able to sell our
15 homes. We're going to have a marsh in our backyard.

16 Our boats won't be able -- right now half of
17 our boats can't even go down part of the rivers because
18 they're so shallow. What's going to happen to the rest
19 of the Bay?

20 Farmers cannot -- their crops are going to
21 become -- are going to have salt water which is, in my
22 eyes, our crops are everything. This is part of the
23 Delta and part of our agriculture and it -- my
24 grandson -- I mean, it's -- I know this is off top, but
25 driving down the road, this desolate road and seeing a

1 cow, you know, what is that cow going to be drinking?

2 It a trickle effect.

3 What is our corn going to be like? We're not
4 going to have it. Public health? Our tunnels will
5 cause increase in contamination. Discharge will happen
6 in our wells and millions -- we all have wells. It's
7 going to be terrible.

8 ~~MS. RICHARDS: I was up here earlier and I~~
~~9 posed a question to you and I will repeat the question.~~
~~10 Is there anything that anyone here can say that will~~
~~11 change the course of the mission? There's nothing I can~~
~~12 say that's going to improve on anything that these~~
~~13 people have said.~~

~~14 I learned a tremendous amount of information~~
~~15 tonight. I hope you did, too. And I hope you take the~~
~~16 information. I hope you evaluate the information. And~~
~~17 I hope you really, really use the information and do not~~
~~18 let the person that signed your paycheck influence your~~
~~19 decision. Thank you.~~

20 ~~MS. BARBIERI: I need to call the next couple~~
~~21 of folks up. Captain Frank Morgan and Paul Seger. And~~
~~22 are there any other cards that I've missed?~~

23 ~~CAPTAIN MORGAN: Hello. I'm Frank Morgan.~~
~~24 You know, there's a lot in the name of a project, a~~
~~25 conveyance project. To me, conveyance means to take~~

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1 COMMENT SESSION

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4 MS. HALL: This is Linda Hall. Some of the
5 points that I'd like to make are concerning the salmon
6 and other species in the Delta that will be impacted by
7 salt water intrusion. And also a study on, what is
8 going to be the water quality for communities like
9 Discovery Bay, Bethel Island and many other around the
10 Delta that depend on groundwater, well water? How is it
11 going to be affected by salt water intrusion?

12 And I asked that question a couple of years
13 ago at a meeting in Stockton to the engineers that
14 developed the twin tunnel, and they said they hadn't
15 studied that. And the document was so huge that they
16 couldn't even know where to begin to look. So that's a
17 short comment.

18 ~~MS. BARBIERI: Okay. Thank you very much.~~
19 ~~Oh, yeah. I'm sorry. If you could state your name at~~
20 ~~the beginning, that would be great.~~

21 ~~MR. HALL: I'm Jim Hall. I'm a retired~~
22 ~~systems engineer. Been working in the seismic community~~
23 ~~since 1970, and most of that has been with government~~
24 ~~contract. So I know full well what gets involved with~~
25 ~~facts and figures.~~

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DELTA CONVEYANCE PROJECT CEQA)
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PUBLIC MEETING

BRENTWOOD, CALIFORNIA

FEBRUARY 20, 2020

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FILE NO.: AE00EC5

1 ~~they love very much and how it's important. Not just~~
2 ~~for the people who live here and call it home, but for~~
3 ~~folks throughout the state. So we'd like to share that~~
4 ~~with you and invite you all to come on over. Thanks so~~
5 ~~much.~~

6 ~~MS. BARBIERI: Thank you. Before you start,~~
7 ~~I'm going to call the next three people. Darlene~~
8 ~~Dawson, Molly Culton and Vincent Vargas. So if you~~
9 ~~could get ready. And please proceed.~~

Dan Lively

10 **MR. LIVELY:** Hello there, everybody. Thanks
11 for coming out and getting all these tunnels that
12 you're -- as you kind of tell, nobody really likes them
13 up here at the Delta.

14 So what I have is a ten-count indictment of
15 this project, and I'm going to present it in that
16 fashion. It's going to be an outline because I could
17 spend five to ten minutes on each of these counts. And
18 if you want, we can bring it to court.

19 I'd like to point out that one of the worst
20 environmental (inaudible) that the Delta ever went
21 through was Placer mining in the 18th century. The
22 governor didn't take care of it. The senators didn't
23 take care of it. It was farmers in federal court that
24 put that out. It took 35 years.

25 So I think that's the same thing we have to do

1 here. So, No. 1 -- Count No. 1, this is a noneconomic
2 use of funds. This is a power mad project that uses
3 tons of electricity. It also, basically, is a quid pro
4 quo to keep from buying those from Southern California
5 and extricating money from the Western Water District.

6 And I've been handing out some of these fliers
7 here. These are extras. What folks know as Cadillac
8 Desert. The first two pages is, Who are these guys?
9 Who are these guys is, basically, the Wetlands Water
10 District. So I'll hand out some more of these. I've
11 only got 20 copies.

12 MS. BARBIERI: Can I ask you to just slow
13 down?

14 MR. LIVELY: No, I can't. Fish versus
15 Farmers. (Inaudible) all over the place. Says that
16 farmers need water, okay, and I don't eat fish. What am
17 I supposed to do with smelt? There's enough water for
18 everybody.

19 The problem with Fish versus Farmers is
20 there's overallocation of precious resource. When they
21 cut up the Colorado River pie, they assumed there's
22 27 million-acre feet a year. Natural average over time
23 in the Colorado River is 12 million acre feet a year.
24 That's the average. So they doubled. They overestimate
25 it by double.

1 Now, they did the same thing with the Delta.
2 There just isn't that much water in most years. So this
3 is an overallocation without mitigation. Those
4 fishermen are only asking for 5 or 10 of river flows.

5 We heard about the Consumnes River. We heard
6 about the Merced River Restoration. If we get 5 to 10
7 percent overflows, we can restore fishing in the Delta
8 and maintain the Delta.

9 Count three, salt intrusion in the Delta is
10 caused by overallocation. It's worse in drought years.
11 It's made worse by sea level rising. If you make this
12 project, you're going to wind up partitioning the Delta.

13 And I was following your maps today. I have a
14 suspicion. If you ever do that Eastern Conveyance,
15 you're simply going to leave all of the levees, all
16 construction in places you've partitioned the Delta.

17 So it would not surprise me to see this
18 project built and have those levees remain in place, and
19 you partition the Delta. By the way, the people in
20 Discovery Bay, Bethel Island, all of the places that
21 I've water-skied and boated since 1982, are going to
22 become backwater marshes.

23 Count four --

24 MS. BARBIERI: Cut the mic.

25 MR. LIVELY: Count four -- that's all right, I

1 don't need a mic. Count four, this project says
2 underestimate the construction cost sorely. That's been
3 a harbinger of all the water projects in California from
4 the get-go, and I don't want to get into how Pat Brown,
5 the finance individuals, the original water because it
6 was dirty as they come. He actually recycled bonds from
7 the 1930s, and he went to the oil lease companies off of
8 Southern California, extricated money from them and put
9 into the pie, but we get more into that later.

10 We've also underestimated the environmental
11 costs during construction. So the actual construction
12 of this project is going to be terrible environmental
13 costs.

14 Count six, the hydrology of the Delta will be
15 further compromised. I haven't really met the engineer
16 yet, but we're going to talk more about what the
17 hydrology happens with a 60-foot tunnel that has a
18 greater cross-section -- 42-foot tall, the 6,000 cubic
19 feet per second is only really about a 2 cubic feet --
20 2-foot-per-second movement of water from that pipe.

21 So, basically, the hydrology of the Delta can
22 be way compromised by its 60-foot tunnel. By the way, I
23 never heard of a 60-foot tunnel in any other water
24 project in the world, and I looked.

25 MS. BARBIERI: For some reason your beep

1 didn't go off? Hang on just a second. Except that
2 we're not keeping time. Everyone has the same
3 opportunity to get three minutes. If you don't cover
4 it, you can put it in a written comment.

5 MR. LIVELY: No. No. I'll cover it. Count
6 No. three, the plan originally, in the 1940s, was to
7 allocate the Klamath River and the Eel River, and
8 they've already gotten after the Northern California
9 River, the Trinity. The Indians shut it down by asking
10 for their water back for their fish because the original
11 plan was to allocate more rivers in Northern California.
12 So the Peripheral Canal is simply a place, a mode, in
13 which to feed more water to all the other river
14 allocations.

15 Nine. I'm getting done, it's the last two
16 points and the two most important ones.

17 MS. BARBIERI: Okay. Go.

18 MR. LIVELY: This project will kill the third
19 entire ecosystem. The LA Water Basin, LA Water Whores,
20 as I refer to them, have killed two ecosystems already.
21 It's the Owens Valley and the Colorado River Delta.

22 If they do this project and pump water to the
23 Sprague, it's going to kill the third entire ecosystem.
24 A lot of you remember, this entire ecosystem, you take
25 down the Delta, you take down the Foothill streams, you

1 take down the Bay. So it kills an entire ecosystem, the
2 Bay and the Delta and all the fisheries. Not just the
3 Delta.

4 No. 10. Huge Achilles heel was the problem.
5 They never mitigated the drain issue. The jaws of San
6 Joaquin Valley is such that it traps water. It's
7 alluvial plain. It's got a salt layer underneath from
8 being up above sea level over ions.

9 There's a very shallow groundwater that's
10 easily pumped out. That's why they built Delta-Mendota
11 in the first place, for the subsidence. So when you
12 irrigate this, you wind up with ag runoffs. So the
13 (inaudible) are full of selenium and boron.

14 Does anyone remember Casterson? That was the
15 solution, the ag runoff. It's no solution. It's a
16 toxic waste dump. Killed the birds. Killed everything.
17 So there's a sandless drain that was built by the west
18 side guys. They never completed it. This should have
19 been mitigated in the 1940s and 1950s after
20 Delta-Mendota. They wiped off and said it's not a
21 problem. So with the selenium deposits you cannot
22 increase conveyance without fixing the drain. It's
23 hidden in Article 2. I'm done.

24 ~~MS. BARBIERI: Okay. Thank you.~~

25 ~~MS. DAWSON: My name is Darlene Dawson. I've~~

1 MR. LIVELY: (Inaudible) Athenian School in
2 Catalog Creek. It's a nice little place with little
3 sand beaches and watershed. I was a boyscout in 1970,
4 so we look at alternatives and solutions and not just
5 further loss mitigation.

6 So -- but the back of my little note is, is
7 some stuff about water sources and what you might do to
8 enhance them. So, basically, in California we use two
9 types of water: Surface water and groundwater. So
10 groundwater you either pump it or overdraft it. With
11 surface water, you either pump it, treat it, steal it,
12 divert it, dam it or build cities near it. That's what
13 we've done in California. It hasn't worked very well.

14 So some solutions. More dams. Well, they're
15 pretty expensive and there's a lot of environmental
16 costs to dams. Any dam build (inaudible) they as a
17 result up any way. There's a few more good dams left in
18 California we might exploit.

19 With surface water -- groundwater, rather, you
20 should replenish it. This is what San Jose Water
21 District has done for the purpose (inaudible) in San
22 Jose, so you can store excess water in your groundwater
23 basis and replenish them, you can build bigger dams back
24 to surface water. You steal more water. You can divert
25 more water. That's what you -- what we actually ought

1 to be doing is recycling water.

2 The City of Redwood now has water recycling.
3 During the last drought I watered my lawn with a
4 50-gallon water tank, and I have a green lawn and so do
5 my neighbors. Three pick-ups, drive it over and fill it
6 up with recycled water, and dump it on your lawn. We
7 did that for a couple of years.

8 So most of the new homes in Southern
9 California, Northern California, too, ought to have gray
10 water systems. Reflection of gray water, which is
11 basically the soapy water, you can water your lawns,
12 wash your cars with, wash the streets with. As long as
13 you use a biodegradable soap. It's not rocket science.

14 Okay. So we need drought resistant natural
15 landscapes. Most everybody in Brentwood is getting them
16 because water is so expensive. We need high efficiency
17 use in the homes. That's better washer dryers and
18 better dishwashers. And, basically, being conservative
19 with our water (inaudible) drought this whole time,
20 because guess what? We are.

21 We need appropriate use of agricultural water.
22 The Middle Eastern countries, primarily Israel, has
23 pioneered drip water systems that are very efficient and
24 don't overdraft groundwater and don't overwater the
25 floodplains where we're planting crops, and create

1 salinity problems, so we need all of these things done.

2 Now, desalination. There's several ways to
3 desalinate water. The original water project, when they
4 did their cost analysis, they compared it to
5 distillation desalination. That's where you boil water
6 and condense it. That's the most inefficient way to
7 desalinate water.

8 Our boat studies (inaudible) you might have a
9 reverse osmosis system -- to create fresh water. Those
10 are energy whores, and they're hard to maintain
11 (inaudible). The Middle Eastern countries use them
12 because they have tons of energy. It's basically free
13 water.

14 A friend of mine, he pioneered the split thin.
15 His name is Bob Evans. His Consumnes business is
16 working really good, but he's working on a deal now with
17 oil rigs to use the pressure of the ocean and the
18 hypermanic forces to press membrane desalination. So
19 he's in the infancy of it. Now, solar desal- -- solar
20 desal can work in California. There's money.

21 ~~MS. BARBIERI: Thank you.~~

22 ~~MS. BOLT: Hi. My name is Jamie Bolt. My~~
23 ~~family runs the marina in Bethel Island. For 40 Years~~
24 ~~it's been our business, and our customers come from all~~
25 ~~over the Bay Area including Discovery Bay. I've~~

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1 landscaping. In other words, LA should reduce reliance
2 on the Delta through improved regional self-reliance,
3 which is a requirement of the Delta plan.

4 Replacing lawns with better landscaping in LA
5 would take more water but is manually diverted from the
6 Delta. Common sense. Alternative likes these and
7 groundwater replenishment would allow more water to flow
8 through the Delta, keep the salt water at bay, and, if
9 needed, for the Brentwood sweet white corn, our
10 cherries, our Delta farms, and it's -- the Delta needs
11 more fresh water flowing through it, not less. So we
12 say no tunnel. One tunnel is one too many.

13 MS. BARBIERI: Lenora Clark and Mike Guzzaroo
14 and Heinrich Albert.

15 MS. LOONEY: Hello. My name is Mariah Looney,
16 and I'm the campaign coordinator for Restore the Delta.
17 I'm here tonight, as I have been to every other scoping
18 meeting, to urge DWR to strongly consider a no-tunnel
19 alternative.

20 Plain and simple, this project's proposed
21 alignments would destroy the Delta we know and love.
22 Both proposals for tunnel alignment are inadequate and
23 do not offer equity to the Delta legacy communities,
24 nor do they offer equities to South Stockton.

25 The tunnel does nothing to improve safety from

1 floods because the tunnel prioritizes water as sports
2 rather than the public's safety from floods. A great
3 example of this is the common homes in South Stockton
4 where levees are not at appropriate flood safety
5 standards to the present, let alone for increased flood
6 threat. Stockton does not deserve to be the next New
7 Orleans.

8 The tunnel fails to address impact of climate
9 change, including more frequent floods and longer
10 droughts that contribute to polluted waters throughout
11 our community. The tunnel will divert fresh water
12 supplies from Stockton's drinking waters, making water
13 treatment more expensive. Groundwater wells that supply
14 drinking water will become polluted and loaded with
15 salt. In particular, Stockton's drinking water plant
16 will be left with water loaded with pollutants.

17 Harmful algal blooms. Everybody here in this
18 room knows about them. Green algae that is toxic grows
19 in these blooms in rained out communities every summer.
20 We've seen those algal blooms everywhere from Stockton
21 to Discovery Bay, and the tunnel will make the green
22 algae worse preventing folks from recreating in
23 waterways.

24 And I do just want to admit that -- not admit.
25 I want to point out that South Stockton residents,

1 particularly youths, do not feel comfortable going in
2 the water because it is green, and it smells and it's
3 toxic.

4 So, again, we are urging a no-tunnel
5 alternative, and I know everybody in this room agrees
6 with me. But we're really strongly urging that. Thank
7 you.

8 ~~MS. BARBIERI: Thank you.~~

~~9 MR. HEINRICH: I don't think I was next.~~

~~10 MS. BARBIERI: I think it was Lenora Clark.~~

~~11 MS. CLARK: I am Lenora Clark and I'm speaking
12 to you not only as a resident of Discovery Bay for over
13 30 years, as a boater for over 50 years, and as a
14 concerned citizen. We get our water in Discovery Bay
15 from wells which means that when you continue to pump,
16 it also affects the groundwater and that affects the
17 water's quality that we have to drink.~~

~~18 I'm also a past president and director of
19 Recreational Boaters of California, statewide
20 organization. Recreational Boaters of California
21 opposed the WaterFix, and I hear you guys referring to
22 the WaterFix that is supposed to not be what we're
23 working on. We're working on a different system.~~

~~24 But Recreational Boaters is concerned that
25 significant negative impacts will occur with the closure~~

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1 ~~Looney. You can stand right there, and please proceed.~~
2 ~~MS. RICKARD: Hi. I'm Clare Rickard, and I'm~~
3 ~~a resident of Alameda. So the Mokelumne River is known~~
4 ~~for its natural beauty. And this is kind of a success~~
5 ~~story of river recovery. East Bay MUD, who is the -- my~~
6 ~~municipal water district, has been working with the~~
7 ~~California Department of Fish and Wildlife to bring back~~
8 ~~Chinook salmon for years. And their multipronged~~
9 ~~approach has been effective with favorable return of~~
10 ~~salmon.~~

11 ~~Not only that, they have managed to minimize~~
12 ~~the impact of drought with river and scientific study of~~
13 ~~the river. Their scientific analysis shows that the~~
14 ~~tunnel will hurt the salmon, which will hurt the Bay and~~
15 ~~our water quality.~~

16 ~~It is so important not to give up our natural~~
17 ~~resources to corporate interests when there's so many~~
18 ~~better, less expensive, science-based ways to manage~~
19 ~~water in California.~~

20 MR. McCLEERY: I'm Mike McCleery. I'm a
21 resident of Discovery Bay, and I'm a lousy public
22 speaker. But here we are, again, still continuing on.

23 It appears that the stated dual WaterFix is
24 mitigate the impact of sea level rise. That tunnel is
25 shipping all the water south. What happens to the

1 500,000 acres of fertile farmland here in the Delta,
2 peak soil, that relies on water siphoned out of the
3 sloughs? If this tunnel goes through -- and it isn't
4 just for high water runs -- if this tunnel goes through,
5 what's going to happen to our Delta?

6 We're going to be impacted by loss of
7 recreation, loss of farming, impact on the water
8 supplies. I hope you guys take that into account.

9 ~~MS. McCLEERY: I'm Jan McCleery. Discovery~~
10 ~~Bay. I'm dismayed at the water board and the Delta~~
11 ~~Stewardship Council hearing. We proved that the~~
12 ~~WaterFix Through-Delta Alignment would wipe out boating~~
13 ~~and recreation throughout the Delta, would put~~
14 ~~significant impact on Delta communities like the Mayor~~
15 ~~from Oakley already talked about.~~

16 ~~Hence, it was deemed by the Delta Stewardship~~
17 ~~Council found to be inconsistent with the Delta plan.~~
18 ~~Consistency is required for any project without them.~~
19 ~~The construction of the intakes in the north on top of~~
20 ~~the town hood, which to the legacy towns would decimate~~
21 ~~those towns.~~

22 ~~Neither the Water Board nor the Delta~~
23 ~~Stewardship Council can approve intakes of those~~
24 ~~locations, so I was dismayed when the new single tunnel~~
25 ~~plan came out with the same rejected Through-Delta~~

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1 out of the Delta. Local water, local supplies for
2 water, recycling of water, capture of rainwater. All of
3 these would give us long-term solutions rather than a
4 short-term solution, which is what the tunnel project
5 really is.

6 We live in the high tech capital of the world
7 but, yet, we can't come up with a solution that uses any
8 kind of engineering or any kind of technology that isn't
9 close to a century old. I think we can do better than
10 this, and I think the Delta deserves it. And the people
11 who live in the Delta deserve their home to not be just
12 a collection for water. Thank you.

13 MR. McCABE: My name is Tim McCabe. First of
14 all, I would like to find out, it's against the law for
15 one community to take the other communities' resources
16 for their benefit and not -- and devastating our
17 community. So that's the first thing that you guys are
18 breaking the law.

19 Second of all, I'm wondering about the costs.
20 The projected cost of this is, like, \$12 billion. In
21 reality what they say it's going to cost is something,
22 like, \$79 billion.

23 Now, the people getting the water in LA and
24 the southern company water district have the idea that
25 it's going to cost \$12 billion. What happens when you

1 get a cost overwrite? Who's stuck for that? Are we
2 stuck for that? They're going to get the project
3 halfway done like they did on any other project we have
4 in California, they're going to say, We need more money.

5 So then they're not going to pay for it.
6 They've already said they're going to pay for it with
7 this X amount of dollars. Who's going to pay for that
8 money? The taxpayers. The taxpayers get stung on this.

9 We're computing -- we're sending our money,
10 our taxpayers to devastate our community, which is not
11 what we want to do. We want to desalinate in Los
12 Angeles like they did in San Diego. San Diego was part
13 of this system to take the water and they desalinated
14 and they don't have a problem. They're out of the whole
15 WaterFix problem. That's just an excuse for somebody to
16 take the water and give it to another community, which
17 is against law.

18 ~~MS. BARBIERI: Thank you. The next speaker --~~
19 ~~I should have called before and I didn't, I'm sorry --~~
20 ~~is Linda Ormonde, Patricia Ziobro and Clare Rickard. If~~
21 ~~you could come up, and I'm sorry if I'm mispronouncing~~
22 ~~your name. Please correct me.~~

23 Linda?

24 MS. ORMONDE: My name is Linda Ormonde. I
25 live on Roberts Island. It's a little north of downtown

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1 ~~any new ideas or to listen to public input. Thank you.~~

2 MR. MORAN: Hi. I'm Mike Moran, supervising
3 naturalist at Big Break Visitors Center at the Delta
4 over in Oakley, the Regional Park District. We do not
5 take, as parks, how to stand on this issue, but what we
6 do take a stand on is conveying as much information as
7 we can. And one of the ways we do that is to have a
8 visitor center. We'd like to invite you folks to all
9 come over there. It's all about the Delta. Covers a
10 lot of the very same information you folks have been
11 talking about. Thank you very much for the opportunity
12 tonight to share that.

13 We have Saturday -- this coming Saturday
14 morning we have a program we call Coffee Talk, where we
15 just informally ask folks to come on out and chat about
16 the issues of the day at the Delta. We make great
17 coffee. We have great conversations. We normally have
18 that on the first Wednesday morning of every month at
19 8:30, but in the interest of the complexity and the
20 density of the issues, we want to give those ample
21 opportunity. What times don't work for you. We're
22 opens for 10 to 4, Wednesday through Sunday, and the
23 only reason we're there is to tell folks about the
24 Delta, interpret it, and give them more (inaudible) so
25 you can make informed decisions about the place that

1 they love very much and how it's important. Not just
2 for the people who live here and call it home, but for
3 folks throughout the state. So we'd like to share that
4 with you and invite you all to come on over. Thanks so
5 much.

6 ~~MS. BARBIERI: Thank you. Before you start,~~
7 ~~I'm going to call the next three people. Darlene~~
8 ~~Dawson, Molly Culton and Vincent Vargas. So if you~~
9 ~~could get ready. And please proceed.~~

10 ~~MR. LIVELY: Hello there, everybody. Thanks~~
11 ~~for coming out and getting all these tunnels that~~
12 ~~you're -- as you kind of tell, nobody really likes them~~
13 ~~up here at the Delta.~~

14 ~~So what I have is a ten-count indictment of~~
15 ~~this project, and I'm going to present it in that~~
16 ~~fashion. It's going to be an outline because I could~~
17 ~~spend five to ten minutes on each of these counts. And~~
18 ~~if you want, we can bring it to court.~~

19 ~~I'd like to point out that one of the worst~~
20 ~~environmental (inaudible) that the Delta ever went~~
21 ~~through was Placer mining in the 18th century. The~~
22 ~~governor didn't take care of it. The senators didn't~~
23 ~~take care of it. It was farmers in federal court that~~
24 ~~put that out. It took 35 years.~~

25 ~~So I think that's the same thing we have to do~~

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1 ~~cow, you know, what is that cow going to be drinking?~~

2 ~~It a trickle effect.~~

3 ~~What is our corn going to be like? We're not~~
4 ~~going to have it. Public health? Our tunnels will~~
5 ~~cause increase in contamination. Discharge will happen~~
6 ~~in our wells and millions -- we all have wells. It's~~
7 ~~going to be terrible.~~

8 ~~MS. RICHARDS: I was up here earlier and I~~
9 ~~posed a question to you and I will repeat the question.~~
10 ~~Is there anything that anyone here can say that will~~
11 ~~change the course of the mission? There's nothing I can~~
12 ~~say that's going to improve on anything that these~~
13 ~~people have said.~~

14 ~~I learned a tremendous amount of information~~
15 ~~tonight. I hope you did, too. And I hope you take the~~
16 ~~information. I hope you evaluate the information. And~~
17 ~~I hope you really, really use the information and do not~~
18 ~~let the person that signed your paycheck influence your~~
19 ~~decision. Thank you.~~

20 ~~MS. BARBIERI: I need to call the next couple~~
21 ~~of folks up. Captain Frank Morgan and Paul Seger. And~~
22 ~~are there any other cards that I've missed?~~

23 CAPTAIN MORGAN: Hello. I'm Frank Morgan.
24 You know, there's a lot in the name of a project, a
25 conveyance project. To me, conveyance means to take

1 something from here and move it over there. It doesn't
2 create anything new. It doesn't make any more water.
3 It moves it from point A to point B.

4 Now, I've been involved in this fight for a
5 long time, and part of the theory they use with the twin
6 tunnels was the big gulp, little sip theory. The big
7 gulp, little sip theory was that, when there's plentiful
8 snow melt and runoff and lots of rain, they're going to
9 take a big gulp through those tunnels and take a lot of
10 water and pump it down south, but when things are not so
11 good and maybe there's a drought, they're going to take
12 a little sip of that water.

13 Now, does anybody believe that? I mean, when
14 you need the water the most because there's a drought,
15 you're going to turn off the spigot. I mean, think
16 about that? I'm not the sharpest bulb in the drawer,
17 but I can figure out that that ain't going to happen.

18 So I'd like to hear about alternatives.
19 Myself, I like the desalination alternative. Look at
20 the cell phone. When you first had a cell phone, that
21 thing was a dollar a minute to talk on the cell phone
22 and it was a brick you carried with a wheel barrel
23 behind you.

24 Through economics of scale, you now talk all
25 day long for the whole month and it's 24 bucks, and you

1 have a little computer in your pocket. You can do
2 desalination plans all down the coast of California,
3 stick the straw in the ocean. Two-thirds of the planet
4 earth is covered with water. They say about 97-98
5 percent of that is salt water.

6 If you did desalination, that's not a
7 reconveyance. That's an additional water supply to the
8 problem. In fact, you'd probably get a gold medal for
9 washing down your driveway because you're going to help
10 fight sea level rise. Thinking about that.

11 Everybody wash their cars, wash their
12 driveways down, and everybody is clapping for them to do
13 it because they're saving the planet at the same time.
14 Doesn't that sound like something that's a permanent fix
15 into the future rather than a conveyance.

16 So what I'd like to do is, the next time I
17 come to a meeting, I want to come to an alternative
18 meeting, ones for desalination. Why is there never any
19 effort into any of those plans?

20 So I have some advice for Mr. Newsom. It's
21 not only, No tunnel." It's, "Hell no tunnel."

22 (Major applause in the room.)

23 ~~MR. SEGER: Good evening. Thank you for the~~
24 ~~opportunity to speak to you tonight.~~

25 ~~MS. BARBIERI: What is your name?~~

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FEBRUARY 20, 2020

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FILE NO.: AE00EC5

1 ~~quality or evenly distributed.~~

2 ~~I took a course in oceanography, which~~
3 ~~included half a semester of the Delta as part of the~~
4 ~~deal in order to find out in early '70s what the Delta~~
5 ~~Canal was all about.~~

6 ~~And the bottom line of that tutorial was that,~~
7 ~~it wasn't such a bad idea. The problem with it is, we~~
8 ~~knew that they'd never turn the damn thing off so~~
9 ~~everybody voted to not fund the Delta, the Peripheral~~
10 ~~Canal. Do not think that your tunnels are a better~~
11 ~~solution. It is the -- as bad as the canal was, the~~
12 ~~tunnels are 100 times worse.~~

13 MS. OLNER: My name is Kristin Olnier. I made
14 my trip out her from Walnut Creek tonight to make sure
15 that I had a chance just to say that a few things have
16 come to mind lately that make me think this whole thing
17 needs to be rethought.

18 I recently listened to a podcast with a client
19 who's a scientist. His name is Joe Rome (phonetic) and
20 he has a new book out on climate change. I listened to
21 it. In -- in these days of facts and alternative facts,
22 I tend to go into things with an open mind, and I went
23 in with an open mind, and I was convinced that the
24 rising sea levels are coming and that anything that we
25 thought previously needs to be rethought, and the

1 selenium levels of the Delta, I just don't want to live
2 in an area with a dead Delta.

3 I also, then, was, of course, gobbling up
4 everything I could yesterday about what our federal
5 government was doing down in Bakersfield yesterday, and
6 the amount of water that they're trying to force down
7 there at the behest of large agricultural interest that
8 have a lot of money to make their opinions heard.

9 I wanted to make sure that my opinion was
10 here. I don't know a lot about the Delta. I grew up in
11 Southern California. Moved up to San Francisco State,
12 studied Political Science to try to and get involved
13 with swaying environmental policy. I've only done it on
14 a very personal level since then.

15 Moved from San Francisco to Oakley to Walnut
16 Creek. Have consistently rode in the Delta, and I just
17 believe there's a lot of agricultural interests and a
18 recreational interest and a lot of cultural history and
19 a lot of environment adjustments that need to be
20 considered as much as the agricultural interest that the
21 interior secretary was representing in Bakersfield
22 yesterday.

23 ~~MR. PYKE: Richard Pyke from Bethel island.~~
24 ~~There's old adage, The older one becomes, the more~~
25 ~~cynical one gets.~~

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1 get a cost overwrite? Who's stuck for that? Are we
2 stuck for that? They're going to get the project
3 halfway done like they did on any other project we have
4 in California, they're going to say, We need more money.
5 So then they're not going to pay for it.
6 They've already said they're going to pay for it with
7 this X amount of dollars. Who's going to pay for that
8 money? The taxpayers. The taxpayers get stung on this.
9 We're computing -- we're sending our money,
10 our taxpayers to devastate our community, which is not
11 what we want to do. We want to desalinate in Los
12 Angeles like they did in San Diego. San Diego was part
13 of this system to take the water and they desalinated
14 and they don't have a problem. They're out of the whole
15 WaterFix problem. That's just an excuse for somebody to
16 take the water and give it to another community, which
17 is against law.

18 MS. BARBIERI: Thank you. The next speaker --
19 I should have called before and I didn't, I'm sorry --
20 is Linda Ormonde, Patricia Ziobro and Clare Rickard. If
21 you could come up, and I'm sorry if I'm mispronouncing
22 your name. Please correct me.

23 Linda?

24 MS. ORMONDE: My name is Linda Ormonde. I
25 live on Roberts Island. It's a little north of downtown

1 Holt, and the house I live in is actually probably on
2 the -- on top of the eastern route. Because I've been
3 notified many times over the years with these EIRs and
4 all this other stuff that we want to come and drill. We
5 want to come and look and do whatever, but we don't let
6 them do that.

7 Anyway, I'm not going to fixate on some of the
8 other things that are obvious. The one obvious thing
9 that I heard tonight is, we're only going to pump water
10 when there's, like, the high water events, or something
11 like that. That's, like, not efficient management of
12 your facilities. And if you're pumping in the high
13 water events, and I don't know if that's true, what you
14 said, they don't like high turbidity water to go
15 anywhere.

16 And then the other thing is they've been
17 working on trying to do something like this for how many
18 years? It's almost been, what, 50 years since the
19 original peripheral tunnel, before I-5, because that's
20 what all of those big holes are, like, along I-5 over
21 there by Walnut Grove.

22 There's these things where they took the dirt
23 to go and build that, so it's been a long time that
24 they've been trying to do this, but it's never been
25 feasible and nobody wants it. I don't know how many

1 people in this room want it.

2 So you have these scoping meetings and
3 nobody -- everybody that comes to the scoping meetings
4 makes sure that they come. But why isn't the people
5 that want it here at a scoping meeting? Are you going
6 to go to LA and do a scoping meeting?

7 MS. BARBIERI: We did.

8 MS. ORMONDE: You did? Did they want it? Did
9 everybody get up wanting it?

10 MS. BARBIERI: There are eight total scoping
11 meetings, and --

12 MS. ORMONDE: How many people showed up at
13 the one down there? I shouldn't ask you the questions.

14 MS. BARBIERI: You got it.

15 MS. ORMONDE: Anyway. The other thing about
16 this is, they try and intertwine the whole thing with,
17 Yeah, we're going to repair the floodplain, and we're
18 going to revive the species, and build new levees and
19 maintain -- no. You're just going to spend our money
20 for a pike that you're only going to use part of the
21 time.

22 ~~MS. ZIOBRO: Hi. My name is Patricia Ziobro.~~
23 ~~I live in Bethel Island with my husband. We've been~~
24 ~~residents here for over 20 years.~~

25 ~~You've been hearing the concerns of the Delta~~

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1 ~~gotten in all of this time about where we develop? How~~
2 ~~we develop? And how does this project fit into any of~~
3 ~~that? That's all I had in my mind at this point.~~

4 ~~MS. BARBIERI: Okay. Thank you very much.~~

5 MR. QUALLS: My name is Ray Qualls. I live in
6 Discovery Bay. I have a question first. You mentioned
7 you studied alternatives for that, but I haven't heard
8 one mentioned for this canal. So I'd like to hear some
9 alternatives.

10 And I'm going to be a little bit cynical. We,
11 as taxpayers, have spent millions and millions of
12 dollars on this nonsense over the years. Everything you
13 have learned, you can put six guys in a boat going up
14 and down this Delta and the river, and so forth, and
15 talk to the people who live along the water, that fish
16 along the water. We get fisherman all over the United
17 States here.

18 You can find out everything you need to know
19 of what's going to happen to our Delta. It's going to
20 deteriorate. It's been deteriorating for years and it's
21 going to get worse because more water is going to keep
22 coming down that river. It's going to get taken out and
23 shipped somewhere else.

24 Now, we love the people who live in
25 Discovery -- in Southern California, but we didn't take

1 them to be raised, I'm sorry. We need our water and
2 it's not going to help them that much and it's going to
3 hurt us greatly.

4 ~~MS. BARBIERI: Jerry Creech. And the next is~~
~~5 Steve Starratt. Before you come up, or before you~~
~~6 start, the next here is Kevin Romick, Tim McCabe and~~
~~7 James Cox.~~

~~8 MR. STARRATT: Steve Starratt. Lives in~~
~~9 Discovery Bay. This is never going to get fixed until~~
~~10 we stop this fallacy that this has anything to do with~~
~~11 the environment or saving the Delta. This is about one~~
~~12 thing, getting more water more visibly to the Department~~
~~13 of Water and Power in Southern California.~~

~~14 Everybody knows they have a long history of~~
~~15 draining lakes dry, turning them into desert wastelands,~~
~~16 and building dams that later collapse and kill people.~~
~~17 They don't care about the environment. They want the~~
~~18 water as cheaply as they can get it.~~

~~19 This plan -- none of these plans do anything~~
~~20 about increasing the supply of water. They just want to~~
~~21 take it before it gets to the Delta. Everybody knows,~~
~~22 also, that the left wing generals in Northern California~~
~~23 will never let another dam be built in -- at least in~~
~~24 all of our lifetimes.~~

~~25 So we will not gain any new fresh water. And~~

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1 ~~selenium levels of the Delta, I just don't want to live~~
2 ~~in an area with a dead Delta.~~

3 ~~I also, then, was, of course, gobbling up~~
4 ~~everything I could yesterday about what our federal~~
5 ~~government was doing down in Bakersfield yesterday, and~~
6 ~~the amount of water that they're trying to force down~~
7 ~~there at the behest of large agricultural interest that~~
8 ~~have a lot of money to make their opinions heard.~~

9 ~~I wanted to make sure that my opinion was~~
10 ~~here. I don't know a lot about the Delta. I grew up in~~
11 ~~Southern California. Moved up to San Francisco State,~~
12 ~~studied Political Science to try to and get involved~~
13 ~~with swaying environmental policy. I've only done it on~~
14 ~~a very personal level since then.~~

15 ~~Moved from San Francisco to Oakley to Walnut~~
16 ~~Creek. Have consistently rode in the Delta, and I just~~
17 ~~believe there's a lot of agricultural interests and a~~
18 ~~recreational interest and a lot of cultural history and~~
19 ~~a lot of environment adjustments that need to be~~
20 ~~considered as much as the agricultural interest that the~~
21 ~~interior secretary was representing in Bakersfield~~
22 ~~yesterday.~~

23 MR. PYKE: **Richard Pyke** from Bethel island.
24 There's old adage, The older one becomes, the more
25 cynical one gets.

1 Let's not fool ourselves here tonight. Who's
2 the main backer of this is the large agribusinesses in
3 the Central Valley, and the Central Valley Water
4 districts that are controlled by the agribusiness
5 leaders.

6 How do we know this? When Gavin Newsom was
7 running for governor in 2018, he received \$650,000 from
8 agribusiness community alongside \$116,000 from Lynda and
9 Stewart Resnick, who's one of the biggest agribusinesses
10 out there in Central Valley.

11 And California's economy is \$2.9 trillion.
12 Agriculture contributes 50 billion, less than 2 percent
13 of California's total economy. We are going to destroy
14 the Delta for a business that contributes less than 2
15 percent. This does not make any sense. Thank you.

16 ~~MS. SIGN: Good evening. My name is Carla~~
17 ~~Sign (phonetic). I'm a Discovery Bay resident. I've~~
18 ~~been born and raised on the Delta. We had a house~~
19 ~~growing up on Sherman Island, also on Bethel Island, so~~
20 ~~the Delta is very dear to me.~~

21 ~~I agree with everything everyone has said~~
22 ~~tonight, so I don't think I have much to add with the~~
23 ~~desalination and storage of water.~~

24 ~~But one thing I do want to ask more on your~~
25 ~~presentation. You said the purpose of these scoping~~

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1 ~~cow, you know, what is that cow going to be drinking?~~

2 ~~It a trickle effect.~~

3 ~~What is our corn going to be like? We're not~~

4 ~~going to have it. Public health? Our tunnels will~~

5 ~~cause increase in contamination. Discharge will happen~~

6 ~~in our wells and millions -- we all have wells. It's~~

7 ~~going to be terrible.~~

Keri
Richards

8 MS. **RICHARDS**: I was up here earlier and I
9 posed a question to you and I will repeat the question.

10 Is there anything that anyone here can say that will

11 change the course of the mission? There's nothing I can

12 say that's going to improve on anything that these

13 people have said.

14 I learned a tremendous amount of information

15 tonight. I hope you did, too. And I hope you take the

16 information. I hope you evaluate the information. And

17 I hope you really, really use the information and do not

18 let the person that signed your paycheck influence your

19 decision. Thank you.

20 ~~MS. BARBIERI: I need to call the next couple~~

21 ~~of folks up. Captain Frank Morgan and Paul Seger. And~~

22 ~~are there any other cards that I've missed?~~

23 ~~CAPTAIN MORGAN: Hello. I'm Frank Morgan.~~

24 ~~You know, there's a lot in the name of a project, a~~

25 ~~conveyance project. To me, conveyance means to take~~

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~~1 Looney. You can stand right there, and please proceed.~~

2 MS. RICKARD: Hi. I'm Clare Rickard, and I'm
3 a resident of Alameda. So the Mokelumne River is known
4 for its natural beauty. And this is kind of a success
5 story of river recovery. East Bay MUD, who is the -- my
6 municipal water district, has been working with the
7 California Department of Fish and Wildlife to bring back
8 Chinook salmon for years. And their multipronged
9 approach has been effective with favorable return of
10 salmon.

11 Not only that, they have managed to minimize
12 the impact of drought with river and scientific study of
13 the river. Their scientific analysis shows that the
14 tunnel will hurt the salmon, which will hurt the Bay and
15 our water quality.

16 It is so important not to give up our natural
17 resources to corporate interests when there's so many
18 better, less expensive, science-based ways to manage
19 water in California.

20 ~~MR. McCLEERY: I'm Mike McCleery. I'm a~~
~~21 resident of Discovery Bay, and I'm a lousy public~~
~~22 speaker. But here we are, again, still continuing on.~~
23 ~~It appears that the stated dual WaterFix is~~
24 ~~mitigate the impact of sea level rise. That tunnel is~~
25 ~~shipping all the water south. What happens to the~~

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1 ~~is Isleton from Walnut Grove? Not that far. And as~~
2 ~~soon as we get selenium on our \$5 billion valley that~~
3 ~~produces -- that feeds the world, we get down there,~~
4 ~~we're not going to be able to grow anything at all.~~
5 ~~So something really seriously to think about.~~
6 ~~If your guys want to do this, let's do it right. Let's~~
7 ~~get surface supplied water. You don't have to deal with~~
8 ~~the clams. Not to feel the food or anything like that.~~
9 ~~You could dump it on the east side of the Delta and you~~
10 ~~could get five, seven, ten million acre feet easy.~~
11 ~~But you guys want to do it this way, and it's~~
12 ~~going to destroy us. We're all going to be drinking~~
13 ~~salt water. Thank you.~~

14 MR. PYKE: My name is Robert Pyke, P-Y-K-E,
15 unlike fish which has an I in it. I'm the guy who
16 yelled out in the back of the room. I make no apology
17 for that. If the State of California sends people to a
18 public hearing, the public has an expectation that they
19 might know the history of what they're talking about.

20 If you don't know about the peripheral canal,
21 your masters, mistresses should not have sent you here.
22 I have certain professional qualifications that I'm not
23 going to go into because it would take me three minutes.

24 I have a question. It's a rhetorical
25 question. I don't know if you can answer it. If you'd

1 like to answer it, you're free to do so.

2 The question is, Do you know what the second
3 sentence of the co-equal goals description is in the
4 Delta Reform Act, which is state law. Law of the State
5 of California. That law defines co-equal goals, which
6 have already been referenced this evening. And it has a
7 second sentence, which DWR and others, MWD, who are
8 really the drivers behind this thing, not LA DWP,
9 conveniently ignored.

10 Would anyone like to have a shot at the second
11 sentence? I'll read it to you. Since ten years ago, I
12 could recite it by memory. "The co-equal goals could be
13 achieved in a manner that protects and enhances the
14 unique cultural, recreational, natural resource and
15 agricultural values of the Delta as an evolving place."

16 That should have been in your presentation. I
17 hope it is the next time you make a presentation on this
18 subject.

19 A quick funny little story. In early 2011 in
20 John Buchanan's office at the state capital, I met with
21 John Laird, then the Secretary of Natural Resources, to
22 explain an alternative that I and some of my colleagues
23 had come up with. He said that sounds like a great
24 idea, but you're 80 months too late. Now nine years
25 have passed, I hope it's still not too late to listen to

1 any new ideas or to listen to public input. Thank you.
2 ~~MR. MORAN: Hi. I'm Mike Moran, supervising~~
3 ~~naturalist at Big Break Visitors Center at the Delta~~
4 ~~over in Oakley, the Regional Park District. We do not~~
5 ~~take, as parks, how to stand on this issue, but what we~~
6 ~~do take a stand on is conveying as much information as~~
7 ~~we can. And one of the ways we do that is to have a~~
8 ~~visitor center. We'd like to invite you folks to all~~
9 ~~come over there. It's all about the Delta. Covers a~~
10 ~~lot of the very same information you folks have been~~
11 ~~talking about. Thank you very much for the opportunity~~
12 ~~tonight to share that.~~

13 ~~We have Saturday -- this coming Saturday~~
14 ~~morning we have a program we call Coffee Talk, where we~~
15 ~~just informally ask folks to come on out and chat about~~
16 ~~the issues of the day at the Delta. We make great~~
17 ~~coffee. We have great conversations. We normally have~~
18 ~~that on the first Wednesday morning of every month at~~
19 ~~8:30, but in the interest of the complexity and the~~
20 ~~density of the issues, we want to give those ample~~
21 ~~opportunity. What times don't work for you. We're~~
22 ~~opens for 10 to 4, Wednesday through Sunday, and the~~
23 ~~only reason we're there is to tell folks about the~~
24 ~~Delta, interpret it, and give them more (inaudible) so~~
25 ~~you can make informed decisions about the place that~~

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1 we're going to go through droughts, like we're starting
2 to do again here. Saudi Arabia, Dubai, in many
3 communities in Australia who have no fresh water at all
4 use desalination. And until we stop wasting our money
5 on these silly plans of tunnels and getting the water to
6 DWP and just start building desalination plants, we will
7 never solve the problem.

8 What do you do if you build a tunnel and we
9 have a drought and Lake Oroville is dry and Folsom Lake
10 is dry, and Shasta is dry? Now what do you do? You
11 took all the water and sent it to Southern California
12 and the Delta is a salt water marsh land.

13 So we have to stop this ridiculous plan of
14 moving water from one part of the state to another and
15 use the water that we have. The Pacific Ocean can solve
16 the problem. DWP doesn't want to spend the money. It's
17 cheaper for them to take the water from up here.

18 So, you know, that's my two cents. We have to
19 stop this and just put an end to it. There's no
20 environmental problems if we let the water flow through
21 the Delta. Build desalination plants and stop the water
22 at the Tehachapi Mountains.

23 MR. ROMICK: That's a tough one to follow. My
24 name is Kevin Romick. I'm the mayor of Oakley. There
25 was a time in this state when big projects fulfilled big

1 dreams and provided big benefits, but those espoused by
2 former Governor Brown are soft on benefits, big on costs
3 and fulfilled the dreams of a select few.

4 It's time to leave the legacy of Jerry Brown
5 and his big projects behind us. The long-term benefits
6 of the project, especially when compared with the rest,
7 are sketchy. Those risks for me as a mayor of a
8 community on the Delta include the loss of significant
9 dollars associated with the adverse economic impact on
10 marina, fishing, tourism, farming and a host of other
11 related activities.

12 What will this single tunnel ultimately cost?
13 Currently, it's like a Mars -- a rocket to Mars, it
14 widens constantly. Who will pay for it? It's my
15 understanding that many of the water agencies south of
16 the Delta are balking at the price tag. Ultimately,
17 with the project will be a burden -- will burden
18 Californians with an enormous financial commitment
19 without guaranteeing any additional water for
20 agriculture or urban areas.

21 The dream of tomorrow and the Delta depends on
22 fresh water flows from the Sacramento River. Without it
23 the negative impacts for many include the salinity
24 intrusion, which will further impact the western Delta
25 farms. Increase growth of harmful algae blooms and

1 creates an environment that fosters the spread invasive
2 aquatic species, just to name a few.

3 We are a state of unintended consequences too
4 often moving forward on ill-conceived ideas, only to
5 discover, when completed, that they yield undesired
6 results. The WaterFix or this project by another name
7 is a relic of the past and should be abandoned in
8 favor of the plethora of ideas that are available that
9 are less costly and more environmentally in tune with
10 the needs of the Delta today. Thank you.

11 ~~MR. COX: I'm James Cox. I am a retired~~
12 ~~charter boat captain. I'm also president of the~~
13 ~~California Striped Bass Association and an Antioch~~
14 ~~resident. The law that passed that started all of this~~
15 ~~had twin goals. Co-equal goals of improvement of water~~
16 ~~system but restoring the habitat of the Delta.~~

17 ~~Where is the habitat restoration? I've yet to~~
18 ~~see word one about that, and that is why the previous~~
19 ~~plan was not approved by the Delta Stewardship Council.~~
20 ~~When will we see something about habitat in all of this?~~

21 ~~Also, when the law was passed, there were a~~
22 ~~lot of plans offered to have less reliance on Delta~~
23 ~~water. This plan does not have less reliance of Delta~~
24 ~~water. If anything, it's more reliant on Delta water.~~
25 ~~There were many plans that had alternatives to pumping~~

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FEBRUARY 20, 2020

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FILE NO.: AE00EC5

1 MR. SEGER: My name is Paul Seger. I live in
2 Oakley. I was preaching with the twin tunnels project
3 that, once again, we're putting the cart before the
4 horse. What we need to do is look at the possibility
5 of -- actually, of mandating water rates structures that
6 create conservation at a level that is unheard of, that
7 is absolutely necessary in order for us to maintain a
8 sustainable water culture in the State of California.

9 There are many other projects that can work
10 along with to keep people being able to consume average
11 to medium amounts of water that allow them to live
12 healthy constructive lives, but we need to tighten our
13 belts. We need to reach down and do a comprehensive
14 study regarding setting a tiered rate structure that
15 incentivizes the conservation of water at all levels.
16 Not only urban water level but also agricultural uses.

17 And I'm sure that we will speak to you again.
18 So thank you for your time.

19 ~~MS. BARBIERI: Thank you. We have a little~~
20 ~~bit more time. Is there anyone who would like to speak~~
21 ~~again? Can I get a show of hands of anyone else who~~
22 ~~would like to talk?~~

23 ~~What I would like to suggest is that you cue~~
24 ~~up here. We've got four or five or six. Another three~~
25 ~~minutes, Mr. Lively?~~

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1 ~~Let's not fool ourselves here tonight. Who's~~
2 ~~the main backer of this is the large agribusinesses in~~
3 ~~the Central Valley, and the Central Valley Water~~
4 ~~districts that are controlled by the agribusiness~~
5 ~~leaders.~~

6 ~~How do we know this? When Gavin Newsom was~~
7 ~~running for governor in 2018, he received \$650,000 from~~
8 ~~agribusiness community alongside \$116,000 from Lynda and~~
9 ~~Stewart Resnick, who's one of the biggest agribusinesses~~
10 ~~out there in Central Valley.~~

11 ~~And California's economy is \$2.9 trillion.~~
12 ~~Agriculture contributes 50 billion, less than 2 percent~~
13 ~~of California's total economy. We are going to destroy~~
14 ~~the Delta for a business that contributes less than 2~~
15 ~~percent. This does not make any sense. Thank you.~~

16 MS. SIGN: Good evening. My name is Carla
17 Sign (phonetic). I'm a Discovery Bay resident. I've
18 been born and raised on the Delta. We had a house
19 growing up on Sherman Island, also on Bethel Island, so
20 the Delta is very dear to me.

21 I agree with everything everyone has said
22 tonight, so I don't think I have much to add with the
23 desalination and storage of water.

24 But one thing I do want to ask more on your
25 presentation. You said the purpose of these scoping

1 meetings is to take the facts to your stakeholders to
2 make a decision whether you're moving forward or not or
3 whether you're going to revisit an alternative. Who are
4 your stakeholders?

5 MS. BARBIERI: So it's the Department of Water
6 Resources, is the lead agency under CEQA, and the
7 scoping meeting, scoping period, is one part of the
8 CEQA, California Environmental Quality Act, process. So
9 it's Department of Water Resources is the lead agency.

10 MS. SIGN: So is that the stakeholders? Who
11 are the stakeholders?

12 MS. BARBIERI: So there are the state water
13 contractors who are contractors to the State Water
14 Project.

15 MS. SIGN: And who are those state water
16 contractors?

17 MS. BARBIERI: I don't have the list in my
18 head. There's 27 of them.

19 MS. BUCKMAN: So just really quickly to go
20 back. I believe what I said was, that we are taking
21 this information back to prepare it for decision-makers,
22 so the stakeholders, which are really, I believe,
23 helping contribute to information that will be in the
24 CEQA documents, but the decision makers will be the ones
25 making the decisions, and the decisions will come from

1 (inaudible) versus -- based on the watering commission.

2 MS. SIGN: So can I rephrase my question?

3 MS. BUCKMAN: Sure.

4 MS. SIGN: Who are the decision-makers?

5 MS. BUCKMAN: The governor will eventually
6 decide on the alternatives, but the decision will be
7 made by the Department Water Resources.

8 MS. SIGN: Thank you.

9 ~~RICHARD: My name is Richard, that's good~~
10 ~~enough. I've been to a lot of these water meetings,~~
11 ~~from the -- one of the first ones was actually in~~
12 ~~Brentwood. From the get-go in all these water meetings,~~
13 ~~from the first on, and it all started with some doctor~~
14 ~~from the Blue Ribbon Task Force who said you can't~~
15 ~~manage the Delta as a fresh water Marsh. You manage it~~
16 ~~as a salt water marsh, and that's where it all started.~~
17 ~~But I've been to all of these meetings, and~~
18 ~~the stakeholders are LA Power and Water, Westland Water~~
19 ~~District. Those are the two main guys. And they are~~
20 ~~all -- LA Power and Water said they were going to pay~~
21 ~~for the aboveground canal at the very first meeting.~~
22 ~~Did that ever happen? No. Are we going to~~
23 ~~get to vote on this again? No. Nobody in the Delta.~~
24 ~~Nobody in Northern California ever gets to vote on these~~
25 ~~things. They eliminated everybody. That's said and~~

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1 ~~them to be raised, I'm sorry. We need our water and~~
2 ~~it's not going to help them that much and it's going to~~
3 ~~hurt us greatly.~~

4 ~~MS. BARBIERI: Jerry Creech. And the next is~~
5 ~~Steve Starratt. Before you come up, or before you~~
6 ~~start, the next here is Kevin Romick, Tim McCabe and~~
7 ~~James Cox.~~

8 MR. STARRATT: Steve Starratt. Lives in
9 Discovery Bay. This is never going to get fixed until
10 we stop this fallacy that this has anything to do with
11 the environment or saving the Delta. This is about one
12 thing, getting more water more visibly to the Department
13 of Water and Power in Southern California.

14 Everybody knows they have a long history of
15 draining lakes dry, turning them into desert wastelands,
16 and building dams that later collapse and kill people.
17 They don't care about the environment. They want the
18 water as cheaply as they can get it.

19 This plan -- none of these plans do anything
20 about increasing the supply of water. They just want to
21 take it before it gets to the Delta. Everybody knows,
22 also, that the left wing generals in Northern California
23 will never let another dam be built in -- at least in
24 all of our lifetimes.

25 So we will not gain any new fresh water. And

1 we're going to go through droughts, like we're starting
2 to do again here. Saudi Arabia, Dubai, in many
3 communities in Australia who have no fresh water at all
4 use desalination. And until we stop wasting our money
5 on these silly plans of tunnels and getting the water to
6 DWP and just start building desalination plants, we will
7 never solve the problem.

8 What do you do if you build a tunnel and we
9 have a drought and Lake Oroville is dry and Folsom Lake
10 is dry, and Shasta is dry? Now what do you do? You
11 took all the water and sent it to Southern California
12 and the Delta is a salt water marsh land.

13 So we have to stop this ridiculous plan of
14 moving water from one part of the state to another and
15 use the water that we have. The Pacific Ocean can solve
16 the problem. DWP doesn't want to spend the money. It's
17 cheaper for them to take the water from up here.

18 So, you know, that's my two cents. We have to
19 stop this and just put an end to it. There's no
20 environmental problems if we let the water flow through
21 the Delta. Build desalination plants and stop the water
22 at the Tehachapi Mountains.

23 ~~MR. ROMICK: That's a tough one to follow. My~~
24 ~~name is Kevin Romick. I'm the mayor of Oakley. There~~
25 ~~was a time in this state when big projects fulfilled big~~

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1 ~~potential safe investment in restoring and strengthening~~
2 ~~existing Delta levees and infrastructures. This, along~~
3 ~~with increasing fresh water flows in the Delta, is a~~
4 ~~less environmentally destructive and less costly option~~
5 ~~that meets the state's objective of mitigating damage~~
6 ~~from seismic activity and impacts from salt water~~
7 ~~intrusion. Thank you.~~

8 MR. COMBS: I'm Todd Combs from Discovery Bay.
9 One of the things that I've personally encountered while
10 boating last summer was pulling a wakeboarder down the
11 Old River section, and after that wakeboarder fell, we
12 noticed that we were floating as the current went
13 towards the Bay.

14 We reversed direction and went down towards
15 the Bay, and the wakeboarder dropped again. It fell
16 back in the water, we stopped the boat, when all of
17 sudden something strange happened. The current was now
18 taking us the opposite direction. The water was going
19 like this (indicating), and I realized, Why was that
20 happening?

21 Oh, guess what? Guess what that inlet is to
22 pump down to Southern California. So if you've got
23 water flowing in two different directions, you cannot
24 tell me that that does not impact our environment.

25 ~~MS. COMBS: Hi. My name is Lisa Combs, and~~

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1 ~~lived in the Delta my long life. I am a past Commodore~~
2 ~~of Sportsman Yacht Club, a former Delta Redemption~~
3 ~~Commissioner in charge of recreation.~~

4 ~~The tunnel will send an undetermined amount of~~
5 ~~water that will kill water sports, and water sports~~
6 ~~create a large economic amount of money to this area.~~

7 ~~I just have one question/statement. And it's,~~
8 ~~I've been looking all over, because at another meeting~~
9 ~~that I attended there was going to be a universal boat~~
10 ~~trailer built that would move boats from blocked~~
11 ~~waterways, and I just can't find that.~~

12 ~~And one more thing, this is like Colombo here,~~
13 ~~this is the book you should read and take a trip on the~~
14 ~~Delta. Thank you.~~

15 MR. VARGAS: I'm Vince Vargas. I'm a native
16 son, not only of California but Contra Costa County. I
17 was born here almost 85 years ago. I have lived in
18 Contra Costa County and the Bay Area my entire life.
19 I've lived through a lot of Pat Brown's/Jerry Brown's
20 escapades and their wanting to have something to be
21 remembered by.

22 All I can say is, I can't speak to the
23 scientific part or -- but I should can talk about to
24 what hits the taxpayers and the State of California's
25 inability to manage projects.

1 You remember the Brown brothers east span of
2 the Bay Bridge. The Brown brothers, Jerry Brown and
3 Willy Brown, argued over the esthetic appearance of that
4 bridge. It was how many years late and how many
5 billions over budget?

6 With all kind of issues regarding the quality.
7 Was it even going to stand up? Rusty bolts that were
8 specially made. I don't think the state can manage
9 itself out of a hole, to tell you the truth.

10 Look at the train to nowhere. Jerry Brown's
11 pipe dream. I don't know what we smoked when he went to
12 University -- Santa Clara University and to the
13 Monastery in Los Gatos, but he's not reasonable. Look
14 where that is cost-wise? Who's paying for all of that?
15 Billions of dollars piddled down the tube.

16 I think you have project where it's a hole
17 that you don't even know bottom of it yet. And there
18 are alternatives. I almost wish that Al Gore was here
19 tonight and he can talk to us about rising sea levels.
20 And we can talk about rising sea levels and using ways
21 to convert that to fresh water.

22 We have an abundance of shoreline. We have a
23 Bay Area that has salt in it. Where are these
24 alternatives? You people are just out for another
25 engineering project. I've dealt with engineers a whole

1 lot of my life and engineers are always hunting for a
2 new challenging project. I think you guys are in that
3 same boat. Thank you.

4 ~~MS. BARBIERI: I'm going to call the next~~
5 ~~three. Todd Combs, Lisa Combs, and Keri Richards.~~

6 ~~MS. CULTON: Hello again. Molly Culton,~~
7 ~~Sierra Club California. We object to both alignments of~~
8 ~~the proposed project. The central alignment will~~
9 ~~decimate natural habitats for wildlife and land that~~
10 ~~have provided quality farming and livelihood for Delta~~
11 ~~communities for decades. And the eastern alignment~~
12 ~~provides a significant number of increased vermin impact~~
13 ~~for all Delta residents. Especially those living near~~
14 ~~the Port of Stockton.~~

15 ~~Both alignments will worsen the earth quality,~~
16 ~~increase pollution in Delta communities and provide no~~
17 ~~benefits for anyone other than the large farming~~
18 ~~operations south of the Delta.~~

19 ~~So we ask that the EIR thoroughly consider a~~
20 ~~no tunnel alternative that analyzes the state's use of~~
21 ~~an investment in local programs and projects relating to~~
22 ~~water conservation and efficiency measures, along with~~
23 ~~others that achieve the same water reliability goals,~~
24 ~~and expend less energy as the proposed project.~~

25 ~~Moreover, this analysis should include~~

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1 ~~sacrificed, and those islands can be flooded for habitat,~~
2 ~~and also as a barrier to salt water intrusion.~~

3 ~~And you weren't telling the truth when you~~
4 ~~said decisions weren't made. The notice of preparation~~
5 ~~defines the range of alternatives. It's been written to~~
6 ~~exclude everything except Delta Conveyance.~~

7 ~~So the major decisions have been made before~~
8 ~~you go to these scoping meetings, but we're going to~~
9 ~~insist that you study non-tunnel alternatives.~~

10 ~~MS. BARBIERI: Thank you. Robert Pyke, Mike~~
11 ~~Moran and Dan Lively, the next three.~~

12 ~~Please proceed.~~

13 MR. WILLIS: My name's Jerry Willis. I want
14 let you know that you guys spent \$2 billion on this
15 report. That's what Jerry Brown said two years ago.
16 \$2 billion. That could have built us a dam, certainly
17 supplied water.

18 What I'd like to see happen here in the Delta,
19 I'm sure all my friends will agree with me, we'd like to
20 see the crosscut channel shut off completely. Then what
21 we want to do is to turn around, build dams for cheaper
22 electricity, entertainment for resorts and stuff. Plus
23 we could produce 5 to 9 billion acre feet a year and
24 dump it on the east side of the Delta without dragging
25 the water from the west side to the east side. That's

1 what's causing us all of our problems with the fishing
2 over there.

3 And, again -- excuse me -- again, you guys are
4 going to have problems with Corbicula fluminea clams.
5 That forebays that you guys put forth, the California
6 Aqueduct has one in front of it. It's cleaned out every
7 ten years. That's with peat moss, which is what our
8 Delta is made of, and clams. Not counting the Shad, the
9 shrimp and the minnows and the food for the fish.

10 What we'd like to see, us Northern
11 Californians, to see that crosscut channel shut down.
12 Build the dams that we need for surface-supplied water
13 so that we can't feed LA. We can't feed San Diego. But
14 this plan is not going to work. We're going to have
15 more damage in Sacramento then we already have now.
16 Okay. We have an 11 foot -- 11,000 cubic foot reverse
17 flow right now in the Delta.

18 We have the Delta Mendota Canal that pumps
19 4,500 cubic foot per second. We have the California
20 Aqueduct that pumps 6,500 cubic foot per second. If you
21 put this up by Sacramento, it's going to be terrible for
22 us. We're going to have to buy more body bags for more
23 people. So just be aware of that. That's the reason
24 why we need it shut down, that crosscut channel. Now,
25 selenium has been, in 1978, as high as Isleton. How far

1 is Isleton from Walnut Grove? Not that far. And as
2 soon as we get selenium on our \$5 billion valley that
3 produces -- that feeds the world, we get down there,
4 we're not going to be able to grow anything at all.

5 So something really seriously to think about.
6 If your guys want to do this, let's do it right. Let's
7 get surface supplied water. You don't have to deal with
8 the clams. Not to feel the food or anything like that.
9 You could dump it on the east side of the Delta and you
10 could get five, seven, ten-million acre feet easy.

11 But you guys want to do it this way, and it's
12 going to destroy us. We're all going to be drinking
13 salt water. Thank you.

14 ~~MR. PYKE: My name is Robert Pyke, P-Y-K-E,~~
15 ~~unlike fish which has an I in it. I'm the guy who~~
16 ~~yelled out in the back of the room. I make no apology~~
17 ~~for that. If the State of California sends people to a~~
18 ~~public hearing, the public has an expectation that they~~
19 ~~might know the history of what they're talking about.~~

20 ~~If you don't know about the peripheral canal,~~
21 ~~your masters, mistresses should not have sent you here.~~
22 ~~I have certain professional qualifications that I'm not~~
23 ~~going to go into because it would take me three minutes.~~

24 ~~I have a question. It's a rhetorical~~
25 ~~question. I don't know if you can answer it. If you'd~~

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1 ~~people in this room want it.~~

2 ~~So you have these scoping meetings and~~
3 ~~nobody -- everybody that comes to the scoping meetings~~
4 ~~makes sure that they come. But why isn't the people~~
5 ~~that want it here at a scoping meeting? Are you going~~
6 ~~to go to LA and do a scoping meeting?~~

7 ~~MS. BARBIERI: We did.~~

8 ~~MS. ORMONDE: You did? Did they want it? Did~~
9 ~~everybody get up wanting it?~~

10 ~~MS. BARBIERI: There are eight total scoping~~
11 ~~meetings, and --~~

12 ~~MS. ORMONDE: How many people showed up at~~
13 ~~the one down there? I shouldn't ask you the questions.~~

14 ~~MS. BARBIERI: You got it.~~

15 ~~MS. ORMONDE: Anyway. The other thing about~~
16 ~~this is, they try and intertwine the whole thing with,~~
17 ~~Yeah, we're going to repair the floodplain, and we're~~
18 ~~going to revive the species, and build new levees and~~
19 ~~maintain -- no. You're just going to spend our money~~
20 ~~for a pike that you're only going to use part of the~~
21 ~~time.~~

22 MS. ZIOBRO: Hi. My name is Patricia Ziobro.
23 I live in Bethel Island with my husband. We've been
24 residents here for over 20 years.

25 You've been hearing the concerns of the Delta

1 residents from the days of proposals for a tunnel, the
2 peripheral canal, the dual tunnels, now single
3 conveyance project. We continue to emphasize the
4 prospect of unknown damage to the environment, both,
5 during the construction and after the construction.
6 Just unknowns to come.

7 You've heard about the adverse impact to
8 residents. To sports enthusiasts, which we are, in
9 addition to residents. And Delta businesses due to the
10 toxins that will come to our waters, increased algae
11 growth in stagnant waters, damage to salmon runs and
12 other species with reversed flows, and impact on the
13 drinking water supplies of many of our communities,
14 including mine.

15 Yet, despite these adverse impacts, the
16 proposed system is still dependent on rainwater and snow
17 in the mountains. Why not look to a permanent solution
18 to this problem? A real fix to the state's water needs.
19 Desalination is a permanent fix which doesn't depend on
20 how much water we get from rainfall next week, next
21 month or next year. That makes a lot of sense to me,
22 and I hope to the others in this room and on your panel.
23 Thank you.

24 ~~MS. BARBIERI: I'm going to call the next~~
25 ~~three up. Mike McCleery, Jan McCleery and Mariah~~

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FILE NO.: AE00EC5

From: [Jeffrey Michael](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: comments
Date: Friday, April 17, 2020 4:48:35 PM
Attachments: [delta tunnel NOP comments jmichael 04172020.pdf](#)

Attached are my scoping comments on the Delta conveyance project.

Dr. Jeffrey Michael
Executive Director, Center for Business and Policy Research
Professor of Public Policy
Eberhardt School of Business and McGeorge School of Law
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Comments of Dr. Jeffrey Michael

Professor of Public Policy
Executive Director of the Center for Business and Policy Research
University of the Pacific

April 17, 2020

My comments focus on two critical areas where DWR appears to be repeating their mistakes of their past despite the Newsom administration's stated intention of taking a fresh approach: 1) postponing financial feasibility and benefit-cost analysis to the end instead of the beginning, and 2) ignoring known alternatives with higher and more broadly distributed benefits and likely lower costs.

Point 1: Finance drives operational and sizing decisions, and thus must be considered up-front.

This is hardly a controversial point for water infrastructure planning. Feasibility studies, which include financial plans informed by benefit-cost analysis at their core, are typically conducted in tandem with environmental impact reports for water infrastructure. This is common sense as financial considerations have important consequences for project design, sizing and how infrastructure is operated. If financial feasibility analysis and environmental impact analysis are not done together in an integrated fashion, it is the EIR that should follow after feasibility, because the EIR guidelines frequently refer to feasibility as a factor in the development and consideration of alternatives. DWR itself has stated this principle,

“The most efficient way to prepare environmental documentation may be to initiate the process in the second half of the feasibility study process or immediately after the feasibility study is completed, when alternatives are clearly formulated and analyses and adequate information are available to informatively discuss the project and its impact and benefits to the stakeholders.”(Guidance for a state-led feasibility study, page 26)

However, DWR appears to be doing it backwards for the single-tunnel plan and risks repeating the mistakes of the WaterFix experience. The notice of preparation for single-tunnel delta conveyance doesn't mention that it will be doing feasibility or economic analysis, and in an accompanying FAQ document states that it will do this analysis after a preferred alternative has been selected.

“There will be a cost estimate, as well as both a Benefit-Cost Analysis and a Financial Analysis, developed during the planning process. At this point, the NOP is a start of the environmental review, which focuses on the relative environmental impacts rather than economic issues. Cost analyses will come later in the process, after a preferred alternative has been selected” (Delta conveyance NOP Q&A question 17, page 4)

Besides being in conflict with DWR's own description of best practices, what's wrong with doing with putting economics and finance at the end? The most obvious problem is that stakeholders and agencies, both proponents and opponents of the project, can waste enormous amounts of money and time analyzing an infeasible project. Another problem is that rushed last minute project changes can occur when financial problems finally emerge that do not receive adequate scrutiny. We certainly saw both of these problems with the twin-tunnel WaterFix.

Another serious problem with this backwards approach is that it makes it easy for a project proponent to make claims and promises to operate in an environmentally friendly way in a report, just to get environmental approval and permits to build it. Feasibility analysis can tell you whether those promises are likely to be kept, or whether the operation of a facility like the tunnel is likely to be changed later in response to financial needs as well as economic and political pressure. Like a politician who makes promises they won't keep while they are trying to get elected, DWR appears to be making environmental promises they can't keep to get their permit to build.

Point 2: Seismically improved levees and other alternatives must be considered.

As I write this, the lives of Californians have been drastically altered as a result of the Coronavirus emergency. In addition to Coronavirus, other emergencies like the Camp Fire that destroyed Paradise and the Oroville disaster have changed the state of California in profound ways. The impact of these recent events on California's shared values, the clear value the citizens of the state and its leadership place on saving lives in the face of an emergency, should influence the analysis of alternatives and EIR impacts. Strengthening the levee system must be considered as an alternative, both in combination with the single-tunnel and as a no-tunnel alternative.

This is especially true, because the primary justification given for the tunnel is to mitigate the effects of an enormous disaster, a massive earthquake induced flood that takes out 20-30 Delta islands without warning. DWR and others have been warning about this disaster since the mid-2000s, but it is rather shocking that the Department of Water Resources advocates a \$10+ billion water conveyance tunnel as the state's primary response to a disaster whose primary effect would be massive loss of life and economic devastation within the Delta itself – none of which would be mitigated by a tunnel. In contrast, seismic strengthening and resilience of the Delta levee system would save both water exports, and more importantly hundreds of lives and billions of dollars in economic loss that are not related to the water tunnels. In its response to Coronavirus and the Camp Fire, the state of California led by Governor Newsom has correctly placed first responsibility and the greatest level of concerns on preventing fatalities and protecting communities – not secondary economic effects- which is what a few months disruption of water exports would be in the face of the earthquake disaster. Just imagine the future outcome if the levee-destroying earthquake scenario actually occurred, even if DWR builds the tunnel. According to DWR's own analysis in the DRMS studies, a scenario that disrupted water exports without an alternative conveyance system would kill at least 100 people in the Delta and only 20% of the tens of billions in economic losses would be due to lost water exports from the CVP and SWP – most of the economic damage is in the Delta region itself. These in-Delta fatality and economic loss projections are very similar to the losses experienced in Paradise as a result of the Camp Fire. If we follow DWR's strategy and the disaster occurred, state leaders response would say that we were aware of this risk for decades and decided the best strategy was to let the people of the Delta die and communities get wiped away and instead spend billions of dollars to ensure that no lawn sprinkling restrictions were required in southern California and no farmers had to temporarily pump more groundwater to keep their fields irrigated.

The decision to ignore levees strengthening in the alternatives developed to protect from this disaster is unethical on its face, but it is made far worse by unethical actions taken by DWR under previous administrations to mislead the public and the legislature about levee strengthening as an alternative. In

fact, DWR identified seismic levee strengthening in a 2008 report to the legislature in response to AB 1200 as one of 3 promising alternatives to the issue of Delta levee risk – an action that in and of itself would seem to require seismically improved levees as an EIR alternative. Four years later, in response to a public records request for the 2007 consultants report, it became apparent that DWR had suppressed and altered their consultant’s report that had actually identified the seismic levee improvement strategy as having the highest economic benefits and lowest implementation costs for the state. In addition, after inspecting the suppressed 2007 DRMS 2 consultants report in 2011, it became clear that DWR staff had actually altered the results in its 2008 report to the legislature in response to AB 1200, and reversed the rankings of alternatives to put Delta isolated conveyance first and seismic levee improvements last when the researchers had actually given the state the opposite findings.

Specifically, the 2008 AB 1200 report stated that “These rankings were developed by DWR and DFG staff based on DRMS analyses, with adjustments based on the BDCP analyses.” Quantitative results from DRMS Phase 2 were not released until June 2011, and in the June 2011 report seismically improved levees had been removed from the strategies despite being identified as one of the three most promising strategies in the 2008 report to the legislature. Had DWR behaved ethically and presented the legislature with unaltered results of the DRMS Phase 2 analysis in 2008, rather than staff making “adjustments based on the BDCP”, the State’s risk reduction policy for the Delta may have taken a very different course. Today, the Department of Water Resources has the opportunity to correct this ethical error from its past under previous leadership, and properly consider seismic levee strengthening as an alternative in its single-tunnel analysis.

It is also worth pointing out a few benefits of a seismically-resilient levee system to water exporters compared to a single-tunnel.

- A single-tunnel only protects a portion of Delta exports in the earthquake scenario, whereas a resilient levee system protects 100% of Delta exports from the earthquake.
- Levee system improvements yield immediate benefits as each section of improvements is completed, whereas the tunnel does not have any value until the entire system is complete – a construction process expected to take decades.
- The costs of a seismically-resilient levee system are likely lower than a tunnel, and more importantly can be shared with the public and other entities because there are a broad array of beneficiaries.

Finally, it should be noted that a seismically-resilient levee system does not mean that every levee has to be earthquake proof, just that the system is resilient. Water exports are only significantly interrupted if over 20 levees fail in earlier DWR modeling. A system can still be resilient and protect water exports if some failures occur.

While my comments about alternatives are about the levee system, I also strongly suggest the consideration of alternative technologies and intake locations in the west Delta. While water quality is poor in the West Delta at certain times of year, the tunnels would be shorter and less expensive to build and the capacity of the intakes could be increased to take better advantage of high flow events. I strongly endorse comments from others that will undoubtedly discuss this in more detail.

From: [Michael A. Brodsky](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Comments on delta conveyance NOP
Date: Friday, April 17, 2020 12:21:51 PM
Attachments: [Delta Conveyance NOP comments complete.pdf](#)

Please find attached comments submitted on behalf of Save the California Delta Alliance.

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April 17, 2020

VIA EMAL DeltaConveyanceScoping@water.ca.gov

Wade Crowfoot
Secretary
California Natural Resources Agency

Karla Nemeth
Director
California Department of Natural Resources

Re: Comments Notice of Preparation Environmental Impact Report
For the Delta Conveyance Project

Dear Secretary Crowfoot and Director Nemeth:

These comments are submitted on behalf of Save the California Delta Alliance. Thank you for the opportunity to submit these comments and for considering our views.

In short, we believe that the Notice of Preparation (“NOP”) should be redrafted because it is not consistent with the Delta Reform Act, the Delta Plan, the Public Trust Doctrine, California Constitution Article X, section 2, the California Environmental Quality Act (“CEQA”), the legal uses to which the State Water Project (“SWP”) may be put, environmental justice principles codified in Government Code section 65040.12, requirements to consider and avoid climate change impacts of new infrastructure and to consider mitigation of climate impacts through alternative uses of natural infrastructure codified in Public Resources Code section 71154, and other applicable laws.

A revised NOP should provide for a Natural Systems Alternative that reduces exports in order to provide more water for through-Delta seaward flow and includes strengthening and restoring Delta levees through the use of setback levees and channel margin habitat. This approach will achieve the project objectives of mitigating salt water intrusion from climate-induced sea level rise and mitigating the risk of salt water intrusion from catastrophic levee failure. It will also achieve the project objectives of providing operational flexibility to improve aquatic conditions in the Delta and of protecting the ability of the SWP and CVP¹ to reliably deliver water. It is superior to a tunnel with regard to project objectives and without the significant adverse environmental impacts of a tunnel. The Natural Systems Alternative should therefore be the preferred alternative pursuant to CEQA.

The major premises of the project are to mitigate sea level rise due to climate change and to mitigate the risk of levee failure due to earthquake risk. The rationale is that by moving the point of diversion upstream, the incremental effects of salt water intrusion into the

¹ The federal government has not indicated that it will participate in the tunnel project and it appears that the Trump administration is focused on maximizing CVP supplies with existing infrastructure.

south and central Delta due to continuing sea level rise, and the potential for abrupt salt water intrusion due to levee failure, will be mitigated because the point of diversion will be far enough upstream to remain in fresh water--despite significant incursion of salt water into the Delta (whether over time due to climate change or suddenly due to catastrophic levee failure).

This approach abandons the south, west, and central Delta to salt water intrusion and seeks to protect export water supplies by moving the point of diversion to the far north out of reach of salt water intrusion. However, it ignores the fact that a fundamental purpose of the SWP is to *prevent* salt water intrusion into the Delta. “One of the major purposes of the projects was containment of maximum salinity intrusion into the Delta. By storing waters during periods of heavy flow and releasing water during times of low flow, the freshwater barrier could be maintained at a constant level.” (*United States v. State Water Resources Control Bd.* (1986) 182 Cal.App.3d 82, 107.) With sea level rise as an omnipresent increased source of salt water intrusion, diverting Sacramento River inflow upstream of the south and central Delta, and reducing through-Delta freshwater flows, is antithetical to the purpose of the SWP.

It is also antithetical to the dire need for more seaward flow in order to reverse the catastrophic decline of the Delta ecosystem now in progress. In the words of former United States Environmental Protection Agency Regional Administrator and current Secretary of the California Environmental Protection Agency, Jared Blumenfeld, “existing freshwater diversions and significantly diminished seaward flows have played a significant role in precluding the recovery of Bay Delta ecosystem processes and declining fish populations.” (August 26, 2014, Letter from USEPA Administrator Jared Blumenfeld to National Marine Fisheries Service Administrator Will Stelle, p.2.)

The only logical, and legally sound, approach to the problem is to *increase* the capacity for through-Delta freshwater flows in order to enhance the ability to push back anticipated increased salt water intrusion and at the same time address the ongoing ecosystem crisis. Reducing water withdrawals for export is the optimal response to provide more water for critically needed in-stream seaward flow. “[T]he condition of the Delta’s watery ecosystem, as measured especially by the population of wild salmon and other native fishes, has gone critical. The list of causes begins, but does not end, with all those water withdrawals, a kind of tax that leaves the system in a condition of chronic drought.” (Delta Plan, p. ES-2.)

Strengthening the levees and at the same time utilizing setback levees with channel margin habitat is the proper response to salt water intrusion from seismic risk. Although set in a heavily altered system, restored setback levees implement the requirements of Public Resources Code section 71154 for “using natural ecological systems or processes to reduce vulnerability to climate change related hazards, or other related climate change effects, while increasing the long-term adaptive capacity of coastal and inland areas by perpetuating or restoring ecosystem services.” (Pub. Res. Code § 71154, subd. (c)(3).) Specifically, “levees that are combined with restored natural systems ... provide a wide array of benefits to people and wildlife.” (*Id.*) A wholly artificial tunnel, on the other hand, is not consistent with state policy on climate change adaptation as codified section 71154.

A single-tunnel project also itself contributes significantly to carbon emissions over the very long run and thereby hampers California’s ability to rapidly reduce carbon emissions. It does this because it locks in export of Delta water to the Metropolitan Water

District (“MWD” or “Met”), the major advocate and financial guarantor of the single-tunnel project, and to other south of Tehachapi contractors.²

The State Water Project (“SWP”) is one of the worst carbon offenders in the nation, if not the world. The SWP consumes approximately 8,000 gigawatt-hours of electricity each year. SWP dams and hydropower plants generate about half that much, leaving 4,000 gigawatt-hours of net energy consumption, much of which is generated by gas-fired power plants.³ (<https://water.ca.gov/Programs/All-Programs/Climate-Change-Program/Climate-Action-Plan>, last visited April 12, 2020.)

DWR has taken some steps in recent years to address the most egregious climate offensive aspects of the SWP, including elimination of a filthy coal fired power plant in Nevada as a source of purchased SWP power and bringing online the Pearblossom Solar Facility. However, the fact remains that the SWP wastes enormous amounts of energy because delivering Delta water to Southern California is by far *the most* energy intensive source of water while much more energy efficient means of supplying southern California are readily available.

The SWP is the largest consumer of electricity in California and the Edmonston Pumping Plant (which pushes Delta water up and over the Tehachapi Mountains to Met’s service area) consumes 40% of SWP electricity usage.

(<https://www.watereducation.org/aquapedia/ad-edmonston-pumping-plant>, last visited April 15, 2020.) Edmonston is the largest single-point user of electricity in California. (David Carle, Introduction to Water in California (2d ed. 2016) p. 103.) Additional electricity consumption occurs at the pumping plants prior to Edmonston in the foothills, and at distribution pumping plants south of the Tehachapis.

Delta water delivered south of the Tehachapis consumes over 5,000 kWh/acre foot. By comparison, water re-use (including Reverse Osmosis filtration) supplies water at about 1,200 kWh/acre foot and many conservation and water efficiency measures are available that use only nominal amounts of energy. Even the more energy intensive alternatives come in at less than 2,000 kWh/acre per acre foot. (See, e.g., Professor Bob Wilkinson, August 23, 2007, presentation to the State Water Resources Control Board, *Water, Energy, and Climate*, p.9 [Attachment 1].)

It simply does not make sense in the face of a climate crisis to found California’s water future on pushing trillions of tons of water up and over a half-mile high mountain range. Current pumping burns massive amounts of fossil fuel. The clean energy we may acquire in the future must be applied to more rapidly replacing carbon based power in essential sectors of the economy. It would be hard to imagine a waste of energy more profligate than continued export of Delta water to Southern California.

It is time to implement a planned retreat from exporting Delta water south of the

² There are 13 south of Tehachapi SWP contractors, including Met. In recent years, Met has accounted for about 80% of Delta exports to Southern California and the other 12 contractor combined, about 20%. Several of the other south of Tehachapi contractors have received only de minimis amounts of SWP water in recent years. (Bulletin 132-17, Appendix B, Table B-5B.)

³ DWR proclaims itself a climate leader and a leader in carbon emission transparency. However, no evidence could be found to support those claims. For example, how much of the 4,000 gigawatts of non-hydropower consumption is attributable to carbon based generation and how much to renewables could not be found despite several hours searching DWR websites and bulletins. From the incomplete information found, DWR’s GHG emissions have been increasing since 2014. (<https://water.ca.gov/Programs/State-Water-Project/Clean-Energy>, last visited April 15, 2020.) If better information exists in an accessible format, Delta Alliance would appreciate DWR pointing the way in its response to this comment.

Tehachapi Mountains, thereby achieving the Delta Reform Act's imperative to "reduce reliance on the Delta in meeting California's future water supply needs" by completely replacing Met's Delta water supply with "improved regional supplies, conservation, and water use efficiency," (Wat. Code § 85021), and carefully reassessing the delivery of Delta water to other south of Tehachapi contractors.

I. Public Resources Code Section 71154 Requires That DWR Fully Consider A Non-tunnel Natural Systems Alternative.

Public Resources Code section 71154 is binding on all state agencies and requires that when state agencies are taking steps to adapt to climate change, in particular the development of new infrastructure, they develop an alternative that utilizes existing natural features rather than constructing large new artificial infrastructure:

When developing infrastructure to address [climate] adaptation, where feasible, a project alternative should be developed that utilizes existing natural features and ecosystem processes or the restoration of natural features and ecosystem processes to meet the project's goals.

For purposes of this subdivision, "natural infrastructure" means using natural ecological systems or processes to reduce vulnerability to climate change related hazards, or other related climate change effects, while increasing the long-term adaptive capacity of coastal and inland areas by perpetuating or restoring ecosystem services ... [including] levees that are combined with restored natural systems, to provide clean water, conserve ecosystem values and functions, and provide a wide array of benefits to people and wildlife.

(Pub. Res. Code §§ 71154, subd. (c)(2) & (3).)

State agencies adapting to climate change are also required, to the maximum extent practicable, to "Protect[] and enhance habitat, species strongholds, and wildlife corridors that are critical to the preservation of species that are at risk from the consequences of climate change." (Pub. Res. Code § 71154, subd. (g).)

The single-tunnel project is proffered to "address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events," (NOP, p.2), and is therefore subject to section 71154. Read together with CEQA, section 71154 requires that DWR develop a non-tunnel Natural Systems Alternative for full study in any Environmental Impact Report ("EIR") culminating from the NOP in order to comply with CEQA's mandate to study a reasonable range of alternatives. We believe that the Natural Systems Alternative should be the preferred project.

II. The Natural Systems Alternative.

A. First, strengthen Delta Levees and use setback levees and channel margin habitat at critical and feasible locations.

Setback levees with channel margin habitat are feasible and cost-effective, at a cost of \$14 million or less per mile. (See, e.g., West Sacramento Setback Levee Project, <https://www.cityofwestsacramento.org/government/departments/community-development/flood-protection/levee-projects-overview>, last visited April 14, 2020.). Where set back levees are not practical, strengthening conventional levees would be much less costly per mile. For example, 4.7 miles of levee on Bouldin Island were

recently strengthened at a cost of \$3 million per mile.

(http://www.mwdh2o.com/DocSvcsPubs/Delta_Islands/, last visited April 15, 2020.) An adequate portion the Delta's approximately 1100 miles of levees could be replaced or strengthened for far less than the \$15 billion plus or minus price tag of a single tunnel.

A tunnel mitigates levee failure risk only as to exported water supplies but ignores catastrophic damage to the Delta ecosystem and loss of fresh water supply to in-Delta users, including Delta communities and farms. Restored levees protect export supplies, in-Delta users, and not only protect the Delta ecosystem but greatly enhance it.

Restored levees, using setback levees in locations where feasible, are consistent with Delta Plan Recommendations:

Setting levees back from the riverbank can expand flood conveyance capacity and reduce flood risk while providing ecosystem restoration and recreational opportunities. Setback levees also allow opportunities for construction of an improved levee foundation and section using modern design and construction practices, thereby reducing risk of failure. Integrating fish-and-wildlife-friendly channel margin treatments into levee improvements can also help.

(Delta Plan, Chapter 7, as amended March 2020 , p.21.)

The Natural Systems Alternative might also consider flooding of selected Delta Islands. Intentionally breaching levees at some locations can mitigate the threat of future unplanned catastrophic levee failure in an earthquake and also create additional freshwater storage and habitat, serving the twin goals of ecosystem restoration and water system reliability. Although requiring careful study and planning before acceptance of any future project, freshwater storage on flooded Delta Islands has been found feasible and cost-effective in the past.

(<http://www.semitropic.com/pdfs/Delta%20Wetlands%20project%20EIR/209629-delta-wetlands-feir-20110817%20permissions.pdf>, last visited April 15, 2020.)

B. Second, implement a planned retreat from exporting of Delta water south of the Tehachapi Mountains.

Replacing Delta water exported to the Metropolitan Water District with new local and regional supplies is feasible and cost-effective.

Credible estimates of the cost of water delivered from the late WaterFix tunnel project ranged from about \$2400 to well over \$5,000 per acre foot. The Natural Resources Defense Council estimated the cost at \$2361 per acre foot. (Doug Obegi, MWD's WaterFix Cost Assessment is Inaccurate and Inadequate, August 11, 2017 [Attachment 2].) The Final WaterFix EIR estimated the yield of WaterFix at 172,000 acre feet per year. Dr. Rodney T. Smith, of Stratecon, Inc., produced a table analyzing WaterFix cost per acre foot at a range of yields. For 200,000 acre feet per year, the cost would be between \$4795 and \$8463 per acre foot, depending on the assumed risk premium. For 100,000 acre feet per year, the cost would be over \$9500 per acre foot. (Rodney T Smith, Impact of the Annual Yield of the Twin Tunnels Project on the Cost of Project Water, August 30, 2016 [Attachment 3].) There is no reason to believe that a new single tunnel project could deliver water more cheaply than the former WaterFix projections.

From 2012 to 2016, an average of about 1,095,000 acre feet per year of SWP water was delivered to Southern California. (Bulletin 132-17, table B5-B.) Even assuming that half

of Delta deliveries would be foreclosed without a tunnel (a scenario not supported by evidence, but apparently part of contract amendment negotiations) the cost per acre foot for a tunnel project would be over \$2,000 per acre foot utilizing Dr. Smith's former WaterFix projections.

Any credible cost estimate for single tunnel delivered water will make numerous other sources of supply more cost-effective than a tunnel.

Costs for replacing exported Delta water with local and regional supplies in Southern California would be less per acre-foot than supplies delivered through a single tunnel project. DWR estimated the mid-point cost for municipal recycled water as \$800 per acre foot. (DWR, California Water Plan 2013.) The WaterReuse Research Foundation has estimated the following costs for water supply alternatives per acre foot: direct potable re-use \$820–\$2000; indirect potable re-use \$820–\$2000; seawater desalination \$1500–\$2300; water use efficiency and conservation \$495–980. (WaterReuse Research Foundation, *The Opportunities and Economics of Direct Potable Reuse* (2014).)

The Metropolitan Water District of Southern California's 2015 Urban Water Management Plan identifies specific potential recycling projects with a yield of 680,000 acre feet per year but none of those projects are included in Met's projected supply figures. Met consistently overstates demand and understates local and regional supply potential in order to justify continued demand on Delta Water. (See, e.g., *Issue Brief, Mismatched*, Natural Resources Defense Council 2017.)

The untapped potential for stormwater capture in Southern California is at least 300,000 acre-feet per year. (See *The Untapped Potential of California's Water Supply: Efficiency, Reuse, and Stormwater Capture*, NRDC and Pacific Institute 2014; see also Testimony of Doug Obegi before the State Water Resources Control Board for unpublished county-by-county data, available at https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/nrdc.html.) The Southern California Water Coalition conducted a survey of stormwater capture projects in Southern California and found that the median cost per acre foot was \$1070. In the aggregate, for all the projects surveyed, there was a cost of \$132 million for a yield of 13,400 acre feet annually, or a cost of \$328 per acre foot over a 30 year period. (SCWC Stormwater Task Force, 2018 WhitePaper Update, available at http://www.socalwater.org/wp-content/uploads/scwc-2018-stormwater-whitepaper_75220.pdf, last visited April 16, 2020.)

Met has placed the cost of water savings through turf replacement at \$600 per acre foot. (http://mwdh2o.com/PDF_Newsroom/Turf_Removal_Program.pdf, last visited April 16, 2020.) Turf replacement, encouraging homeowners and businesses to replace thirsty green lawns with water-efficient landscaping, is perhaps one of the biggest untapped, cost-effective, sources of new water in Southern California. No data were found to indicate the total potential for turf replacement at this writing. Extrapolating from Met's figures, approximately one acre foot per year is saved for every 7400 square feet of turf replaced. With a service area of 5200 square miles, populated with millions upon millions of detached single family homes, and businesses, sprouting lush lawns, the potential must be at least in the hundreds of thousands of acre feet per year. If they do not exist, accurate figures for this potential should be developed. If DWR has information as to the potential for turf replacement, Delta Alliance would appreciate the provision of those figures in response to these comments.

Substantial new water is also available in Southern California through better indoor water conservation rebate and incentive programs, which are also currently limited in budget

and application. Estimates range from 1.4 to 2.4 million acre-feet of new water annually from untapped urban water conservation measures, including indoor measures and outdoor measures in the South Coast Hydrologic Region, most of which is comprised of Met's service area. (See *The Untapped Potential of California's Water Supply: Efficiency, Reuse, and Stormwater Capture*, NRDC and Pacific Institute 2014; see also Testimony of Doug Obegi before the State Water Resources Control Board for unpublished county-by-county data, available at https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/nrdc.html.)

Desalination technology is improving, and with advances in brine management, provides an additional, essentially unlimited, source of regional supply.

From 2012 through 2016, Met received an average of about 830,000 acre feet of SWP supplies per year. (Bulletin 132-17, table B-5B.) There can be little doubt that it is feasible to replace Met's SWP supplies with local and regional supplies that are cost effective, without the environmental damage to the Delta, and that are not wildly energy intensive as is pushing trillions of tons of water over a mountain range.

III. The Public Trust Doctrine Requires DWR To Consider Phasing Out Exports South Of The Tehachapi Mountains.

DWR has an affirmative duty to perform a public trust analysis of any tunnel project, which involves considerations beyond those required by CEQA. (See, e.g. California WaterFix Findings of Fact and Statement of Overriding Considerations, Part IV, Findings Regarding the Public Trust Doctrine.)

Even absent a new project, tunnel or otherwise, DWR has an ongoing duty of supervision to consider public trust principles in managing water resources. DWR's water rights, in particular as to place of use in Southern California, *are not vested*. DWR must consider changes in the allocation of water resources when new information makes a renewed public trust analysis appropriate:

The public trust doctrine and the appropriative water rights system are parts of an integrated system of water law. The public trust doctrine serves the function in that integrated system of preserving the continuing sovereign power of the state to protect public trust uses, a power which precludes anyone from acquiring a vested right to harm the public trust, and imposes a continuing duty on the state to take such uses into account in allocating water resources.

(*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419, 452.)

In particular, past allocation decisions may need to be revised in light of new information:

Once the state has approved an appropriation, the public trust imposes a duty of continuing supervision over the taking and use of the appropriated water. In exercising its sovereign power to allocate water resources in the public interest, the state is not confined by past allocation decisions which may be incorrect in light of current knowledge or inconsistent with current needs.

(*National Audubon*, 33 Cal.3d at 447.)

Contract provisions designating delivery to Southern California SWP contractors and DWR's water rights permits designating place of use in Southern California must give way to public trust considerations where a public trust analysis demonstrates that protection of public trust resources is feasible and reducing or eliminating diversions is in the public interest. The "state must bear in mind its duty as trustee to consider the effect of the taking on the public trust, and to preserve, so far as consistent with the public interest, the uses protected by the trust." (*National Audubon*, 33 Cal.3d at 446-447, citations omitted.)

"The state accordingly has the power to reconsider allocation decisions even though those decisions were made after due consideration of their effect on the public trust. The case for reconsidering a particular decision, however, is even stronger when that decision failed to weigh and consider public trust uses." (*National Audubon*, 33 Cal.3d at 447.)

Here, there is no doubt that ongoing diversions of Delta water to supply Southern California significantly harm public trust resources in the Delta, including driving several fish species to the brink of extinction. The Delta ecosystem is in crisis. There are multiple stressors but it is beyond dispute that lack of freshwater flow through the Delta, caused by excessive exports, is the master stressor that needs to be addressed before ecosystem recovery will be possible. (See, e.g., August 26, 2014, Letter from USEPA Administrator Jared Blumenfeld to National Marine Fisheries Service Administrator Will Stelle, p.2; Delta Plan, p. ES-2; State Water Resources Control Board, Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem, p. 2 ["The best available science suggests that current flows are insufficient to protect public trust resources"]; p.5 ["Recent Delta flows are insufficient to support native Delta fishes Flow modification is one of the immediate actions available" to address ecosystem decline].)

But the need to protect public trust resources in the Delta must be balanced against the consumptive needs of Southern California. "As a matter of practical necessity the state may have to approve appropriations despite foreseeable harm to public trust uses." (*National Audubon*, 33 Cal.3d at 446.) However, the public interest balance has changed significantly in recent years due to three factors: 1) Increasing awareness as to the availability of feasible, cost effective, alternative supplies that do not harm public trust resources; 2) The awareness of climate change and the energy / GHG impacts of exporting water over the Tehachapi Mountains; and 3) The dramatic worsening of Delta ecosystem decline.

At one time in history, perhaps when the Edmonston Pumping Plant went into operation in 1972, a public interest balancing may have favored continued exports. The Delta ecosystem was not yet in catastrophic decline, technology for alternative sources of water was not yet developed, and the climate impacts of enormously energy intensive pumping were not understood. The societal good of supplying water might have outweighed impacts on the Delta ecosystem—so far as those impacts were understood. However, we know today that the public interest counterbalance of supplying water to Southern California is obliterated by the climate impacts of pumping that water over the Tehachapi Mountains, especially in light of far more energy efficient and cost-effective sources of water. There is no longer any public good to weigh against the need to reduce harm to the Delta ecosystem as the benefit to society of exported water is canceled out by the climate impacts of export pumping.

Any public trust analysis culminating from the NOP should fully consider phasing out exports to Met.

IV. Locating Intakes At Former WaterFix Locations, And A Through-Delta Tunnel Route Violate The Delta Reform Act, Are Inconsistent With The Delta Plan, Violate California Constitution Article X, Section 2, And Offend Principles Of Environmental Justice.

The NOP continues to limit intake location to one of three former WaterFix intake sites. We know from conclusive evidence developed in the former WaterFix proceedings that the massive concentrated construction impacts associated with intake siting in this location place enormous and unreasonable stress on the nearby Delta legacy communities, including Hood, Clarksburg, and Locke.

The massive size of the intake(s) at this location is an unreasonable method of diversion. California Constitution, Article X, section 2, expressly prohibits any “unreasonable method of diversion of water.” The NOP violates this provision of our state constitution.

Delta Plan Policy DP P2 (23 CCR §5011) requires that DWR “Respect Local Land Use When Siting Water or Flood Facilities or Restoration Habitats.” Extensive evidence developed during the State Water Resources Control Board and Delta Stewardship Council Proceedings for the former WaterFix shows that it is not feasible to site intakes in these locations consistent with Policy DP P2.

Hood is a largely low income and minority community that would bear the brunt of intake impacts, including increased air pollution from diesel exhaust associated with construction activities. Locating intakes as shown in the NOP is not consistent with environmental justice principles expressed in Government Code section 65040.12.

DWR continues to push for intake siting near these legacy communities not because of any physical advantage to locating intakes here but because it believes it retains an antiquated water right for a point of diversion. Siting an intake here would, on DWR’s belief, require only a petition for a change in the point of diversion and would not initiate a new water right. However, this is not a legitimate justification for placing intakes in an unreasonable manner. Intake location should be considered based on minimal impact to Delta communities and locations not included in the current NOP need to be open for consideration.

Finally, it has been conclusively proven through extensive evidence introduced in the former WaterFix proceedings that a tunnel route through the Delta is not feasible. Impacts on Delta recreation and navigation of a through-Delta route are unacceptable. It is a waste of time and money to continue to pursue a through-Delta tunnel route as shown on the NOP. Attachment 4 hereto is a slide show presented to the Delta Stewardship Council during the former WaterFix proceedings summarizing some of the evidence showing that the intakes cannot be located as shown on the NOP and that a through-Delta tunnel route is not an option.

V. Conclusion.

The NOP should be redrafted to provide for a Natural Systems Alternative that includes phasing out exports of Delta water to the Metropolitan Water District, strengthened levees, and increased through Delta seaward flow to manage salinity intrusion and recover the Delta ecosystem. Intake locations at the sites of former WaterFix intakes and any through-Delta tunnel route should be eliminated from consideration now.

Sincerely,

Michael A. Brodsky

From: [Cheryl Madrigal](#)
To: [Small, Nadine@DWR](#); [DWR Delta Conveyance Scoping](#)
Cc: [Deneen Pelton](#)
Subject: Delta Conveyance Project
Date: Friday, April 17, 2020 1:09:51 PM
Attachments: [image001.jpg](#)
[Delta Conveyance Project.pdf](#)

Hi Nadine,

Please see attached response letter to above mentioned project. If you have any questions or comments, please contact us.

Thank you for the opportunity to protect our cultural assets.

Cheryl

Cheryl Madrigal

Cultural Resources Manager

Tribal Historic Preservation Officer

Cultural Resources Department

Rincon Band of Luiseño Indians

1 West Tribal Road | Valley Center, CA 92082

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seal-rincon-website_03



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Rincon Band of Luiseño Indians

CULTURAL RESOURCES DEPARTMENT

One Government Center Lane | Valley Center | CA 92082
(760) 749-1051 | Fax: (760) 749-8901 | rincon-nsn.gov



April 17, 2020

Sent via email: Nadine.Small@water.ca.gov

California Department of Water Resources
Nadine Small
P.O. Box 942836
Sacramento, CA 94236-0001

Re: Rincon Band Comments on the Delta Conveyance Project, California

Dear Ms. Small,

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Band”), a federally recognized Indian Tribe and sovereign government. We have received your notification regarding the above referenced project and we thank you for the opportunity to consult.

The Rincon Band thanks the California Department of Water Resources (DWR) for providing information for the above referenced project. From the project transmittal, the Band understands that the DWR is planning a single tunnel solution to modernize the Delta conveyance. The Rincon Band wishes to inform the DWR that the location identified within project documents is not situated within the traditional territory of the Luiseño people but the Band is concerned, that such tunnel could cause potential impacts within our Traditional Use Area (TUA) to tangible Tribal Cultural Resources (TCRs), Traditional Cultural Landscapes (TCLs), and affect Traditional Ecological Knowledge (TEK). Embedded in these resources within our TUA are Rincon’s history, culture, and continuing traditional identity. The Rincon Band has the following comments:

1. Alternatives

The proposed project will have a tremendous impact on waterways throughout California. While the Band understands that the areas directly impacted will be in northern and central California, the Band is concerned that the proposed project will lead to unforeseeable impacts through the whole state. The Rincon Band recommends to consider alternative strategies to secure future water supply without such drastic development proposals.

2. Biodiversity

The Band is concerned that the proposed tunnel could largely affect the biodiversity within our TUA. In particular, the Band is concerned how the tunnel would impact migration patterns of birds and other wildlife as surface water flow will be changed due to the proposed project. The Band asks that there will be more research done to determine, if the proposed tunnel will impact wildlife from migrating into southern

California. Wildlife is a significant element within the belief system of our people and the Rincon Band seeks to maintain a balanced eco-system.

3. Tribal Cultural Resources

From the documents made publicly available, the Rincon Band understands that various tribal cultural resources will be impacted by the proposed project. The Band asks the DWR to further consult with local tribes to discuss the impacts on the natural habitat and access to traditional gathering areas, and cultural and natural resources. Through tribal consultation DWR needs to carefully consider the impacts to such resources and consult with tribes to establish measures that can be taken to avoid impacts to Tribal Cultural resources or to mitigate the effects.

4. COVID-19

The Rincon Band is concerned that due to COVID-19 Tribes are prevented to more actively participate in consultation to express their concerns regarding the Delta Conveyance Project. Many Tribal Historic Preservation Offices have closed, or key staff put on furlough, making it impossible for Tribes to attend (virtual) meetings. The Band understands that DWR has extended some of the comment periods, however, we recommend to pause the project and enter into meaningful consultation with the local Tribes at a later time. This proposed project will have huge impacts on local tribal communities and DWR should postpone consultations until the COVID-19 crisis is under control.

The Rincon Band reserves its right to continue to fully participate in the environmental review process and to review and submit additional information during the public review process. The Band thanks the DWR for submitting this project for Tribal review and thoughtfully addressing the Band's requests and recommendations. If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 297-2635 or via electronic mail at cmadriral@rincon-nsn.gov.

We look forward to working together to protect and preserve our cultural assets.

Sincerely,



Cheryl Madrigal
Tribal Historic Preservation Officer
Cultural Resources Manager

From: [Deirdre Des Jardins](#)
To: [DWR Delta Conveyance Scoping](#)
Cc: [Daniel Whaley](#); [Donis](#); [Gwynne Pratt](#); [The Willow Ballroom & Event Center](#); [Delta Defenders](#)
Subject: Delta Conveyance Scoping Comments
Date: Friday, April 17, 2020 4:59:19 PM
Attachments: [DD comments re Delta tunnel CEQA process.pdf](#)

Deirdre Des Jardins
California Water Research



831 566-6320 cell
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**DELTA DEFENDERS**

P O B O X 1 2 8, H O O D, C A 9 5 6 3 9

info@deltadefenders.org

April 17, 2020

Sent via email to DeltaConveyanceScoping@water.ca.gov

Delta Conveyance Scoping comments

Attn: Renee Rodriguez, Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236

RE: Requirement for Scoping Comments Related to the Delta Tunnel Planning Process During COVID-19 Pandemic`

Dear Lead Agency,

Please accept this letter on behalf of the Delta Defenders in response to the requirement that scoping comments be submitted despite the ravages of the COVID-19 pandemic crisis. The Department of Water Resources (DWR) has been asked by the Delta Protection Commission, Delta Counties, Delta residents, Delta business owners, Delta community-based organizations, Tribal representatives, fishing and non-governmental organizations to pause Delta tunnel planning processes that require public participation due to the impact of the COVID-19 pandemic.

We, Delta Defenders, sent a letter to DWR Director Karla Nemeth on March 16 calling for a pause in Delta tunnel stakeholder engagement processes. We cited the effects of

the pandemic on Delta Counties, Delta Cities, Delta legacy cities, Delta legacy communities, Delta businesses and Delta residents.¹

On April 7, the Delta Counties Coalition sent a letter to Natural Resources Secretary Wade Crowfoot requesting that Delta Conveyance Project planning and engineering design processes that require Delta stakeholder engagement be put on hold.² That letter states in part:

“The Delta Counties Coalition (DCC) respectfully requests that you direct the Department of Water Resources (DWR) to pause all Delta Conveyance Project planning and engineering design processes that require Delta stakeholder engagement during the COVID-19 crisis, until the public can fully participate. We request you ask the Delta Conveyance Design and Construction Authority (DCA) to pause its processes that require public participation, including Stakeholder Engagement Committee meetings, so that the Delta tunnel engineering design can be informed by meaningful public input. We also ask that you direct DWR and other resource agencies to extend public comment periods by at least 45 days beyond the end of the declared emergency.”

On April 9, Restore the Delta sent a similar request to Governor Newsom.³

The requirement for Delta stakeholders to submit scoping comments during a national and state public health emergency and a major disaster is yet another example of DWR’s attempt to rush forward with this project in blatant disregard for Delta stakeholders. It is deeply disturbing and is directly contrary to the policy of the state as enacted by the legislature in Public Resources Code 21000 et. seq. Public Resources Code section 21002 states in part

“The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

¹ Delta Defenders, Letter Re: Please don’t push forward with the Delta tunnel stakeholder engagement process during a public health emergency, March 16, 2020.

<https://secureservercdn.net/166.62.107.204/f4x.956.myftpupload.com/wp-content/uploads/2020/03/Ltr-re-Delta-SEC-and-coronavirus.pdf>.

² Delta Counties Coalition, Letter Re: Request for Stay of Public Processes for Delta Conveyance Planning During Novel COVID-19 Pandemic. <https://cah2oresearch.com/wp-content/uploads/2020/04/2020-04-07-DCC-Letter-to-Secretary-Crowfoot-re-Stay.pdf>

³ Restore the Delta, Letter Re: Request for Stay of Public Processes for Delta Conveyance Planning During Novel COVID-19 Pandemic, April 9, 2019. <https://www.restorethedelta.org/wp-content/uploads/Letter-to-Gov-Newsom-Request-for-Stay-of-Public-Processes-for-Delta-Conveyance-Planning-During-Novel-COVID-19-Pandemic.pdf>

(underlining added.)

Delta stakeholders must submit comments during the scoping comment period, but are unable to participate in scoping due to the COVID-19 crisis. As a result, they will be denied the opportunity suggest feasible alternatives to be studied in detail as part of the CEQA process. This has created a sham CEQA process and raises fundamental issues of abuse of discretion. Setting the deadline for scoping comments in the middle of a pandemic defeats the very purpose of scoping comments.

There are also fundamental issues that, contrary to CEQA guidelines § 15063, the initial study information used for determination of intake sites and tunnel corridors in the Notice of Preparation has not been provided with the Notice of Preparation. The Notice of Preparation only refers to the previous WaterFix project, for which all project approvals were withdrawn on May 2, 2019 (p. 9.) The Department of Water Resources has withdrawn all WaterFix project information from publication on the internet, so none of it is available for public inspection or reference in preparing scoping comments.

It is clear that the decision to push forward with CEQA scoping during the pandemic is related to the schedule for engineering design work for the Delta Conveyance, under DWR's Joint Exercise of Powers Agreement with the Delta Conveyance Design and Construction Authority (DCA.) In January of 2019, the DCA signed a \$93 million Engineering Design contract signed with Jacobs Engineering, and a \$75 million contract signed in January 2019 with Fugro for Geotechnical services for the WaterFix project.

In spite of withdrawal of all approvals for the WaterFix project, engineering design work has been proceeding under the WaterFix project engineering contracts since May of 2019. On June 12, 2019 North Delta Cares, Delta Defenders, and other Delta community-based groups sent a letter to DWR Director Karla Nemeth requesting that DWR withdraw DWR's authorization to commence work on the project. The Department of Water Resources stated in response⁴:

Neither the Department of Water Resources (DWR) nor the Delta Conveyance Design and Construction Authority (DCA) is continuing work on that project or currently performing any new planning based on the previous WaterFix approvals.

But it has become clear that both DWR and the DCA are performing new planning based on the previous WaterFix project approvals. In December of 2019, the Delta Conveyance Design and Construction Authority met with a panel of international tunneling contractors to do an Independent Technical Review of the proposed Delta Conveyance Project. For the project specifications, the DCA gave the panel a copy of

⁴ Department of Water Resources, Letter re: Next Steps on Delta Conveyance, June 17, 2019. <https://cah2oresearch.com/wp-content/uploads/2020/04/2019-06-17-North-Delta-Cares-Response-to-June-12-letter-1.pdf>.

the July 2018 WaterFix Conceptual Engineering Report.⁵ Although the Independent Review Panel found that the main tunnel alignment for the WaterFix project was impractical and recommended that it not be studied further, that alignment is in the Notice of Preparation as the Central Delta Corridor.

Under supervision of the Department of Water Resources, the Delta Conveyance Design and Construction Authority has also been conducting a Delta stakeholder engagement process to consider the Delta Conveyance engineering design being developed by the DCA. In November 2019, the DCA appointed 16 Delta stakeholders to a Delta Stakeholder Engagement Committee. The members represented a broad range of Delta interests, from Delta businesses to sportfishing, recreation, environmental justice, and aquatic and terrestrial NGOs. Each committee member was tasked with receiving information on the proposed Delta tunnel project design and conveying the information to their respective stakeholders, and conveying feedback on the proposed design to the DCA.

In presenting information to the DCA's Delta Stakeholder Engagement Committee on the choice of intake sites, the DCA's Engineering Manager Phil Ryan referred to the previous WaterFix project:⁶

DCA conducted a detailed site investigation. It is important to understand that DCA conducted its own detailed analysis and also utilized information compiled by the Fish Facility Technical Team (FFTT) for the previous WaterFix project. The FFTT was comprised of the fish regulatory agencies, consultants and other interested people who helped evaluate the river for potential intake sites. The FFTT identified, analyzed and then made conclusions on site locations. DCA reviewed their information to ensure understanding of their methodology, but then re-evaluated using new information such as the State's underwater river mapping conducted last summer. All of this information was used to re-evaluate and verify the potential intake sites.

...

Based on evaluation of all of these factors, five candidate sites emerged. These are the same sites identified in the previous project... All of the intakes are compatible with either corridor option in the NOP.

The DCA's engineering design processes was clearly based on information from the WaterFix project. At the same meeting, the DCA's Executive Director, Kathryn Mallon, also stated:

⁵ Delta Conveyance Design and Construction Authority, Independent Technical Review Panel Memorandum, January 31, 2020. <https://www.dcdca.org/pdf/2020-02-26-IndependentTechnicalReviewResponse.pdf>.

⁶ Delta Conveyance Design and Construction Authority, Stakeholder Engagement Committee, Materials for the February 12, 2020 Regular Committee Meeting <https://www.dcdca.org/pdf/02-12-2020-SEC4MeetingPacket.pdf>

...the State Department of Fish & Wildlife, the U.S. of Fish & Wildlife Service and the National Marine Fisheries Service are the primary drivers for identifying constraints and siting criteria for these intakes.

The SEC's meeting minutes also record that the DCA was relying on California Department of Fish and Wildlife approvals for the previous project⁷:

Ms. Whaley asked if the Department of Fish and Wildlife (DFW) completed a CEQA process for their decision for the WaterFix project as to where the intakes would go? Ms. Buckman said there was a siting study to consider intake locations. DWR led the CEQA effort as the lead agency. DFW completed an incidental take permit related to that application, but all of these have been withdrawn at this point.

The three WaterFix sites described by the DCA's Engineering Manager Phil Ryan are the same as those shown in the Notice of Preparation.

During the February 12, 2020 Delta Stakeholder Engagement Committee meeting, Delta Stakeholder Engagement Committee member Karen Mann asked if the Delta Stakeholder Engagement Committee should also be considering different sites for the intakes. The response is recorded in the February 26, 2020 meeting packet⁸:

Ms. Marquez reminded members the scoping process is currently underway. If there are suggestions related to alternatives such as alternative locations for the intakes, that comment can be submitted as a scoping comment. There are quite a few constraints that determined what intakes were listed in NOP.

The constraints that determined "what intakes were listed in the NOP" are not in the Notice of Preparation.

On February 26, 2020 Lindsay Liebig, the Delta agriculture representative to the Delta Stakeholder Engagement Committee, asked if project alternatives that came out of the CEQA scoping process would be given the same consideration as options developed by the Design and Construction Authority and presented to the SEC. This was the response, as recorded in the March 11, 2020 SEC meeting packet^{9, 10}:

⁷ Delta Conveyance Design and Construction Authority, Stakeholder Engagement Committee, Materials for the March 11, 2020 Regular Committee Meeting <https://www.dcdca.org/pdf/2020-03-11-StakeholderEngagementMeetingMaterials.pdf>, p. 12.

⁸ Delta Conveyance Design and Construction Authority, Stakeholder Engagement Committee, Materials for the February 26, 2020 Regular Committee Meeting <https://www.dcdca.org/pdf/2020-02-26-UPDATEDStakeholderEngagementMeetingMaterials.pdf>

⁹ Delta Conveyance Design and Construction Authority, Stakeholder Engagement Committee, Materials for the March 20, 2020 Regular Committee Meeting

¹⁰Delta Conveyance Design and Construction Authority, Stakeholder Engagement Committee, Materials for the January 22, 2020 Regular Committee Meeting <https://www.dcdca.org/pdf/01-22-2020-SECMeetingPacketVF-UPDATED.pdf>, p. 7.

Ms. Liebig asked if the alternatives that come out of the CEQA process based off of scoping comments will be given the same consideration as the options being presented to the SEC. It would be a huge disservice to not give as much consideration to the alternatives suggested by local residents as is being given to the plans discussed in SEC meetings. Ms. Buckman said all alternatives suggested during scoping will be analyzed for their ability to meet the project objectives and/or reduce environmental effects, which determines which alternatives will move forward for further analysis in the EIR. An entire suite of alternatives has already been proposed through scoping comments. Those alternatives suggestions will be narrowed down through the analysis process and included in the EIR for analysis at a similar level of detail.

But Delta stakeholders are affected by the shutdown, and have almost no capacity to meet with engineers or other technical experts and consider or develop alternatives for the intake sites. By constraining consideration of alternatives to those submitted during scoping, DWR continues with the same disregard it has demonstrated since the onset of the pandemic. This is a time of dire crisis. It is a time for administrative flexibility, not rigid disregard for the communities most affected by the Delta tunnel planning process. The actions of DWR are the antithesis of equity and fairness expected of governmental bodies and are an abuse of discretion.

We ask that the Department of Water Resources cure this deficiency by providing full and complete disclosure of all studies and other technical information used in determining the intake sites and tunnel corridors in the Notice of Preparation, and providing an opportunity for Delta stakeholders to submit suggestions for alternatives to be considered as part of the EIR and part of the engineering design process, 45 days after the end of the current public health emergency.

Sincerely,
/s/

Donis Pacini Whaley

Donis Pacini Whaley

Facilitator, Delta Defenders

info@deltadefenders.org

A handwritten signature in black ink, appearing to read 'D. Des Jardins', with a small mark above the final 's'.

Deirdre Des Jardins

Director, California Water Research

ddj@cah2oresearch.com

(831) 566-6320

From: [Bruce Campbell](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Delta Conveyance Scoping Comments
Date: Friday, April 17, 2020 4:54:36 PM

April 14-17, 2020

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

Re: Delta Conveyance Scoping Comments

Dear Ms. Rodriguez and to whom it may concern at DWR and beyond:

These are my scoping comments in regards to what is necessary to include in analyses in the forthcoming EIR for the Delta Conveyance Project. **I note that in the Purpose and Need within the NOP, it says specifically mentions “protect the reliability of water deliveries IN A COST-EFFECTIVE MANNER” relating to possible proposed conveyance alternatives. Clearly, over 23 years of construction – even following plenty of paperwork, hearings, and lawsuits, will have massive cost overruns including interest which should easily top \$40 and perhaps even \$50 billion. (How is that economic outlook these days – and will you reconsider the massive boondoggle project in light of economic, climate, species, environmental justice, or other concerns?) Seeing that “in a cost-effective manner” is a guideline, thus the sizable main tunnel with other intakes, tunnel reaches, forebays, and pumping stations should be immediately ruled out as a possible preferred alternative!**

In terms of alternatives, the **DEIR for the DCP must: 1. offer a NO ACTION ALTERNATIVE which is basically current Delta management WITHOUT A TUNNEL PROJECT; and 2. It must offer an alternative which can achieve reliability in water deliveries, but which does so without mammoth construction projects. Such an alternative would focus on investing in water conservation and efficiency, accompanied by some other water demand reduction measures.**

Please discuss which of the alternatives that you will offer in the DEIR would involve additional pumping of Trinity System water over to the Sacramento watershed, involve raising Shasta Dam, and/or involve the proposed Sites dam targeting Colusa County. If you believe such water sources are a component of the DCP as the documentation appears to indicate, then please say so in regards to each alternative offered – and then proceed with thorough analysis of species and impacts to indigenous people and culture, etc. for those

watersheds proposed to be further raided for water (as well as for Sites Dam to be built to hold some of it).

ENVIRONMENTAL JUSTICE and UPSTREAM from the DELTA

The **Notice of Preparation** makes it quite clear that there are **3 “Geographical Regions” associated with the “Project Area” for the proposed Delta Conveyance Project**. The **first one** mentioned in the NOP is **“Upstream of Delta region”**, followed by “Statutory Delta”, and then “South of Delta SWP Service Areas” and perhaps the CVP Service Areas. Let us start with “upstream of the Delta region”.

If water from a certain watershed is unnaturally diverted to then flow down the Sacramento River instead of where Mother Nature intended it to go, I strongly contend that it should be considered “upstream from the delta” in terms of analyses that need to be done to better inform the public and agencies about threats from cumulative impacts relating to the DCP and the impacts from its more or less statewide plumbing network. **If the Delta tunnel is likely to (or even might) “convey” (at any time) water from a given source watershed/waterbody apparently to this newly proposed “augmented” additional South Delta pumping station (though I cannot seem to locate it on a map within the NOP), then those watersheds must be thoroughly evaluated in the Draft EIR in terms of hydrology, species (including listed species like native anadromous fish), and cultural, spiritual, and physical resources of federally recognized tribes (as well as other native people of the area). One thing that needs to be analyzed in the EIR pertaining to Trinity River diversions (and flow of that watercourse downstream from the lake/dam) is the LIKELIHOOD OF REPRODUCTIVE SUCCESS WITHIN THE TRINITY RIVER WATERSHED FOR NATIVE ANADROMOUS FISH SPECIES INCLUDING NATIVE SPRING CHINOOK SALMON, NATIVE FALL CHINOOK SALMON, AS WELL AS COHO SALMON. If, on the other hand, you choose not to do thorough analyses of the impacts of additional water diversions on listed species and on native cultural and spiritual values in the Trinity-Klamath watershed, THEN YOU ARE WELCOME TO REMOVE THE TRINITY RIVER FROM YOUR LIST OF WATER SOURCES TO RAID (raid additionally, if at all -- because Humboldt County tribes are not getting their promised flows even at present)!**

A map within the NOP shows Shasta Dam and Trinity Lake / Lewiston Dam as components of the nearly statewide plumbing network relating to the DCP, but that map happens to “white out” the Trinity River which is generally a bluish color both visually and on most maps (as watercourses tend to be). Instead, the map pretends that the Trinity River watercourse further west than the lake and dam by the upper Trinity does not exist! The tribal nations of Humboldt County do not get the flows of 50,000 acre-feet that they were promised from the Trinity River partly due to already excessive diversions from the Trinity to feed the thirst of Central Valley agri-business. Originally some of those acre-feet allotted to Humboldt County tribes was to go to spur some economic development in the lower Klamath region, but seeing

that the Trinity / Klamath watercourses were flowing so low, they decided to keep their allotment in the river (but the amount was less than what was promised). That map also mentions the “Trinity System.” Well, **the main mileage of the Trinity system is below Trinity Lake, and it happens to be the Trinity River – Klamath River (or Klamath-Trinity if you prefer) watershed since, yes indeed, the Trinity River empties into the Klamath River at Weitchpec, California.** I guess that basic info that an elementary school student could grasp might be news to Central Valley-based major water diverters at DWR – or else it is a ploy to try to avoid thorough analyses of the aforementioned variety.

There is a major concentration of indigenous people in the lower Trinity (particularly the Hupa) and in the lower Klamath (generally Yurok) plus some (but not as concentrated) in mid-Klamath areas where some Karuk reside, but without a reservation. There was a lot more indigenous presence further up the mainstem Trinity watercourse, but especially those natives near gold-mining areas generally got wiped out entirely. However, there is a band or tribelet in the Little Hayfork area of Trinity County, but they do not have formal federal recognition. **Natives along the Trinity and Klamath Rivers have been in the region for many thousands of years (often referred to by natives as “time immemorial”) and their spiritual and cultural being relates to taking care of Creation and of the “relatives” (other species) – particularly the native anadromous salmon on which their spiritual and cultural and (at least formerly) nutritional lives are/were based.**

Part of the analysis that should be required is how taking more water out of Trinity Lake (to feed the thirst of Central Valley farmers) would impact the flows of the Trinity River, and what those reduced flows would mean in terms of literal survival of native anadromous salmon species in the Trinity River watershed in order to complete their life cycle by coming back upstream to lay or fertilize fish eggs. There are some hatcheries around, but there still are fairly small numbers especially of native Spring Chinook as well as of native Coho salmon in the Trinity River watershed. There is a half-way decent Spring Chinook run in the Salmon River (a tributary to the Klamath River before the Trinity River drains into it), but more genetic diversity is desperately needed particularly for Spring Chinook and Coho salmon on the Trinity River side of the Weitchpec divide as it were. While there should be analyses of potential cumulative impacts to Fall Chinook and other species as well, but I am especially TRYING TO BRING ATTENTION TO THE MAJOR NEED TO THOROUGHLY ANALYZE WHAT REDUCED TRINITY RIVER FLOWS WOULD MEAN (INCLUDING OVER THE MID AND LONG TERM) IN TERMS OF GENETIC DIVERSITY AND EVEN MERE SURVIVAL OF NATIVE SPRING CHINOOK, FALL CHINOOK, AND COHO SALMON POPULATIONS IN THAT WATERSHED. Simply getting more Spring Chinooks to hatch at a hatchery will not suffice for genetic diversity of that species, and even they prefer more natural flows rather than having their water siphoned off for powerful agricultural interests in the Central Valley. Plus, Coho salmon numbers are woefully low as well in the Trinity River watershed, but there are still some Coho in French Creek and other small streams along the mainstem Trinity, plus some low numbers in a few

streams of the South Fork Trinity River. The health and flow level of the Trinity River is essential for the Coho salmon who needs a reasonable level of flow to make the trek back up the Trinity to lay and fertilize eggs in smaller fairly intact tributary streams, while the Spring and Fall Chinook also prefer a good amount of water in what one of the maps called the “Trinity System” to access their preferred remaining habitats.

Other than Los Angeles County which has lots of people from everywhere including Native Americans, it is my understanding that the Trinity-Klamath area has the highest concentration of indigenous people in California – so the highest concentration of indigenous people who are still quite land and water-based in the USA’s most populated state. Not only does this region deserve special care (rather than be specifically targeted to be further drained to feed the thirst of Central Valley agribusiness), but the **Klamath-Siskiyou area has the highest concentration of native conifer species of anywhere in the world!** Plus, the major Josephine Ultra-mafic Sheet (further north in the bio-region) with its serpentine soils hosts a globally renowned array of rare endemic plant species. One could literally contend that the **Klamath-Siskiyou Bio-Region** (which was only spottily glaciated during the last Ice Age due to the general east-west orientation of the Klamath Mountains and the Siskiyou Mountains) **is the Amazon of the temperate zone!**

Salmon DNA is literally found especially in older conifer trees in parts of California. This is not surprising since the Sacramento and Klamath Rivers were the major salmon rivers along the U.S. West Coast after the Columbia River. And I would surmise that trees likely prefer native salmon to be incorporated into their being rather than hatchery fish (following the “pooper principle of forest ecology”) seeing that the hatchlings don’t have the genetic history within their DNA while usually needing antibiotics to control diseases.

OTHER POTENTIAL UPSTREAM SOURCES of ADDITIONAL WATER for the SACRAMENTO RIVER and DELTA

In regards to the proposal to raise and expand Shasta Dam, I was once on a Greyhound bus and the driver – while driving up the hill north of Redding on Highway 5 – said “someday a 100-foot wall of water will be coming down this hill toward Redding”. I shall note that this was before the “raising Shasta Dam” proposal, so imagine what disaster a raised Shasta Dam could cause to Redding, California, if Shasta Dam was raised! And seeing that Shasta is considered in the Cascade Range, it not only is obviously in a volcanic area since Mt. Shasta to the north is a volcanic cone mountain, but also can be severely impacted by the Cascadia Subduction Zone which is overdue for a GREATER THAN 9 MAGNITUDE EARTHQUAKE. (The last huge quake on the Cascadia Subduction Zone occurred in the year 1700, and another is considered overdue.) The EIR must consider what the “raising Shasta Dam” proposal could mean for worst-case flooding scenarios if Shasta Dam collapses from natural forces or possibly from a weak collapsing structure (such as almost occurred at Oroville Dam in recent years until the spillway

and other areas were majorly bolstered). There would certainly need to be careful analysis as to what the difference in impacts from a collapsing Shasta Dam (due to seismic/volcanic or other reasons) would be on the resources, humans, and various species in the Redding area and in other parts of the Sacramento River watershed. There is already a lot of diversion of watercourses into Shasta Dam, and what's left of watercourses in the vicinity whose natural course would flow outward toward other watersheds like the Shasta River -- which already has disturbingly low water flows -- should be left to their own natural directional flow. I could conceivably see a very slight expansion of Shasta Dam -- of maybe a third or half a block worth to add a bit more storage capacity -- but I strongly object to the proposed raising and other expansion of that dam proposal. Be sure to examine impacts on indigenous spiritual and cultural lives when looking into raising and expanding Shasta Dam in the EIR. And, once again, **if you decide you do not want to do analyses on these significant issues to many native people, THEN SIMPLY DO NOT PROPOSE OR ALLOW AN INCREASE IN WATER BEING EXTRACTED FROM THE SHASTA DAM (which at one point would flow through a Delta tunnel to the South Delta Area toward the proposed new pumping station in that area), and make such a written guarantee within the EIR!**

Plus, due to climate change, there will be fluctuations in water quantity in the Sacramento River and in the Delta. But many models predict a reduction in flows in most watersheds around California in the future (including in the delta itself), so the major proposal to raise Shasta Dam may not even result in an increase in Shasta Dam exports because there is only a certain amount of water available in that area to go to Shasta Dam (that is not already directed there) before such water heads further south in California.

There is not supposed to be "piece-mealing" under CEQA. So, either do full analyses including of areas whose watersheds will be further drained of water as part of the DCP Draft EIR, or else forbid those sources of water (or at least additional water beyond the usual amount obtained in recent years) to be used to feed the Sacramento River and its proposed DCP tunnel !!! Thank you.

TOXIC MERCURY IN SOILS OF COLUSA COUNTY WHERE SITES DAM IS PROPOSED

I understand that the proposed Sites Dam in Colusa County is problematic not only because it would encourage the storing of far northern California water in that area which is known for its naturally elevated levels of mercury in its soil, but also because the region has mercury-laden soils while earlier mining for mercury in the region further stirred up the mercury -- thus exacerbating the toxicity problem in the area. Will there be analyses in the DEIR regarding the impact on native spiritual and cultural resources of the Colusa County area, as well as on the impact of pumping water with elevated toxicity from that proposed dam in Colusa County into the Sacramento River which could be "conveyed" through a Delta tunnel on species of the Sacramento River and Delta areas? Approximately what percentage of the water proposed to

be in Sites Dam would come from additional water diversions from both the Trinity Lake / Lewiston Dam area or from a proposed-to-be-raised Shasta Dam? If the Sites dam is to be built, the EIR should examine whether a clay cap should be placed over the soil of that Colusa County site in order that the mercury-laden soils of that Sites Dam site not increase contaminant levels in the water destined for the Sacramento River watercourse. So, will efforts be made to avoid contamination at the proposed Sites Dam site, and if so, what will those mitigation measures involve?

I just peered again at Figure 1: the “Proposed Project Facility Corridor Options,” and I note that the proposed Sites Dam does not appear on the map. DOES THIS MEAN THAT SITES DAM WILL NO LONGER BE SOUGHT IN ORDER TO STORE MORE TRINITY AND SHASTA WATER TO THEN RELEASE INTO THE SACRAMENTO RIVER – some of which may be “conveyed” through the proposed DCP tunnel??? If you consider the proposed Sites dam as still in play to supplement Sacramento River/Delta/tunnel water, please show that proposed site on future maps and analyze for impacts of species, site workers, and others in that Colusa County area about which I have already indicated concerns regarding the high mercury level of the soil (which was stirred up and exacerbated by mining in the region). If you choose not to show a possible Sites Dam site and choose not to thoroughly analyze that proposed dam, then please state in the EIR that DWR no longer has any interest in the Sites Dam project in order to store water and supplement the flow of the Sacramento River.

ENVIRONMENTAL JUSTICE MATTERS and SCOPING HEARINGS on the DELTA CONVEYANCE PROJECT

Despite it being very clear that one of the three “geographic regions” which is to be examined in the DEIR is the “upstream from Delta” area, yet not only is “environmental justice” never mentioned in the Notice of Preparation, but there were no initial plans for any hearing north of Sacramento on scoping for the DCP’s forthcoming EIR. Apparently some prodding eventually resulted in just one hearing north of Sacramento – in Redding – an area known as a place for environmentalists to be beaten up after hearings (if what I heard when living in northern California in the late 1980s is any indication). Excuse me, your choice of a hearing site was still pretty far away from the main concentrated land and water-based indigenous tribes of the Trinity – Klamath watershed! Also, a number of coastal areas of the state tend to be populated with those who have more environmental stewardship tendencies, and I will point out that the North Coast area with its concentration of both native peoples and environmentalists was not granted a hearing despite the serious impacts of what raiding more Trinity River water for the Central Valley means for the largest watercourse / watershed in the region which is the Klamath – Trinity River watershed system with species implications extending into the Pacific Ocean as well.

BAIT-and-SWITCH in regards to RESTORATION, ENVIRONMENTAL JUSTICE and WHETHER PUMPING PLANTS would be a Replacement (rather than an Additional/Augmented) facility to encourage South-of-Delta exports

Let us review some history relating to tunnel proposals for the Sacramento Delta. The Delta Bay Conservation Plan, while still not proposing enough “restoration” activities to mitigate for the major damage that constructing and using the Delta tunnels would unleash, at least did have fairly ambitious restoration efforts over a fairly wide chunk of Delta. Restoration was generally left by the wayside for the so-called CA Water Fix – whose name itself shows that forces behind the document want their chosen alternative as the fix – rather than seriously considering all offered alternatives. And, though a couple mitigation ideas may be forthcoming in the DEIR in regards to restoration, but such is not indicated in the NOP. So, once again, “restoration” is getting less and less attention in environmental impact documents relating to a Delta tunnel (or tunnels as was the previous proposal).

The BDCP, at least as a token paperwork matter, recognized environmental justice as an issue to contend with in environmental impact documents. The CA Water Fix also recognized that the EIR should contend with environmental justice issues. However, **with the Notice of Preparation for the so-called Delta Conveyance Project, the term “environmental justice” is not even mentioned or acknowledged in that document.** Realizing that environmental justice was a notably weak point in their analysis, goals, and objectives (not even earning a token mention), apparently the DWR hired those couple nice women from a non-profit who were in the back of the room at the Los Angeles hearing on the DCP to do outreach to environmental justice communities. Though I believe that those two women tried, but that does not make up for total omission of environmental justice issues (or the term itself) from the Notice of Preparation for the DCP. Plus, **there still should have been either a coastal Humboldt County scoping hearing or else a DCP scoping hearing in Hoopa in inland Humboldt County.** Such a hearing should have been held either in Arcata which is at the western end of Highway 299, in Klamath which is near the mouth of the Klamath River (though unsure if there is a venue large enough there), or in the most populated area along the Trinity (by indigenous people, or otherwise for that matter) -- the town of Hoopa on the reservation for the Hupa tribe.

SOME CUMULATIVE IMPACT CONCERNS WITHIN THE DELTA

I recall hearing during the CA Water Fix era about excessive damage to species from entrainment and impingement at Southern Delta pumping plants which would be improved by ceasing to use the current pumps in lieu of those northern intakes. The DEIR needs to be clear in regards to the communication and basically lobbying activities that the Dept. of Water Resources was involved in which convinced the State Water Resources Control Board to pull the old Bait-and-Switch by “adding” or “augmenting” more diversion points for the

Sacramento River & Delta area water especially between 2015 and 2019, while conveniently forgetting about earlier plans to “replace” rather than add to the current South Delta pumping facilities. **Please consider each and every species of the Delta region, and then ponder what cumulative impacts there will be on those species from the combination of long construction period at a depth of 190 feet, depriving the Delta and outflow toward the Bay of even its current inadequate water, and then adding 2 northern and an ADDITIONAL SOUTHERN PUMPING STATION which also would have screens which impinge species –** while some of the critters will get through the screen to become entrained within the tunnel if that boondoggle is eventually built and completed. **IN THE FORTHCOMING EIR, PLEASE DETAIL THE HISTORY ABOUT HOW THERE WAS AN EVOLUTION FROM “REPLACING” AT LEAST ONE CURRENT SOUTH DELTA PUMPING PLANT THAT WAS DAMAGING SPECIES – to simply “AUGMENTING” the current pumping infrastructure by constructing yet another Southern Delta pumping station.** This would be in addition to the diversion areas further north which would send water toward the Southern Delta pumping facility while depriving the San Francisco Bay Area of even the reduced flow it currently gets due to so many Sacramento River and Delta watershed water diversions. If there will be efforts to minimize damage to some species from water intakes relating to the DCP (near whichever new water diversion points proposed under the DCP) by turning off certain pumps at certain times, please give details in the DEIR as to how such decisions will be made. Or will pumping from all stations generally proceed unless there needs to be some perhaps fairly brief repair, or perhaps if it might be better for certain listed species to switch to another pumping station for awhile? **Do you still care (or are your lawyers elbowing you to act like you care anyway) about species being killed, injured, and harassed due to impingement onto and entrainment into an increasing number of water-pumping facilities in the Delta region under the DCP?**

By the way, I do not spot the proposed new South Delta pumping plant on the maps of the NOP – I believe the two pumping plants shown are the ones currently there. Plus, I do not see the proposed area for Sites Dam on that same map that erased the Trinity River.

As far as how long it may take to construct the proposed DCP tunnel, some trying to sell you a bill of goods are saying it could be completed in 13 years. However, I’d say that construction engineers might be able to better estimate the likely time frame to complete the tunnel to convey water under the Delta at least as well as most paper-shufflers, those eager to get contracts, and those agencies such as the Metropolitan Water District which seeks to sell its ratepayers a bill of goods. For instance, **a recent technical report by construction engineers for the Delta Conveyance Design Construction Authority estimated that it would take 23 years or more to complete the DCP tunnel and associated infrastructure.** That is partly because of the time it would take to get permits and build supporting infrastructure such as roads, train depots, barge-unloading facilities, large landings and more – as well as the new intakes and new South Delta pumping station. Those construction engineers pointed out that a lot more of this infrastructure would be needed to get a huge amount of equipment and

piping to the Central Delta corridor if that one is chosen for the tunnel – as versus the more Eastern proposed tunnel corridor. Thus, there would be more GHGs emitted if the central area was chosen for the main tunnel (plus it would take longer), however it is sad to note that the more eastern alignment is fairly close to a number of sensitive receptors including some of the sizable Environmental Justice communities within the City of Stockton and in other communities in the region. The aforementioned sensitive receptors would be exposed to a lot of toxic emissions from at least 23 years of construction activities even if the Central tunnel corridor is chosen (seeing that it would take longer to build that one due to access problems), but the Eastern tunnel corridor would bring the emission sources quite close to Environmental Justice and other neighborhoods in Stockton and other towns in the region which would especially those with respiratory ailments in that area which is already prone to such even before construction may be gone on the tunnel-related infrastructure.

SINGLE TUNNEL OR FOUR to FIVE TUNNELS ?!

I have just re-read the NOP and realize, that while the overall public relations gist is to say there is a single tunnel proposed for the DCP (instead of the earlier “twin tunnels”) – instead of the earlier twin tunnels, it clearly says on page 5 of 12 of the NOP that “The proposed project would **construct up to two north connecting tunnel reaches** to connect the intakes to an Intermediate Forebay (see Forebays section below), **a single main tunnel** from the Intermediate Forebay to a new Southern Forebay, and **two connecting south tunnel reaches** as part of the proposed project’s South Delta Conveyance Facilities (see “South Delta Conveyance Facilities section below) to connect to the existing SWP, and potentially CVP, facilities in the south Delta.” One could contend that there are 4 or 5 tunnels proposed as part of the DCP!!!! Common sense dictates that a “tunnel reach” is a tunnel, and thus there will be one or two of such “tunnel reaches” at the northern end before the main tunnel kicks in, and then there will be two more tunnel reaches built toward the South Delta.

I had heard earlier that the proposal is to build a main tunnel (formerly two) at a depth of 150 feet, yet I guess that elevation is for the top part of the tunnel – while the bottom part is supposed to go 190 feet deep!

That little NOP section on tunnels and tunnel reaches also has a rosy perspective regarding cleanliness or toxicity of soil that will be dredged up in order to facility construction of the main tunnel and 3 or 4 other “tunnel reaches”. It says on page 5 of 12 that “Earthen materials would be removed from below the ground surface as tunnel construction progresses; this reusable tunnel material could be re-used for embankments or for other purposes in the Delta or stored near the launch shaft locations.” What about unsafe levels of mercury, selenium, arsenic, chromium-6 and other toxic heavy metals in the dredged material? **Will there be any sort of procedure to evaluate whether certain dredged soil needs to be disposed of at a Class I toxic dumpsite(?), or are you just assuming it won’t be too toxic so use it as**

embankments or store it in the launch shafts? It is not fair to workers who may have to repair a certain section of tunnel at some future point to once again encounter the same toxic dredged material which, instead of being hauled away from this sensitive ecosystem, is just being stirred up and re-located toward embankments or else back into the launch shaft which workers would have to lift up to the surface again to seek to repair a section of Delta tunnel a ways below. **WILL a certain percentage of DREDGED MATERIAL BE EVALUATED FOR ITS TOXICITY during at least some of the DCP construction phase?** I realize that it will be a huge amount of dug and dredged soils that will be brought to the surface during the DCP construction phase, but that key CAPITALIZED QUESTION remains! Or will it just be assumed that everything dug up is not toxic enough to need to take to a Class I toxic dumpsite, and that it generally is fine to form embankments along the water bodies in the area or place diggings back into shafts used to get down to the deep dredging activity?

I note that, pertaining to that quick CEQA check-list, under Hazards and Hazardous Materials, it merely says: “potential conflicts with hazardous sites”. That sounds like DWR is aware that certain areas of the Delta in which the huge construction project would take place are “hazardous sites”. **Maps in the EIR need to identify what DWR and other agencies may know in regards to current hazardous materials in the general DCP area which would certainly be impacted by major digging, dredging, and construction activities in the area.** There is no indication as to whether there would be any thorough evaluation of suspected or known toxic areas along the path of the DCP-related construction in the Delta, and if such a hazardous site is identified, would that involve a cleanup or could there be a slight or more than slight route modification to avoid at least the known most toxic sites in the general zone of the proposed DCP construction activity? That term “potential conflicts with hazardous sites” appears to indicate that the hazardous sites are “out there” while the DCP may be the shining knight of clean projects that don’t want to get in conflicts with hazardous sites. Let’s get real about the major amounts of toxic fuels (as well as lubricants) that would be combusted / emitted relating to the DCP (including the northern stretches of the “upstream from Delta” part of the 3 geographic regions comprising the DCP project including not only the Trinity system and the Shasta Dam area, but also the area proposed to store far northern California on that site in toxic Colusa County). Other toxic products which surely will be used (even routinely) are toxic lubricants, toxic herbicides, toxic pesticides (which may well increase over the decades when the water in the Delta becomes more stagnant which is preferred by mosquitoes), dust suppressants, perhaps rodenticides, and other toxic materials. So, please tell the truth rather than play pretend when it comes to the toxic fluids such as fuels and lubricants which certainly will be involved, and likely sprays that the DCP construction phase will use some of – as well as other agencies who like to spray. **Besides hopefully not downplaying (in the EIR) the use of toxic fluids and other materials by the DCP, please also do not downplay the toxicity of the materials that will be encountered between the ground or delta water surface and 190 feet below that surface. The EIR must detail how the decision would be made to form embankments out of some diggings, place some dug up**

soil/silt back into some shafts, whether the diggings can be remediated to reduce its toxicity, or whether the diggings are so toxic that they need to be hauled to a Class I toxic dumpsite.

HOW LONG WILL THE MAMMOTH CONSTRUCTION PROJECT AT A DEPTH OF 190 FEET TAKE?

It is like the TOOTH FAIRY was a primary consultant to the one who wrote the Notice of Preparation. Excuse me, but I think construction engineers writing a technical report estimating the time to build the DCP (which they estimated as “at least 23 years”) are very likely more accurate than the bureaucrats under pressure by major interests to pretend that it will be a 13-year construction phase and that there won’t be serious environmental impacts, and blah blah. I do not gamble, however I would sure bet money about whether the construction phase would be closer to 13 years or to the 23 years or more that the construction engineers estimated. (The DCP will not be done in 13 years after construction begins, but if the project finishes or ceases closer to 13 years, it will be because ratepayers will realize the huge cost over-runs and serious problems and will demand an end to the boondoggle. If this is a time of economic depression which many see as likely, how will that impact funding of the major construction work in the Delta area part of the DCP project area?). I know you’ve got to give rosier numbers to convince major agencies and major agribusiness firms to “buy-in” on the Delta boondoggle (and to hoodwink the ratepayers), but Truth should be in EIRs rather than greed-driven fantasies. For instance, under “Tribal and Tribal Cultural Resources”, it says “effects to archaeological and historical sites and tribal cultural resources”. Yes indeed, Tribal and Tribal Cultural Resources is a key component of the CEQA Checklist. I will point out that thoroughly analyzing the DCP in terms of “tribal cultural resources” would need to **evaluate impacts (including cumulative impacts) on current Native Americans as well as their other species “relatives” IN THE WATERSHEDS THAT WOULD BE IMPACTED BY DIVERTING THE PUBLIC TRUST RESOURCE KNOWN AS WATER AWAY FROM THE WATERSHED WHICH NATURE CARVED AND INSTEAD TOWARD THE POWERFUL INTERESTS OF THE CENTRAL VALLEY.**

Certainly, things like the impacts that additional water diversions toward the Sacramento watershed from the “Trinity system” would have on the public trust resource of water and the species and humans it supports and nourishes in the Trinity – Klamath system needs thorough evaluation in the DCP EIR. Also, if more streams are diverted away from the Shasta River to raise Shasta Dam to provide more water for the Sacramento River and Delta tunnel, one would also need to evaluate impacts such additional diversions would have on listed and other species of the Shasta River watershed.

I mention those watersheds again because that is the first “geographic region” mentioned as being part of the DCP, but obviously one would need to seriously evaluate what

archaeological and cultural resources are being impacted in the Delta area construction zones as well. I imagine a bunch of old pottery pieces, remains of their relatives, and other things indicating native habitation of the area or at least watershed will be dug and dredged up as part of the DCP construction phase. **But since the heavy equipment shovel would be quite sizable, and there would be so much dirt and then so much mucky silt it would be difficult to see anything emerge from, how effective will an evaluation (if it exists) be to try to determine whether the soil is too toxic for embankments and to fill shafts, or whether it is fine to move such material around and not seek to transport, mitigate, or remediate.** It should be noted that while anadromous salmon species are particularly important species for the native nations of northwestern California, but **the Sacramento River was even more flourishing with native salmon than the Sacramento River before massive alterations of the region. Also, do not forget to analyze in terms of impacts (including from the construction phase) on year-round resident fish of the Delta such as the Delta smelt. At any rate, the EIR for the DCP must have their hydrological, biological, and native cultural evaluations work closely together both in regards to the Trinity River watershed, as well as more generally for these evaluations to determine whether you can honestly put a check next to some CEQA Checklist topics.**

Some things to evaluate in the EIR for the “Statutory Delta Area” would be the cumulative impacts on a range of species (including native and other people, and including the other species “relatives” of native people of California) from: **1. the giant digging/ dredging/ construction project in the Delta area known as the DCP including all of its new intakes, various tunnel reaches, the main tunnel, and lots of associated infrastructure; 2. diverting Sacramento River freshwater away from many of its natural outflow areas allowing the area to become more stagnant, less flushed, and more prone to Harmful Algae Blooms and mosquito larvae which have yet other repercussions as a result of the DCP; 3. the basic operation of the major infrastructure if it is finally completed.** During such operation, rather than the earlier proposal to “replace” a pumping station in the South Delta due to supposed concern about impingement and entrainment of species at such facilities, unfortunately the DCP calls for an “augmented” / additional pumping station instead of the replacement. **Evaluate what species are most likely to be impinged and entrained at each of the intakes, tunnel reaches, and pumping station screens associated with the DCP, and please explain how the augment rather than replace South Delta pumping station decision was made.**

I just read again what was written after “Climate Change”: “increase resiliency to respond to climate change”. That is so vague that it is virtually meaningless! **First of all, a “thorough evaluation” of climate change will necessitate: 1. Thoroughly evaluating everything from impacts from water diversions in those “Upstream of Delta” areas such as the Trinity complex and the Shasta Dam territory; 2. carefully evaluating likely climate impacts from seriously reducing outflow to San Francisco Bay and the Pacific Ocean if the DCP becomes reality (and how that would impact both climate and the entire food chain of that greater**

region which includes the **LARGEST ESTUARINE DELTA ALONG THE PACIFIC COAST** in either North or South America) including its oceanic impacts; **3. Examining the impacts to climate that may occur if there is less water in much of the Delta, and whether climate is further impacted by the increase in toxic algae in the Delta; and last but not least 4. carefully examining the impact that at least 23 years of major construction activity would have on greenhouse gas emissions in the region, including approximate amounts and varieties of fuels and lubricants that would be used for the construction equipment.** Will there be attempts to get alternative fuels to things like DIESEL-powered equipment since the diesel formulation contains over 40 known carcinogens?, be it gasoline or natural gas-powered, and whether it is powered otherwise. Will there be any attempts to control “black carbon” emissions relating to DCP construction activities or to seek equipment that does not emit that serious greenhouse gas (?) – seeing that “black carbon” has especially deleterious effects on local and global climate.

Page 9 of 12 and page 10 of 12 of the NOP for the DCP quite lightly discusses “POTENTIAL ENVIRONMENTAL EFFECTS”. The old CEQA Checklist categories are there, but the person who wrote the words after those CEQA Checklist topics tries hard to narrow what kinds of thorough evaluations that could be conducted under those respective topics and tries hard to limit any such studies to certain Delta areas. For instance, we are currently living through a time of a public health crisis! **Does DWR and/or the NOP preparers see a range of issues that could be health-related pertaining the NOP, or as stated on page 10 of 12 of the NOP, is the only possible public health consideration which deserves any attention to be thoroughly evaluated under CEQA “changes to surface water could potentially increase concerns about mosquito-borne diseases”?** Even though I object to this being the only “public health” consideration mentioned in the NOP that DWR wants to analyze, but it is a valid topic in itself, so let’s evaluate it. The essence of the NOP is to extract more water from watersheds and waterbodies to the north in order to feed the thirsty Central Valley and a bit to the Southern California metropolis since those ratepayers are expected to cough up funds big-time. Another key goal (whether admitted or not) is to reduce the amount of water which would flow toward the San Francisco Bay and Pacific Ocean, and even to reduce the amount of water available to help flush out toxic materials from becoming stagnant in Delta areas.

Depriving the central, west, and northwest Delta of sufficient water flows will lead toward more HARMFUL ALGAE BLOOMS as well as less flushing of toxics (re-suspended due to so much churning construction work) and less flushing of toxic algae toward San Francisco Bay and the Pacific Ocean. This, in turn, is bad news for those who fish, boat, or otherwise recreate in the Delta area. How will a reduction of water in much of the Delta impact recreational users including from the many environmental justice communities in San Joaquin County?

Construction workers need public health and safety – in terms of safe workplaces to prevent falls and accidents, in terms of how workers might fare building a huge project for decades

when novel coronaviruses are circling the globe, and in terms of exposure to toxic materials. While I am contending that potential for increase in mosquito-borne diseases should not be the sole topic for evaluation under “public health”, yet that specified issue is fine to analyze because there is likely to be more stagnation in the Delta in which mosquitoes like to lay their eggs.

Air quality during the construction phase of the DCP must be evaluated in the EIR in terms of amounts of certain kinds of emissions, in terms of how long major construction activities will last in a specified or greater area with such emissions, but also in terms of how the massive dust clouds sometimes more or less combine with toxic emissions and massive dust clouds to impact sensitive receptors and others in the Stockton and other areas of the Delta region. I also consider Lathrop to be an EJ community – partly because I am aware about most of the workers going sterile over 40 years ago when manufacturing DBCP at an Occidental Chemical facility in that town.

ECONOMIC ANALYSES

Not only should the DEIR seek to more accurately predict the length of time that it would take to complete the DCP tunnel and associated infrastructure, but it should also be a lot more frank about how much it would truly cost. MWD and other agencies need to hear as accurate info as possible about cost estimates for the varying alternatives. And consider the public health potential to spread coronaviruses in a major more than 23-year construction project and the impact of emissions on workers and neighboring residents and sensitive receptors from building the major tunnel and associated infrastructure and facilities. Examine changes in banking sector due to calamities thus far in 2020.

Thank you for your consideration and for this chance to comment.

Sincerely yours,

Bruce Campbell
10008 National Bl. #163
Los Angeles, CA 90034

From: [Greg Knoblich](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: delta tunnel
Date: Friday, April 17, 2020 11:21:16 AM

I am writing today to express my opposition to the proposed Central Corridor. My reasons for this are as follows.

First, it will result in huge economic losses, if not bankruptcy, to boating communities, marinas, and boating-based mom & pop businesses due to noise and construction through the middle of the favorite boating waterways and anchorages.

Second, the gridlock that will occur on Highway 4 along with the damage due to construction traffic will cause major, ongoing disruptions to the lives of the residents living in the Delta.

Third, Delta farmers will also have their livelihoods negatively affected.

Finally, the long term effects of removing water north of the Delta instead of allowing it to flow through the Delta will be hugely problematic to the environment and wildlife.

Please do not move forward with this plan.

Greg Knoblich

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Discovery Bay, CA 94505

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Greg Knoblich

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916.765.4944

925.905.2155 eFax

From: [B. Miller](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnel
Date: Friday, April 17, 2020 11:16:03 AM

I am writing today to express my opposition to the proposed Central Corridor. My reasons for this are as follows.

First, it will result in huge economic losses, if not bankruptcy, to boating communities, marinas, and boating-based mom & pop businesses due to noise and construction through the middle of the favorite boating waterways and anchorages.

Second, the gridlock that will occur on Highway 4 along with the damage due to construction traffic will cause major, ongoing disruptions to the lives of the residents living in the Delta.

Third, Delta farmers will also have their livelihoods negatively affected.

Finally, the long term effects of removing water north of the Delta instead of allowing it to flow through the Delta will be hugely problematic to the environment and wildlife.

Please do not move forward with this plan.

Betty Miller

From: [loren.rhodes](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnel project
Date: Friday, April 17, 2020 12:15:30 PM

It is absolutely unconscionable that departments meant to protect the taxpayers of California are still trying to destroy the Delta by finding ways to pump more tax subsidized water to Corporate farmers who are plowing under crops that won't sell during the pandemic instead of donating to food banks. The billions of tax dollars wasted on the previous tunnel project should make it evident that pouring more money into another project only Corporate Farmers approve of is simply an expensive waste of time. There ARE more cost effective ways.

From: [felice calderoni](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnels
Date: Friday, April 17, 2020 1:00:22 PM

I vote no on the tunnel(s).

Felice Calderoni

Sent from my iPhone

From: [Marjorie Lutz](#)
To: [DWR Delta Conveyance Scoping](#)
Date: Friday, April 17, 2020 4:31:27 PM

Do Not build the proposed idsastrous tunnels!! This would change the delta area forever, costing more than you can even imagine in wildlife, fish, native birds and migrating birds. That is not to mention the prproblems it would cause for farming in the whole area.

In Florida, the "powers That Be" decided to cement and control the Okachobee River and the Evedrglades. Millions were spent in construction, with such horrible results that now, 25 years or so later, they are spendings many MORE millions trying to undo the problem by removing miles of concrete and other impediments to the glades and the river. When you interrupt the natural flow of the planet's resources, everything in interrupted and the results are far more than the "experts" can imagine. **DO NOT BUILD THE PROPOSED TUNNELS!!** If you think the huge oil spills in the Gulf of Mexico were bad, this has the very real potential of being even worse.

Marjorie Lutz

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www.MarjorieLutz.com
acrylic art and more
www.LutzAstrology.com

From: [Wgg Wilson](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Delta Tunnel
Date: Thursday, April 16, 2020 1:10:59 PM

Please do not proceed with the cross delta tunnel. The concept is ill conceived, will ruin the delta, will exterminate delta wildlife and will ruin the surrounding local economies. If Southern California needs additional water it should come from Ocean Water desalination.

Thank You
Bill Wilson

Sent from my iPhone

From: [Maggi Baum](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Delta Tunnel Project
Date: Friday, April 17, 2020 9:22:28 AM

I am opposed to this project on many levels. I am also concerned that the location of one of the intakes is very close to my property. This raises many questions, of them are on a commercial level and some on a personal level.

The plan shows the road being moved and blocked off for a time period. Will that allow us to still be able to harvest and transport our crop? Pears are time sensitive on the market and can't sit around for hours waiting for the road to open. Also I would like to know where the road is moving back to. How far will it move ? Will the levee move with it? Will we be reimbursed for the loss of trees or loss of crop? Where will the tunnel start and how does this effect the properties? What about wells? Electric? Traffic? I see many concerns that need to be addressed with the effected property owners

Maggi Cave Baum
Richard Baum