

**From:** [Patrick Porgans](#)  
**To:** [DWR Delta Conveyance Scoping](#); [Macias, Maggie@DWR](#); [Patrick Porgans](#); [Rodriguez, Renee@DWR](#)  
**Subject:** Re: Porgans comments regarding NOP for DWR's EIR for peoposed Delta Conveyance project  
**Date:** Wednesday, April 15, 2020 12:50:39 PM  
**Attachments:** [PorgansDWRDeltaNOPConveyanceProject.docx](#)

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To: Renee Rodriguez, [DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)

PorgansIAssociates (PIA) submitted comments regarding the California Department of Water Resources Notice of Preparation of an Environmental Impact Report for the Delta Conveyance Project in the Sacramento-San Joaquin Delta on the previous deadline of Friday, 20 March 2020. It is our understanding that DWR extended the comment period on the NOP until 15 April 2020.

PIA requested confirmation that DWR had received our previous comments and have yet to receive confirmation as requested. Please confirm confirmation of PIA's 20 March 2020 comments.

There was one work in PIA's comments that states, on page one "seek" it should read

*"DWR's latest "one-tunnel alternative" is just the latest rendition of a myriad of failed attempts to suck more water from the Delta as a means to seep the SWP financially afloat."*

**Please not this change.**

**Also, note that the "alternative(s) listed are not all encompassing. Ass in PIA's "no tunnel alternative."**

Again, please confirm receipt of this email, ASAP.

Please refer to attached file. Also, please confirm receipt of this e-mail via e-mail, ASAP. Thank you.

Respectfully,

***Patrick Porgans***

Patrick Porgans, Solutionist  
 Principal, Porgans/Associates  
 Government-Regulatory-Compliance Analyst  
 Public-Records Forensic Accountant  
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On March 20, 2020 at 4:45 PM Patrick Porgans <pp@porganssolutions.com> wrote:

[DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)

**Patrick Porgans-Solutionist, PorgansIAssociates and Planetary Solutionaries  
Synoptic Comments Regarding the California Department of Water  
Resources (DWR) NOTICE OF PREPARATION OF AN  
ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE DELTA  
CONVEYANCE Project in the Sacramento-San Joaquin Delta**

**Comments submitted to Renee Rodriguez via e-mail to  
[DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov) Date: Friday, 20 March 2020**

**Note: PLEASE CONFIRM RECIEPT OF THIS E-MAIL VIA E-MAIL**

**Comment No. 1:** The following is an addendum and reiteration of comments Patrick Porgans-Solutionist, expressed at the DWR's Notice of Preparation (NOP) Public Outreach meeting held at Clarksburg on 19 February 2020. The following italic and indented type are verbatim quotations extrapolated from government sources.

Please refer to attached file. Also, please confirm receipt of this e-mail via e-mail, ASAP. Thank you.

Respectfully,

***Patrick Porgans***

Patrick Porgans, Solutionist  
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<https://www.indybay.org/newsitems/2015/01/16/18766974.php>

[http://www.lloydgcarter.com/content/100726403\\_watchdog-patrick-porgans-letter-swrch](http://www.lloydgcarter.com/content/100726403_watchdog-patrick-porgans-letter-swrch)

[www.planetarysolutionaries.org](http://www.planetarysolutionaries.org)

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[www.planetarysolutionaries.org](http://www.planetarysolutionaries.org)

**Patrick Porgans-Solutionist, PorgansAssociates and Planetary Solutionaries Synoptic Comments Regarding the California Department of Water Resources (DWR) NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE DELTA CONVEYANCE Project in the Sacramento-San Joaquin Delta**

Comments submitted to Renee Rodriguez via e-mail to [DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov) Date: Friday, 20 March 2020

**Note: PLEASE CONFIRM RECEIPT OF THIS E-MAIL VIA E-MAIL**

**Comment No. 1:** The following is an addendum and reiteration of comments Patrick Porgans-Solutionist, expressed at the DWR's Notice of Preparation (NOP) Public Outreach meeting held at Clarksburg on 19 February 2020. The following italic and indented type are verbatim quotations extrapolated from government sources.

*The Department of Water Resources (DWR) is pursuing an environmental review to evaluate a single tunnel option to modernized Delta Conveyance under the California environmental Quality Act (CEQA). The first step in this process is release of a Notice of Preparation (NOP). The NOP informs agencies and the public about the preparation of the Environmental Impact Report (EIR) and solicits input on the scope and content of the EIR, including information needs, potential project effects and mitigation measures, and possible alternatives to the proposed project.*

*Modernizing Delta conveyance is part of the state's Water Resilience Portfolio, which describes the framework to address California's water challenges and support long-term water resilience and ecosystem health.<sup>1</sup>*

*The existing Delta conveyance facilities, which includes Clifton Court Forebay and the Banks Pumping Plant in the south Delta, enable DWR to divert water and lift it into the California Aqueduct. The proposed project would construct and operate **new conveyance facilities** in the Delta that would add to existing SWP infrastructure.<sup>2</sup> [Emphasis added]*

**Comment No. 2:** As the 19 February Clarksburg NOP public outreach session, I asked DWR personnel to point out the existing Delta conveyance system that is to be modernized. They appeared somewhat perplexed and disoriented and not surprisingly they could not illustrate the presence of the existing Delta conveyance system, because it does not exist! [Conveyance | Definition of Conveyance by Lexico](#) *The action or process of transporting someone or something from one place to another.*<sup>3</sup> However, since 1960, the DWR has been under a legislative and voter mandate to construct, maintain and operate a Delta conveyance system to move water across the Delta to the Banks Pumping Plant in the south Delta. The Delta Conveyance system was identified, authorized and funded via the California Water Resources Development Bond Act, and is codified in the California Water Code, section 12934(d)(3) as Delta Master Levees.<sup>4</sup> The public records document the fact that DWR and the State Legislature opted to delay construction of this vital component of the State Water Project (SWP) and rerouted the funds for this project to make-up for other features of the knowingly underfinanced and contractually overcommitted Project. Although DWR failed to construct the Master Levees it has conveyed and exported hundreds-of-millions of acre-feet of water across the Delta, causing irreparable damages to privately owned and maintained levees, and is responsible for bringing the San Francisco Bay Estuary and the Sacramento-San Joaquin Delta (Bay-Delta Estuary) to the brink of a catastrophic ecological collapse and causing the death of millions aquatic species already listed on the Endangered Species Act.

DWR's latest "one-tunnel alternative" is just the latest rendition of a myriad of failed attempts to suck more water from the Delta as a means to seep the SWP financially afloat. It is important to note, that DWR had 60-years to provide the Delta protection, which has cost California's more than \$13 billion in borrowed money to fund a plethora of studies and programs purportedly to protect the Delta and double salmon and pelagic species. The Bay-Delta is the largest remaining estuary on the west coast of the Americas, and essentially is being studied to death. While DWR asserts that it intend to conduct a thorough EIR to assess and mitigate the impacts of the proposed alternative Project, it has failed to adequately address, assess and mitigate the impacts attributable to the SWP!

*In 1959, the State Legislature enacted the California Water Resources Development Bond Act to finance construction of the State Water Resources Development System. The bond act was approved by California electorate in November 1960. The State Water Facilities, the initial features of the system, will complement continuing local and federal water development programs including the [very necessary works](#) in the Delta.<sup>5</sup>*

<sup>1</sup> California Department of Water Resources, Delta Conveyance Environmental Review, Notice of Preparation Overview, January 2020, [www.water.ca.gov/deltaconveyance](http://www.water.ca.gov/deltaconveyance) p. 1.

<sup>2</sup> California Department of Water Resources, NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR THE DELTA CONVEYANCE PROJECT, Description of Proposed Project Facilities, 15 January 2020, p. 2.

<sup>3</sup> [Conveyance | Definition of Conveyance by Lexico](https://www.lexico.com/en/definition/conveyance) <https://www.lexico.com/en/definition/conveyance> The action or process of transporting someone or something from one place to another.

<sup>4</sup> [https://california.public.law/codes/ca\\_water\\_code\\_section\\_12934](https://california.public.law/codes/ca_water_code_section_12934) Master levees, control structures, channel improvements, and appurtenant facilities in the Sacramento-San Joaquin Delta for water conservation, water supply in the Delta, transfer of water across the Delta, flood and salinity control, and related functions.

<sup>5</sup> [1960-surplus water only - California State Water Resources ...](#)

## NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR THE DELTA CONVEYANCE PROJECT INTRODUCTION

*Pursuant to the California Environmental Quality Act (CEQA), the California Department of Water Resources (DWR) will initiate the preparation of an Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin Delta, California. DWR is the lead agency under CEQA.*

*The Delta Conveyance Project will also involve federal agencies that must comply with the National Environmental Policy Act (NEPA), likely requiring the preparation of an environmental impact statement (EIS). Federal agencies with roles with respect to the project may include approvals or permits issued by the Bureau of Reclamation (Reclamation) and United States Army Corps of Engineers. To assist in the anticipated federal agencies' NEPA compliance, DWR will prepare an EIR that includes relevant NEPA information where appropriate. Once the role of the federal lead agency is established, that federal lead agency will publish a Notice of Intent to formally initiate the NEPA process.*

### BACKGROUND INFORMATION

#### PROPOSED DELTA CONVEYANCE PROJECT DESCRIPTION

##### *Purpose and Project Objectives*

*CEQA requires that an EIR contain a "statement of the objectives sought by the proposed project." Under CEQA, "[a] clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits" (State CEQA Guidelines Section 15124[b]).*

*Here, as the CEQA lead agency, DWR's underlying, or fundamental, purpose in proposing the project is to develop new diversion and conveyance facilities in the Delta necessary to restore and protect the reliability of State Water Project (SWP) water deliveries and, potentially, Central Valley Project (CVP) water deliveries south of the Delta, consistent with the State's Water Resilience Portfolio.*

*The above stated purpose, in turn, gives rise to several project objectives. In proposing to make physical improvements to the SWP Delta conveyance system, the project objectives are:*

- To address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events.*
- To minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries, and potentially CVP water deliveries, south of the Delta resulting from a major earthquake that causes breaching of Delta levees and the inundation of brackish water into the areas in which the existing SWP and CVP pumping plants operate in the southern Delta.*
- To protect the ability of the SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts, consistent with the requirements of state and federal law, including the California and federal Endangered Species Acts and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements.*
- To provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations.*

##### *Description of Proposed Project Facilities*

*The existing SWP Delta water conveyance facilities, which include Clifton Court Forebay and the Banks Pumping Plant in the south Delta, enable DWR to divert water and lift it into the California Aqueduct. The proposed project would construct and operate new conveyance facilities in the Delta that would add to the existing SWP infrastructure. New intake facilities as points of diversion would be located in the north Delta along the Sacramento River between Freeport and the confluence with Sutter Slough. The new conveyance facilities would include a tunnel to convey water from the new intakes to the existing Banks Pumping Plant and potentially the federal Jones Pumping Plant in the*

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california...](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california...)

south Delta. The new facilities would provide an alternate location for diversion of water from the Delta and would be operated in coordination with the existing south Delta pumping facilities, resulting in a system also known as "dual conveyance" These objectives are subject to refinement during the process of preparing a Draft EIR.

**Comment No. 3: The DWR's abysmal historical performance and track-record of failure to maintain and operate the California State Water Project (SWP) in accordance with applicable regional, state and federal rules and regulations, continues to place the lives, wellbeing, and public trust resources at an unacceptable level of risk.**

**DWR officials claim that more than 27 million Californians rely on the [State Water Project](#) their water supply.<sup>6</sup> That claim is dubious at best and misleading, as the SWP only provide about four (4) percent of the state's annual water needs!**



The current proposed one-tunnel project is but another version of a litany of revamped projects that have been morphed for the past 60 years. From DWR's initial failure to provide the necessary Delta Master Levees, its failed attempt in 1982 to obtain voter approval of the Peripheral Canal, the 1994 Bay Delta Accord (Voluntary agreement consummated behind closed doors), the 2009 BDCP, CALFED \$6.5 billion debacle, Delta Vision, the failed dual conveyance canals, the California Water "Fix" (Delta twin tunnels), and the presently proposed one-tunnel Delta vision. The DWR's abysmal track-record raises the legitimate question as to what level of confidence the public can place in anything that DWR officials espouse.

*Where the potential to cause significant environmental impacts are identified, the EIR will identify avoidance, minimization, or mitigation measures that avoid or substantially lessen those impacts.*

#### ADDITIONAL BACKGROUND INFORMATION

*DWR previously studied a similar project through efforts on the BDCP and subsequently the California WaterFix. The proposed Delta Conveyance Project is a new project and is not supplemental to these past efforts or tiered from previous environmental compliance documents.*

*This section provides background on these past efforts.*

*In October 2006, various state and federal agencies, water contractors, and other stakeholders initiated a process to develop what became known as the BDCP to advance the objectives of contributing to the restoration of ecological functions in the Delta and improving water supply reliability for the SWP and CVP Delta operations in the State of California.*

*In December 2013, after several years of preparation, DWR, Reclamation, the United States Fish and Wildlife Service, and the National Marine Fisheries Service, acting as joint lead agencies under CEQA and NEPA, published a draft of the BDCP and an associated Draft EIR/EIS. The Draft EIR/EIS analyzed a total of 15 action alternatives, including Alternative 4, which was identified as DWR's preferred alternative at that time.*

*In July of 2015, after taking public and agency input into account, the lead agencies formulated three new sub-alternatives (2D, 4A, 5A) and released a Partially Recirculated Draft EIR/Supplemental Draft EIS (RDEIR/SDEIS) for public comment. Alternative 4A, which is known as "California WaterFix" was identified as DWR and Reclamation's preferred alternative in the RDEIR/SDEIS.*

*On July 21, 2017, DWR certified the Final EIR and approved California WaterFix. Following that approval, DWR continued to further refine the project, resulting in reductions to environmental impacts. These project refinements required additional CEQA/NEPA documentation.*

*On January 23, 2018, DWR submitted an addendum summarizing proposed project modifications to California WaterFix associated with refinements to the transmission line corridors proposed by the Sacramento Municipal Utility District. The Addendum described the design of the applicable modified California WaterFix power features, proposed modifications to those power features (including an explanation of the need for the modifications), the expected*

<sup>6</sup> [State Water Project https://water.ca.gov/Programs/State-Water-Project](https://water.ca.gov/Programs/State-Water-Project)

*benefits of the modifications to the transmission lines, and potential environmental effects as a result of those power related modifications (as compared to the impacts analyzed in the certified Final EIR).<sup>7</sup>*

**Comment No. 3:** Patrick PorgansAssociates (PIA) was an active participant and respondent on all of the aforementioned proposed projects. PIA attended countless meetings and submitted endless reams of written comments providing documentation as to why each of those “alternative” proposals/plans were doomed to fail. In the process, like so many other participants, PIA had to expend an inordinate amount of time, years of our lives, and an immeasurable sum of our own funds to participate in the process. While DWR and SWP contractors paid a portion of the cost for these endless studies and ineffective plans and programs, the bulk of the billions-of-dollars expended have and will continued to be paid for by Californians from the state’s General Fund.

**Comment No. 4:** If I had reason to believe that there was no other feasible alternative but to construct a tunnel, I would consider supporting it. However, as provided for in my testimony and exhibits, prefaced entirely on government documents, before the California State Water Resources Control Board (SWRCB), during the so-called California Water Fix Hearing, the data submitted indicates that with several modifications to the operation of the SWP, and conversion of some Delta islands, on the western fringe of the Delta, it can increase the annual water supply (firm-yield) of SWP, from the delta, in most water-year types, by 300,000 to 500,000 acre-feet of water without the tunnel!

**Conclusion:** Neither time nor financial resources permit me the required opportunity to provide the type of attention and scrutiny necessary to address all of the unmitigated and potential socioeconomic and environmental impacts associated with the proposed action. Albeit, based on the DWR’s past and present failures, which place the Bay-Delta estuary and all life forms dependent on its sustainability at an unreasonable level of risk. Furthermore, the manner in which it has “managed, operated and maintains” the SWP Oroville Dam and Reservoir, the major source of DWR’s water supply, contributed to the 1986-1997 and 2017 flood disasters, resulting in billions of dollars of damages, and loss of lives, and neither it nor the SWP contractors paid for those damages, the taxpayers were left to pay the bill!

**Recommendation:** Before the DWR is allowed to pursue this single-tunnel vision, it should be thoroughly scrutinized by the Legislature Analyst Office and undergone an independent financial audit of the entire financing of the SWP, since its inception to date, to do anything less would be a disservice to the people of California. PIA is prepared to assist anyone interested in pursuing these recommendations, and, more importantly, to hold the DWR accountable for its unlawful practices.

If you have any questions regarding the content of this e-mail, please advise me accordingly. Also please confirm receipt of this e-mail and enter our comments into the record. Thank you.

Respectfully,

Patrick Porgans-Solutionist  
PorgansAssociates  
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FNL:LP2/PorgansDWRDeltaNOPConveyanceProject

<sup>7</sup> California Department of Water Resources, NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR THE DELTA CONVEYANCE PROJECT, Description of Proposed Project Facilities, 15 January 2020, pp. 10 and 11.

**From:** [secretary](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Cc:** [Emily Pappalardo](#); [Michael R. Moncrief](#); [Shapiro, Scott](#); [Melinda Terry \(NDWA\) \(melinda@northdeltawater.net\)](#); [Melinda Terry](#)  
**Subject:** RD 2060 NOP EIR Delta Conveyance Comment Letter  
**Date:** Friday, April 17, 2020 3:23:44 PM  
**Attachments:** [RD 2060 NOP EIR Delta Conveyance Comment Letter.pdf](#)

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Dear Ms. Rodriguez,

Attached please find Reclamation District No. 2060's comment letter regarding the Notice of Preparation of the Environmental Impact Report for the Delta Conveyance Project.

An original of this letter will follow by post.

Best,

Jack Kuechler

Henry N. Kuechler IV  
Reclamation District No. 2060

1143 Crane Street, Suite 200 (650) 328-0820  
Menlo Park, CA 94025 (650) 323-5390 fax.

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**RECLAMATION DISTRICT No. 2060**

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HENRY N. KUECHLER IV  
PRESIDENT

April 17, 2020

**VIA EMAIL (DeltaConveyanceScoping@water.ca.gov)**

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

Re: COMMENTS ON NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT  
FOR THE DELTA CONVEYANCE PROJECT

Dear Ms. Rodriguez:

Reclamation District No. 2060 (RD 2060 or the District) appreciates this opportunity to comment on the above-referenced Notice of Preparation of Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin River Delta (NOP) posted by the Department of Water Resources (DWR) on January 15, 2020.

RD 2060 encompasses approximately 6,940 acres within Hastings Tract. RD 2060 was established in 1922 and is responsible for operating Hastings Tract's reclamation works. These works are within the Yolo Bypass and include levees bordering the Ulatis Creek, Barker Slough, Lindsey Slough, Wright Cut, and Cache Slough, as well as a network of drainage canals and pumps that remove drainage water from the district and thus keep the water table low enough for productive agriculture. RD 2060 raises revenue for these activities by levying an assessment against all specially benefitted lands within the district, and currently with supplemental subventions reimbursements from the State for levee maintenance activities.

RD 2060 submits the following comments to help ensure that the full range of environmental issues and concerns related to the development of the EIR are identified and adequately studied.

**COMMENTS**

The Delta Conveyance Project proposes to downsize the past iterations by reducing the number of intakes and underground tunnels to be constructed. However, like the projects before it, the Delta Conveyance Project envisions an expansion of existing State Water Project facilities, significant temporary construction impacts, and permanent water conveyance operations within and around the Delta. According to the NOP project description, the facilities will include the following:

- Two 3,000 cfs intake facilities on the Sacramento River

- Construction footprints of 40-60 acres at each intake location
- Tunnel reaches and tunnel shafts
- Intermediate and Southern Forebays
- Pumping plant
- South Delta Conveyance Facilities

The assumptions used to develop the project objective of protecting against water supply disruptions due to a major earthquake in the Delta seemingly do not consider updated levee data and recent studies that reflect a lower probability of flooding due to an earthquake event. This objective must be re-evaluated based on the actuarial risk of extensive flooding from a seismic event causing disruptions to water supplies. The proposed project is projected to cost \$12 billion, to meet this and other objectives. This objective could also be met by improvements to the existing levee system for a much lower investment. Investments must be made in the levee system regardless, as explained later.

The NOP project description says initial operating criteria will be formulated during the preparation of the Draft EIR. This is not sufficient to fully evaluate the impacts of the whole project. Modified operations of the existing State Water Project (SWP) is the premise behind the proposed project. While construction impacts of the project will be extensive, impacts from operations will also be extensive. Operational criteria can change as a result of processes outside of CEQA and impacts will change accordingly. If final operations cannot be included within this CEQA process, they must go through a separate CEQA process to assess impacts to agricultural, environmental, and domestic water users within and outside the Delta.

The NOP does not include a specific plan for how the proposed conveyance system will be operated, and so it is impossible to forecast the potential impacts of those operations at this stage. As DWR develops this plan, it must devote careful attention to the existing conditions within the Delta.

The NOP also states that DWR intends to utilize certain information from prior Delta conveyance proposals, including the Bay Delta Conservation Plan (BDCP) and California WaterFix, though the proposed Project will undergo separate analysis under the California Environmental Quality Act (CEQA). Reclamation Districts within the Delta participated extensively in the environmental review process for the BDCP/California Water Fix projects and hereby incorporates by reference its prior comment letters, as well as the comments submitted by the North State Water Alliance, and North Delta Water Agency where applicable. We anticipate that these entities and other Delta stakeholders may submit comments on the NOP and subsequent environmental documents, and all of those comments are likewise incorporated herein by reference.

### *1. Water Quality*

There are areas of known seepage within many Reclamation Districts (refer to DWR Bulletin 125). Salinity intrusion in these seepage areas, as elsewhere, poses a serious risk to water quality, for both residential wells and for existing agricultural operations. Where conveyance pumping operations reverses flow or alters existing flow patterns, existing in-Delta agricultural users may be faced with sudden changes to salinity and crop damages, particularly in these high-seepage areas. (See, for example, Bulletin 125, page 99, acknowledging that seepage as a result of conveyance "could limit the use of lands to less than their full economic potential."). Any operations plan developed for the Project must identify, avoid, and/or sufficiently mitigate for these potential water quality impacts.

We further note that many northern Delta Reclamation Districts are within the boundaries of the North Delta Water Agency, and their landowners hold subcontracts under the 1981 North Delta Water Agency Contract with DWR. Those protections include not only water quality protections,

but a commitment by the State that it will not convey SWP water in such a way as to cause "a decrease or increase in the natural flow direction, or cause the water surface elevation in Delta channels to be altered, to the detriment of the Delta channels or water users" within the NDWA area. In the event that "lands, levees, embankments or revetments...experience seepage or erosion damage," the State is responsible for repairing and alleviating that damage. (1981 Contract, para. 6). These legal obligations are an integral part of any future implementation of the Delta Conveyance Project, and any operational plan developed by DWR must account for these legal requirements.

## ***2. Levees***

The Delta levees act as a system, if one levee fails the likelihood of failure of adjacent levees is increased due to increased hydraulic conditions and wave fetch. The project will be subject to flooding if improvements in surrounding levees are not made. Upgrades to levees adjacent to project facilities and those required to support construction traffic must be considered. Impacts from years of construction traffic can degrade the existing levees, thus improvements/repairs must be made prior to and after construction of the project.

The Delta Conveyance Project should place a stronger focus on measures to protect and improve Delta levees, including a greater role in flood management planning. The levees help protect the water quality within the Delta, which is of grave concern to aquatic and terrestrial species, local landowners and water exporters alike. Any improved system of through-Delta conveyance will depend on the reliability of local levees. Stockpiling rock at strategic locations throughout the Delta will better enable local maintaining agencies to respond to emergency levee breaks.

## ***3. Transportation***

Construction of the Delta Conveyance Project will also have severe transportation impacts upon the general public and landowners. Routes will need to be planned and provided to ensure there is no reduction in vehicle travel times for emergency response vehicles and schools. Traffic impacts to landowners will also be significant, particularly for farms that will be cut in half by intervening water storage and conveyance facilities. The Delta Conveyance Project must propose measures to mitigate for any and all traffic impacts, including building public access bridges and roadways, and paying to maintain them in perpetuity.

## ***4. Farming Operations***

Given the size and scope of the proposed Project, there will likely be significant impacts to productive agricultural lands and communities in the Delta. Thus, the Draft EIR must analyze the economic, social and health impacts of constructing and operating the Delta Conveyance Project facilities within the Delta. These impacts will have a devastating effect upon the local economy and severe long-term impacts upon the community of people who live and work in the district. These effects on the human environment must be mitigated, at a minimum, to the extent required under controlling law.

It is impossible to foresee the numerous potential impacts that the Delta Conveyance Project may have upon farming within the Delta, particularly before the project-level documents are prepared and released for comment. Nonetheless, the Delta Conveyance Project should as a general matter include a commitment to set up an administrative process for hearing and remedying complaints from landowners whose operations are affected by the eventual construction and implementation of the conveyance facilities. These complaints should be addressed with the goal of remediating every financial and other impact upon all landowners within the district.

## 5. *Groundwater*

De-watering from construction activities will have extensive impacts on immediate and surrounding areas of the intake facilities and tunnel alignment. The Delta islands have a high groundwater table due to their proximity to the river. De-watering activities can result in land subsidence within Reclamation Districts and surrounding levees. It has been observed that a quick drawdown of water can result in sloughing of the levees and create instability. The cone of depression from de-watering can extend far beyond the project area impacting domestic wells, which is the primary water source for residence within the Delta.

All of these impacts stated above will have a devastating socio-economic impact on the Delta and its legacy communities. A proposed 13-year construction window is going to have lasting impacts on the agriculture and tourism industries that are vital to the Delta as place, one of the co-equal goals of the Delta Plan. These industries cannot survive over a decade of reduced income due to the noise and traffic nuisances, among other impacts, that project construction will inflict on the Delta. These will be direct impacts to businesses and residents in the Delta that must be mitigated, at a minimum, to the extent required under controlling law.

## 6. *Alternatives*

While DWR intends to draw from information and analyses of the past conveyance projects, it is not appropriate to artificially limit the range of feasible alternatives to those previously studied. The EIR for the Delta Conveyance Project must include a comprehensive discussion of the alternative locations of the water conveyance facilities that will reduce or avoid the substantial impacts expected to occur within the north Delta if the facilities are to be located here. Alternative size and configurations must also be evaluated, and the impacts associated with each option. The current plans call for two intakes of 3,000 cfs each, or a total of 6,000 cfs. The larger the facilities and the more water to be conveyed across the Delta and north Delta Reclamation Districts, the greater the impact and the greater the risks to adjacent landowners and to Delta Reclamation Districts. Due to the extensive impacts described above and the hundreds of unmitigable impacts of the previously proposed, but similar, California Water Fix, below are other feasible alternatives that meet all of the listed objectives and must be included in the Draft EIR:

### *a. Improve levees to a seismic standard.*

As discussed in the project description, any proposed conveyance project will be operated as dual conveyance, utilizing the existing pumps in the South Delta. This will require significant enhancement of the existing levee system to guard against sea level rise and major earthquakes. The levees currently act as the only water conveyance for the SWP and CVP and will continue to do so through Delta Conveyance Project planning and construction which may take 20 years, likely more. The levee system is critical to any path forward. Improvements to a seismic standard must be included in the current project description and as a stand-alone alternative in the Draft EIR.

### *b. Intakes at Sherman Island.*

Due to extensive and unavoidable impacts on private lands within the North Delta, an alternative intake location at publicly-owned Sherman Island must be considered. The proposed project will permanently remove an already limited supply of prime agriculture in the State. The impacts of final operations to the in-Delta water users and environmental needs are also greatly reduced by placing intakes at the western end of the Delta. Based on

the objectives, the project operations must meet other existing applicable agreements, namely the North Delta Water Agency contract, existing water rights, and Decision 1641 which requires the salinity gradient, to remain downstream of Sherman Island. Currently it is unknown if the proposed project will uphold these agreements due to the lack of data on final operations. These aforementioned agreements must be upheld and enough outflow must be maintained to beyond Sherman Island to address anticipated sea level rise project or not. An intake in this location will reduce any reverse flows that could occur within the Delta due to pumping from the North or South Delta as Sherman-based intakes are placed at the natural inlet/outlet for aquatic species in the Delta. If flows were diverted when there are sufficient flows, i.e. flood flows, the impacts to aquatic species may be low due to great sweeping velocities past intakes. This intake alternative also allows for improved aquatic conditions in the Delta by allowing substantial fresh water flows to move through the Delta before they are diverted. These improvements in water conditions and freshwater movement within the Delta may ease regulatory constraints in the Delta. As previously discussed this alternative, as with the proposed alternative, relies on the existing levee system to provide full SWP operability and guard against any disruption in water supply due to flooding. Lastly, the tunneling length through the Delta will be reduced, reducing project costs and impacts to the Delta.

*c. Congressman Garamendi's "Little Sip/Big Gulp."*

This route places intakes at publicly owned land along the Sacramento River at the mouth of the Deep Water Ship Channel (DWSC). It utilizes the DWSC as a conveyance corridor until it terminates at the lower end of Prospect Island. At this point, it could be tunneled to the existing pumps at Tracy. This alternative would meet all of the listed objectives as it would create SWP operational flexibility and have the ability to capture water when flows are sufficient. It would have a much shorter tunneling route and associated tunneling impacts on the Delta than the current proposed solution. This removes the intake locations from the heart of the Delta, private property, and prime farmland, reducing overall project impacts. It also is far enough upstream on the system where there will be no impacts due to sea level rise and levee failures. That said, the existing agreements on water quality and flows in the Delta previously mentioned must continue to be upheld and the levees must still be improved and maintained to facilitate dual conveyance.

We encourage the inclusion of the listed alternatives in the Draft EIR and appreciate the opportunity to comment on the impacts of the proposed Delta Conveyance Project. Thank you for your attention to these comments.

Sincerely,



Henry N. Kuechler IV

cc: Emily Pappalardo, MBK Engineers  
 Michael R. Moncrief, MBK Engineers  
 Scott L. Shapiro, Downey Brand LLP  
 Melinda Terry, North Delta Water Agency / California Central Valley Flood Control Association

**From:** [Emily Pappalardo](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** RD 150 Delta Conveyance Project Notice of Preparation Comments  
**Date:** Friday, April 17, 2020 3:23:25 PM  
**Attachments:** [RD 150 Delta Conveyance Project NOP comment letter.pdf](#)

---

Dear Ms. Rodriguez,

Please find comments on the Delta Conveyance Project Notice of Preparation from Reclamation District 150 attached.

Thank you for your consideration.

**Emily Pappalardo, P.E.**

**MBK Engineers**

455 University Avenue, Suite 100  
Sacramento, CA 95825

Office (direct): (916) 437-7552  
Fax: (916) 456-0253  
Cell: (916) 205-0770

**RECLAMATION DISTRICT No. 150**

MERRITT ISLAND  
37783 County Road 144  
Clarksburg, California 95612

April 14, 2020

VIA EMAIL (DeltaConveyanceScoping@water.ca.gov)

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

**Re: COMMENTS ON NOTICE OF PREPARATION OF ENVIRONMENTAL  
IMPACT REPORT FOR THE DELTA CONVEYANCE PROJECT**

Dear Ms. Rodriguez:

Reclamation District No. 150 (RD 150 or the District) appreciates this opportunity to comment on the above-referenced Notice of Preparation of Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin River Delta (NOP) posted by the Department of Water Resources (DWR) on January 15, 2020.

RD 150 encompasses approximately 4,740 acres within the Merritt Island. RD 150 was established in 1868 and is responsible for operating the Merritt Island reclamation works. These works include levees bordering the Sacramento River (which levees are part of the larger Sacramento River Flood Control Project) and Elk Slough, and a network of drainage canals and pumps that remove drainage water from the district and thus keep the water table low enough for productive agriculture. RD 150 raises revenue for these activities by levying an assessment against all specially benefited lands within the district, and currently with supplemental subventions reimbursements from the State for levee maintenance activities.

RD 150 submits the following comments to help ensure that the full range of environmental issues and concerns related to the development of the EIR are identified and adequately studied.

**COMMENTS**

The Delta Conveyance Project proposes to downsize the past iterations by reducing the number of intakes and underground tunnels to be constructed. However, like the projects before it, the Delta Conveyance Project envisions an expansion of existing State Water Project facilities, significant temporary construction impacts, and permanent water conveyance operations within and around the Delta. According to the NOP project description, the facilities will include the following:

- Two 3,000 cfs intake facilities on the Sacramento River
- Construction footprints of 40-60 acres at each intake location

- Tunnel reaches and tunnel shafts
- Intermediate and Southern Forebays
- Pumping plant
- South Delta Conveyance Facilities

The assumptions used to develop the project objective of protecting against water supply disruptions due to a major earthquake in the Delta seemingly do not consider updated levee data and recent studies that reflect a lower probability of flooding due to an earthquake event. This objective must be re-evaluated based on the actuarial risk of extensive flooding from a seismic event causing disruptions to water supplies. The proposed project is projected to cost \$12 billion, to meet this and other objectives. This objective could also be met by improvements to the existing levee system for a much lower investment. Investments must be made in the levee system regardless, as explained later.

The NOP project description says initial operating criteria will be formulated during the preparation of the Draft EIR. This is not sufficient to fully evaluate the impacts of the whole project. Modified operations of the existing State Water Project (SWP) is the premise behind the proposed project. While construction impacts of the project will be extensive, impacts from operations will also be extensive. Operational criteria can change as a result of processes outside of CEQA and impacts will change accordingly. If final operations cannot be included within this CEQA process, they must go through a separate CEQA process to assess impacts to agricultural, environmental, and domestic water users within and outside the Delta.

The NOP does not include a specific plan for how the proposed conveyance system will be operated, and so it is impossible to forecast the potential impacts of those operations at this stage. As DWR develops this plan, it must devote careful attention to the existing conditions within the Delta.

The NOP also states that DWR intends to utilize certain information from prior Delta conveyance proposals, including the Bay Delta Conservation Plan (BDCP) and California WaterFix, though the proposed Project will undergo separate analysis under the California Environmental Quality Act (CEQA). Reclamation Districts within the Delta participated extensively in the environmental review process for the BDCP/California Water Fix projects and hereby incorporates by reference its prior comment letters, as well as the comments submitted by the North State Water Alliance, and North Delta Water Agency where applicable. We anticipate that these entities and other Delta stakeholders may submit comments on the NOP and subsequent environmental documents, and all of those comments are likewise incorporated herein by reference.

## ***1. Water Quality***

There are areas of known seepage within many Reclamation Districts (refer to DWR Bulletin 125). Salinity intrusion in these seepage areas, as elsewhere, poses a serious risk to water quality, for both residential wells and for existing agricultural operations. Where conveyance pumping operations reverses flow or alter existing flow patterns, existing in-Delta agricultural users may be faced with sudden changes to salinity and crop damages, particularly in these high-seepage

areas. (See, for example, Bulletin 125, page 99, acknowledging that seepage as a result of conveyance “could limit the use of lands to less than their full economic potential.”). Any operations plan developed for the Project must identify, avoid, and/or sufficiently mitigate for these impacts.

We further note that many northern Delta Reclamation Districts are within the boundaries of the North Delta Water Agency, and their landowners hold subcontracts under the 1981 North Delta Water Agency Contract with DWR. Those protections include not only water quality protections, but a commitment by the State that it will not convey SWP water in such a way as to cause “a decrease or increase in the natural flow direction, or cause the water surface elevation in Delta channels to be altered, to the detriment of the Delta channels or water users” within the NDWA area. In the event that “lands, levees, embankments or revetments...experience seepage or erosion damage,” the State is responsible for repairing and alleviating that damage. (1981 Contract, para. 6). These legal obligations are an integral part of any future implementation of the Delta Conveyance Project, and any operational plan developed by DWR must account for these legal requirements.

## **2. *Levees***

The Delta levees act as a system, if one levee fails the likelihood of failure of adjacent levees is increased due to increased hydraulic conditions and wave fetch. The project will be subject to flooding if improvements in surrounding levees are not made. Upgrades to levees adjacent to project facilities and those required to support construction traffic must be considered. Impacts from years of construction traffic can degrade the existing levees, thus improvements/repairs must be made prior to and after construction of the project.

The Delta Conveyance Project should place a stronger focus on measures to protect and improve Delta levees, including a greater role in flood management planning. The levees help protect the water quality within the Delta, which is of grave concern to aquatic and terrestrial species, local landowners and water exporters alike. Any improved system of through-Delta conveyance will depend on the reliability of local levees. Stockpiling rock at strategic locations throughout the Delta will better enable local maintaining agencies to respond to emergency levee breaks.

Construction of intakes will occur on the opposite side of the Sacramento River from the District. There will need to be an assessment of hydraulic impacts this will have on channel flow. This may put increased pressure on Merritt Island levees. Remediation may also require setback levees within Merritt Island which will impact the Districts flood control system and maintenance as well as remove agricultural lands from production. Removing lands from production will impact the District’s ability to raise money through property assessments to perform necessary levee maintenance.

## **3. *Transportation***

Construction of the Delta Conveyance Project will also have severe transportation impacts upon the general public and landowners. Routes will need to be planned and provided to ensure there

is no reduction in vehicle travel times for emergency response vehicles and schools. Traffic impacts to landowners will also be significant, particularly for farms that will be cut in half by intervening water storage and conveyance facilities. The Delta Conveyance Project must propose measures to mitigate for any and all traffic impacts, including building public access bridges and roadways, and paying to maintain them in perpetuity.

#### **4. *Farming Operations***

Given the size and scope of the proposed Project, there will likely be significant impacts to productive agricultural lands and communities in the Delta. Thus, the Draft EIR must analyze the economic, social and health impacts of constructing and operating the Delta Conveyance Project facilities within the Delta. These impacts will have a devastating effect upon the local economy and severe long-term impacts upon the community of people who live and work in the district. These effects on the human environment must be mitigated, at a minimum, to the extent required under controlling law.

Farming operations will be severely impacted during harvest due to increased construction traffic. Many bridges in the Delta only support one-way truck traffic, which is currently a cause of traffic conditions in the Delta. Increased trucks due to construction will only exacerbate this issue, severely disrupting agricultural operations and those who commute through and within the Delta. Dewatering for construction and changes to groundwater levels associated with project operations threaten existing spray wells. Other economic impacts include a reduction in the farming economy by installing infrastructure to mitigate for hydraulic impacts from the intakes that will remove agriculture from production.

It is impossible to foresee the numerous potential impacts that the Delta Conveyance Project may have upon farming within the Delta, particularly before the project-level documents are prepared and released for comment. Nonetheless, the Delta Conveyance Project should as a general matter include a commitment to set up an administrative process for hearing and remedying complaints from landowners whose operations are affected by the eventual construction and implementation of the conveyance facilities. These complaints should be addressed with the goal of remediating every financial and other impact upon all landowners within the district.

#### **5. *Groundwater***

Dewatering from construction activities will have extensive impacts on immediate and surrounding areas of the intake facilities and tunnel alignment. The Delta islands have a high groundwater table due to their proximity to the river. Dewatering activities can result in land subsidence within Reclamation Districts and surrounding levees. It has been observed that a quick drawdown of water can result in sloughing of the levees and create instability. The cone of depression from dewatering can extend far beyond the project area impacting domestic wells, which is the primary water source for residence within the Delta. The dewatering activities also threaten existing spray wells, which are essential to the continued agricultural operations of many of the Delta's landowners.

All of these impacts stated above will have a devastating socio-economic impact on the Delta and its legacy communities. A proposed 13-year construction window is going to have lasting

impacts on the agriculture and tourism industries that are vital to the Delta as place, one of the co-equal goals of the Delta Plan. These industries cannot survive over a decade of reduced income due to the noise and traffic nuisances, among other impacts, that project construction will inflict on the Delta. These will be direct impacts to businesses and residents in the Delta that must be mitigated, at a minimum, to the extent required under controlling law.

## 6. *Alternatives*

While DWR intends to draw from information and analyses of the past conveyance projects, it is not appropriate to artificially limit the range of feasible alternatives to those previously studied. The EIR for the Delta Conveyance Project must include a comprehensive discussion of the alternative locations of the water conveyance facilities that will reduce or avoid the substantial impacts expected to occur within the north Delta if the facilities are to be located here. Alternative size and configurations must also be evaluated, and the impacts associated with each option. The current plans call for two intakes of 3,000 cfs each, or a total of 6,000 cfs. The larger the facilities and the more water to be conveyed across the Delta and north Delta Reclamation Districts, the greater the impact and the greater the risks to adjacent landowners and to Delta Reclamation Districts. Due to the extensive impacts described above and the hundreds of unmitigable impacts of the previously proposed, but similar, California Water Fix, below are other feasible alternatives that meet all of the listed objectives and must be included in the Draft EIR:

### a. *Improve levees to a seismic standard.*

As discussed in the project description, any proposed conveyance project will be operated as dual conveyance, utilizing the existing pumps in the South Delta. This will require significant enhancement of the existing levee system to guard against sea level rise and major earthquakes. The levees currently act as the only water conveyance for the SWP and CVP and will continue to do so through Delta Conveyance Project planning and construction which may take 20 years, likely more. The levee system is critical to any path forward. Improvements to a seismic standard must be included in the current project description and as a stand-alone alternative in the Draft EIR.

### b. *Intakes at Sherman Island.*

Due to extensive and unavoidable impacts on private lands within the North Delta, an alternative intake location at publicly-owned Sherman Island must be considered. The proposed project will permanently remove an already limited supply of prime agriculture in the State. The impacts of final operations to the in-Delta water users and environmental needs are also greatly reduced by placing intakes at the western end of the Delta. Based on the objectives, the project operations must meet other existing applicable agreements, namely the North Delta Water Agency contract, existing water rights, and Decision 1641 which requires the salinity gradient, to remain downstream of Sherman Island. Currently it is unknown if the proposed project will uphold these agreements due to the lack of data on final operations. These aforementioned agreements must be upheld and enough outflow must be maintained to beyond Sherman Island to address anticipated sea level rise project or not. An intake in this location will reduce any reverse flows that could occur within the Delta due to pumping from the North or South Delta as Sherman-

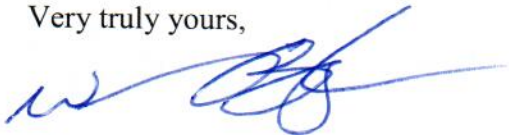
based intakes are placed at the natural inlet/outlet for aquatic species in the Delta. If flows were diverted when there are sufficient flows, i.e. flood flows, the impacts to aquatic species may be low due to great sweeping velocities past intakes. This intake alternative also allows for improved aquatic conditions in the Delta by allowing substantial fresh water flows to move through the Delta before they are diverted. These improvements in water conditions and freshwater movement within the Delta may ease regulatory constraints in the Delta. As previously discussed this alternative, as with the proposed alternative, relies on the existing levee system to provide full SWP operability and guard against any disruption in water supply due to flooding. Lastly, the tunneling length through the Delta will be reduced, reducing project costs and impacts to the Delta.

*c. Congressman Garamendi's "Little Sip/Big Gulp."*

This route places intakes at publicly owned land along the Sacramento River at the mouth of the Deep Water Ship Channel (DWSC). It utilizes the DWSC as a conveyance corridor until it terminates at the lower end of Prospect Island. At this point, it could be tunneled to the existing pumps at Tracy. This alternative would meet all of the listed objectives as it would create SWP operational flexibility and have the ability to capture water when flows are sufficient. It would have a much shorter tunneling route and associated tunneling impacts on the Delta than the current proposed solution. This removes the intake locations from the heart of the Delta, private property, and prime farmland, reducing overall project impacts. It also is far enough upstream on the system where there will be no impacts due to sea level rise and levee failures. That said, the existing agreements on water quality and flows in the Delta previously mentioned must continue to be upheld and the levees must still be improved and maintained to facilitate dual conveyance.

We encourage the inclusion of the listed alternatives in the Draft EIR and appreciate the opportunity to comment on the impacts of the proposed Delta Conveyance Project. Thank you for your attention to these comments.

Very truly yours,



WARREN BOGLE  
Reclamation District 150  
Trustee

**From:** [Wesley A. Miliband](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Notice of Preparation for DCP: City of Sacramento's Comments [AALRR-Cerritos.006329.00000]  
**Date:** Thursday, April 16, 2020 12:33:46 PM  
**Attachments:** [image001.png](#)  
[City Sac Comment Ltr Delta Tunnel NOP April 13 2020.doc.pdf](#)  
[CitySac NOP Comments Enclosure 1.pdf](#)  
[CitySac NOP Comments Enclosure 2.pdf](#)

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Dear Ms. Rodriguez and DWR:

Please find attached to this email a comment letter and enclosures submitted by the City of Sacramento regarding DWR's Notice of Preparation for the Delta Conveyance Project.

Please let me know of any questions regarding this transmission. Also, please include me in future communications with the City of Sacramento regarding this Project, as requested in the attached letter from Director Bill Busath of the Department of Utilities for the City of Sacramento.

Thank you for your attention to this matter.

Best regards,  
Wes Miliband

**Wesley A. Miliband** | Partner

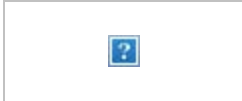
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April 16, 2020

**SENT VIA MAIL AND E-MAIL** ([DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov))

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

**Subject: Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project**

Dear Ms. Rodriguez:

Thank you for the opportunity to comment on the Notice of Preparation of Environmental Impact Report dated January 15, 2020 (NOP) for the Delta Conveyance Project (Project). The comments submitted in this letter and its enclosures by the City of Sacramento (City) are offered with the intent to enhance a transparent and robust environmental-review process. The City submits this letter in addition to the letter submitted by American River Water Agencies, including the City. A copy of that letter is enclosed for your convenience.

Following our review of the NOP for the Project, we are encouraged by the NOP's language which states that "...relevant information from the past environmental planning process for California WaterFix..." will be utilized even though the Project is "...a new stand-alone environmental analysis leading to issuance of a new EIR." (NOP, p. 1.) To assist in that process, also enclosed for DWR's use is the City's January 30, 2017 comment letter regarding the environmental impact report prepared for WaterFix.

As for the issues identified in the NOP, we offer the following comments and/or concerns for analysis in the Environmental Impact Report (EIR) for the Project protection of water quality, which includes the City's Source Water Protection Program and its related discharger permits and programs:

- **Quantitative Approach:** The EIR must evaluate water quality impacts in a detailed, quantitative manner for the duration of the Project. Such evaluation includes potential impacts from: (i) construction and mitigation projects such as those involving wetlands and riparian habitat; and (ii) reduction in Sacramento River and Delta outflows resulting in increased concentrations of all constituents of concern (including methylmercury) particularly given various water users such as the City have discharge permits, thus making it so that the public, regulatory agencies issuing those permits, and the permittees are adequately informed. Furthermore, failure to consider

these detailed quantitative impacts will result in an EIR that will fall far short of adequately addressing water quality impacts and protection from a drinking water perspective. Using quantitative methods, wherever possible, will help to address the drinking water protection needed to mitigate source water treatment impacts at locations on the American River and the Sacramento River, especially in light of the increase in harmful algal blooms (HABs) in recent years.

- Operational Detail: Modification to Delta hydraulics resulting from the Project would have a profound effect on Delta and exported water quality. The project proponents must develop tools to perform an adequate evaluation of these hydraulic impacts. Development of these tools is reasonable and necessary for adequate evaluation of potential impacts required for CEQA compliance, and potentially NEPA compliance. Without an evaluation of potential operating scenarios, the process would fail to sufficiently identify benchmarks, indicators, and remedial actions necessary to address impacts to water quality.

Ultimately, we hope that DWR views our comments here as helping to advance the primary purpose of the scoping process: "...to identify important issues raised by the public and responsible and trustee public agencies..." (NOP, p. 12.)

Once again, thank you for the opportunity to review and comment on the NOP. Should you have any questions about our comments, please do not hesitate to contact me at 916-808-5454 or email at: [WBusath@cityofsacramento.org](mailto:WBusath@cityofsacramento.org). Also, please include in your email communications to me regarding this matter Wes Miliband at: [wes.miliband@aalrr.com](mailto:wes.miliband@aalrr.com).

Sincerely,



William O. Busath  
Director of Utilities  
City of Sacramento

Enclosures

cc: Wes Miliband (via email: [wes.miliband@aalrr.com](mailto:wes.miliband@aalrr.com))

---

**From:** Justin Fredrickson <JEF@CFBF.com>  
**Sent:** Friday, April 17, 2020 4:22 PM  
**To:** DWR Delta Conveyance Scoping  
**Subject:** Public Comments - Delta Conveyance Project  
**Attachments:** 2020-04-17\_Delta\_Conveyance\_Comments\_FINAL.pdf

Submitted on behalf of the California Farm Bureau Federation. Thank you!

Justin E. Fredrickson  
Environmental Policy Analyst  
Legal Department  
California Farm Bureau Federation  
Direct: 916-561-5673  
E-mail: jfredrickson@cfbf.com



# CALIFORNIA FARM BUREAU FEDERATION

## LEGAL SERVICES DIVISION

2600 RIVER PLAZA DRIVE, SACRAMENTO, CA 95833 • PHONE (916) 561-5665

April 17, 2020

Submitted via electronic mail:

[DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)

Attn: Renee Rodriguez, Department of Water Resources

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

Dear Mr. Rodriguez:

The California Farm Bureau Federation (“CFBF”) is a non-governmental, nonprofit, voluntary membership California corporation whose purpose is to protect and promote agricultural interests throughout the state of California and to find solutions to the problems of the farm, the farm home, and the rural community. CFBF is California’s largest farm organization, comprised of 53 county Farm Bureaus currently representing approximately 34,000 agricultural, associate, and collegiate members in 56 counties. CFBF strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California’s resources.

### **I. Introduction**

Per its January 15, 2020 Notice of Preparation the Department of Water Resources (“Department”) invites public comment on the above-captioned, proposed Delta Conveyance Project “to obtain suggestions and information from other agencies and the public on the scope of issues and alternatives to consider in developing the EIR,” and “to identify important issues raised by the public and responsible and trustee public agencies related to the issuance of regulatory permits and authorizations and natural resource protection.”<sup>1</sup>

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<sup>1</sup> See January 15, 2020 Notice of Preparation for Preparation of an Environmental Impact Report for the Delta Conveyance Project” (accessed April 7<sup>th</sup>, 2020 at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta->



Renee Rodriguez, Department of Water Resources  
April 17, 2020  
Page 2

CFBF has agricultural members interested in or affected by the proposed project statewide, in areas upstream of the Sacramento-San Joaquin River Delta (“Delta”), in water-short export service areas south of the Delta, and also in the Delta itself. The needs and interests of our organization’s statewide membership are, therefore, diverse. At the same time, there has long been a general consensus statewide that California needs to improve the conveyance of project water from North to South, while at the same time avoiding and minimizing redirected impacts in the Delta itself and elsewhere to the maximum extent possible.

In recent years it has become increasingly clear that a Delta conveyance solution—or, perhaps, more correctly, a *combination* of solutions that can work for California agriculture as a whole—must be cost-effective and affordable solution with concrete benefits for agricultural users, including sufficient water supply benefits and increased reliability. Moreover, it is increasingly clear that meaningful relief is needed on both near-term and long-term timescales, to alleviate the current situation and, also, to meet the significant challenges we know we will confront in the years and alternating wet and dry seasons to come.

The Sustainable Groundwater Management Act (“SGMA”) highlights, now more than ever, the importance of a viable long-term package of solutions to move excess supplies in wet periods and wet years, particularly. Whatever the ultimate specifics of such a Delta conveyance and large statewide water system solution may be, for a significant portion of California agriculture such a package is *the* critical path to mitigate increasing pressures from a changing climate, to recharge our depleted and overcommitted aquifers, to create a buffer against periodic drought, and to reduce risks to protected fish species and ecosystems while, it is hoped, simultaneously putting both on trajectory to long-term resilience and sustainable management over time.

Proposed and existing regulations, clashes, and increasing litigation create enormous uncertainty that further complicates and thwarts a clear path to all of these things. The Delta remains the linchpin of our state’s water system and economy—yet, the challenges standing in the way of a long-term, sustainable answer to these needs remains elusive.

## **II. Threshold Issues and Important Policy Context for Consideration**

For purposes of these comments, as a state-level organization, representing 53 affiliated local County Farm Bureaus throughout the state, CFBF at this time takes *no position* on the relative merits and demerits, or on the advisability of any ultimate decision to pursue plans to construct any particular Delta Conveyance facility (or, for that matter, any particular package of potential Delta Conveyance and related water infrastructure improvements more broadly).

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[Conveyance/Delta Conveyance Project NOP 20200115\\_508.pdf?la=en&hash=74B80DAAE5B9C4BC2EB0619B6A252011F72D1087.](#))

Renee Rodriguez, Department of Water Resources  
April 17, 2020  
Page 3

The current proposal, like past proposals, has both pros and cons in terms of its ability to achieve and address different issues and objectives. Within our diverse statewide agricultural community, opinions as to the balance of those pros and cons can vary widely. California's approach to the Delta Conveyance situation over the next several years, and to our water supply and water infrastructure challenges more generally, will have enormous implications for California agriculture and, indeed, for the economy and population of the state as a whole. Regardless of any project or suite of improvements which might be finally pursued, while these comments do *not* advocate in favor of one approach or another, they do seek to highlight a number of possible important considerations as these relate to Delta Conveyance generally, and to the current proposal in particular.

### **III. Lessons Learned and Background Relating to the Current Delta Conveyance Proposal—The Road We've Traveled and Where We Have Arrived Today**

Past Delta Conveyance proposals have gone from the massive 30,000+-cfs Peripheral Canal proposal of the late 1970s and early 1980s, to the phased package of Through-Delta improvements of the CALFED years, to 15,000-cfs, 12,000-cfs and 9,000-cfs iterations of a smaller project, first, under the now defunct Bay-Delta Conservation Plan and, most recently, as the former California Water Fix Plan.

Past iterations have considered different alignments, and both above-ground and underground options. Recent proposals involved larger capacities (9,000-cfs or greater) through two underground tunnels while, pursuant to Governor Newsom's direction shortly after taking office, the current proposal involves a smaller proposed conveyance (6,000 cfs, split between two intakes, sized 3,000 cfs each) and just one tunnel.<sup>2</sup> As currently conceived, the NOP discloses that the EIR would also consider alternatives with capacities ranging from 3,000cfs to 7,500cfs.<sup>3</sup>

The California Water Fix's latest preferred project had proposed a 'straight shot' alignment of sorts, from the Lower Sacramento River in the North Delta, between roughly Clarksburg and Walnut Grove, through the Central Delta to Clifton Court Forebay to the south. In contrast, the NOP presently identifies two possible alternative alignments, one through the Central Delta and the other to the East.

In response to concerns with previous proposals, past refinements included changes to reduce the project's footprint and the extent of its impact on private landowners, businesses, and farming operations in the area—for example, by going from an above-ground earthen canal to two-

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<sup>2</sup> See NOP at 5.

<sup>3</sup> NOP at 9.

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and one-tunnel subterranean options, and from screened intakes with large pumping facilities to a gravity-feed design as means to avoid these features.

Additional refinements have sought to avoid right-of-way issues and impacts to private lands and Delta farms by re-routing the alignment through (or, rather, under) properties owned by the state or owned by project proponents including the Metropolitan Water District of the Southern California. They have significantly reduced the footprint of former expansive habitat features (under the old BDCP versus CalWaterFix), eliminated a proposed North Delta Forebay, removed or reduced the footprint of proposed transmission lines, etc.

Even with all of these changes, the impacts associated with a smaller, single tunnel remain significant. Meanwhile, with each reduction in size, and each layer of proposed operational constraints, the amount of water that could be reliably delivered has gone down, while the cost of that potential water supply has gone up.

As a result, while in recent years the Boards of several major urban water purveyors and State Water Contractor agencies have signaled formal commitments to finance some form of Delta conveyance facility, the Bureau of Reclamation and various Central Valley Project contractors (most of them agricultural) have yet to commit to major capital costs of an eventual project, while regulatory and water supply benefits to these federal and agricultural users, time required for implementation, and ability to pay remain uncertain.

An additional problem we have seen with the various iterations of these changing conveyance proposals has been the great uncertainty associated with a persistent disconnect between the facilities and operations the state and others have *proposed* to construct on the one hand, and the facilities and operations the various regulatory agencies may in fact authorize on the other (that is, specifically, between planned operations of the proposed facilities on the one hand, and the permits that may one day be issued by various regulatory agencies on the other, including the state Fish and Wildlife Department, its federal counterparts under state and federal endangered species laws, the State Water Resources Control Board with respect to water quality and water rights, the Delta Stewardship Council in relation to the Delta Plan, etc.).

As successive iterations have evolved over the years from a proposed 50-year federal Habitat Conservation Plan and state Natural Communities Conservation Plan to an approach founded on a series of temporary federal ESA Section 7 and state ESA Section 2081 approvals, and as the regulatory agencies and outside NGOs have demanded greater and greater protections for fish, the project's theoretical ability to deliver on water supply and long-term reliability objectives has been revised continuously downward. Similarly, a water rights petition to add the project's proposed North Delta points of diversion (now withdrawn) had faced uncertainties from the protests of potentially affected water rights holders and environmental NGOs, among others.

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Meanwhile, uncertainties relating to the year-to-year status of affected species, on-going litigation, major new regulatory demands, and a regulatory baseline in constant flux have dogged the project throughout.

The unanswered question of the last two decades remains very much an open question: Specifically, what *is* the answer to the problems our state has, for so long, struggled with in the Delta—and *is* a solution that can reconcile all of the many conflicts and competing demands even possible?

Whatever the answer to this question may be, this new look at an old concept affords an opportunity to reassess and, potentially, to look at an old problem with fresh perspective. In that spirit, CFBF here offers a survey of pressing issues and unknowns meant to cover a range of potential needs and concerns from the varied perspective of our diverse statewide membership.

#### **IV. Specific Comments on the Department's Preparation of its EIR:**

- **Policy Considerations—Foundational Tenets to Improve Prospects of a Potential Broadly Supported Delta Conveyance Solution:** California's water system—including the way we convey water from north to south in the Delta—must address present and future needs and shortfalls in water supply. This includes sufficient water to meet satisfy senior water rights and to supply water of sufficient quantity and quality to meet the reasonable present and future beneficial needs of the natural areas and watersheds of origin, including the Delta. Waters that are surplus to the reasonable present and future beneficial needs of the areas of origin, and to the claims of senior water rights in these areas of origin, should be made available to areas of shortage outside of the areas of origin, for purposes including the continued production of agricultural products as well as avoidance or reversal of historic patterns of groundwater overdraft. This strategy should be pursued in wet years and during large outflow events, particularly, and when management conflicts can be avoided or minimized, as a means to meet the reasonable beneficial needs of these shortage areas.

In their design and pursuit of short-, near- and long-term Delta conveyance solutions, whether jointly or separately, both the Department and United States Bureau of Reclamation must remain mindful of their legal obligations to state and federal water contractors, and should continue to meet regulatory and operational responsibilities in their coordinated operations of the projects, including responsibilities related to preservation of access to water of sufficient quantity and quality in the areas of origin.

To avoid unreasonable impacts to Delta farms, communities, businesses, and residents, the preferred Delta conveyance system should select the least damaging approach practicable, both in construction and operation.

Further, it should be stressed that short-term, near-term and long-term Delta conveyance solutions—including potential phasing of related components over time—*do not* replace the clear need for major on-going investments in water infrastructure statewide, including above- and below-ground storage and local and regional conjunctive use and groundwater recharge projects. Rather, all of the pieces should build, in an orderly fashion, towards an integrated whole.

- **Project Objectives and Context—Water for Food:** The current COVID-19 pandemic crisis has demonstrated the critical importance and potential vulnerability of our domestic food supply system. This includes vulnerability to steadily increasing water insecurity, both season-to-season and in the long term. A resilient statewide system, including a viable package of short-term, near-term, and long-term Delta conveyance improvements, should provide a reliable and sufficient supply of fresh water suitable for irrigation, normal crop yields, and long-term sustainable management of soils. This is essential to avert unwise long-term reliance on net food imports and to maintain California's place as a major contributor to the core food and fiber needs of our state and nation.
- **Project Objectives and Context—Efficiency in Environmental Water Use:** Investments in our statewide water system and in Delta conveyance solutions, specifically, should seek to halt and restore past losses of municipal and industrial and agricultural water supplies to increasing regulatory controls and steadily ballooning environmental water demands. Consistent with the California Constitution, environmental water users, like other uses of water, should be held to a high standard of reasonableness, non-waste and efficiency, including scientific accountability, management of non-flow stressors, and demonstrated efficacy to achieve declared objectives. Mitigation responsibilities should be proportionate, and tied to impacts having a clear causal link to the activities of agricultural and other water users—and should be not imposed arbitrarily, inflexibly or ineffectually for background conditions neither clearly caused by, nor within the reasonable control of those users.
- **Addressing Impacts—Alternative Alignments:** A reasonable range of alternatives in the EIR should consider a potential West Alignment option, including an alignment that could potentially reduce costs, impacts, and time to implementation by using the existing Sacramento Ship Channel as a conveyance. Potential smelt or other fisheries impacts and navigation impacts of such an alignment would need to be addressed. Fisheries impacts could be potentially addressed by means of an engineered solution

and, in part, by means of potential fish habitat enhancements including, for example, the Department's long proposed Prospect Island restoration site. Any the same time, potential impacts associated with Prospect Island restoration, or with any similar project in the area would, themselves, need to be addressed—for example, potential underseepage and levee impacts to adjacent tracts and islands and impacts on local diversions.

- **Addressing Impacts—Phasing as a Means to Limit Localized Impacts Over Time and Potential Bundling with Necessary Short- and Near-Term Relief:** The NOP suggests that the project could be completed in 13 years—but also suggests that the time required to construct distinct portions of the project could be shorter.<sup>4</sup> To avoid, minimize, and reduce impacts, regardless of alignment, the Department might consider managed phasing over time, as a potential means to limit the extent and duration of impacts in any one area. Any long-term conveyance solution should be closely coordinated, or even expressly phased in combination with potential physical and operational interim projects and improvements to afford short- and near-term relief in water-stressed areas to the south..
- **Addressing Impacts—Details of Eastern *versus* Central *versus* Western Alignment:** While the proposed Central Alignment looks very similar, if not identical to the current proposal's immediate predecessor (the 9,000-cfs proposed California Water Fix two tunnel option), the new Eastern Alignment (closer to I-5) appears to follow something closer to the route of the old Peripheral Canal. Obviously, the reasons for inclusion of the new Eastern Alignment, along with the reasons for any continued exclusion of a potential Western Alignment—will require full analysis in the Department's EIR, as will the alignment's relative costs, community impacts, etc. At a glance, the proposed Eastern Alignment Corridor features more potential terrestrial points of access, but appears to be a longer route, traverses more high-value farmland and much more private land (as opposed to state-owned and/or Metropolitan Water District-owned lands), likely has more community impacts, etc. The Central Alignment, however, has many impacts and associated issues as well, in addition to having fewer ready terrestrial points of access but also, perhaps, the possibility of alternative water-side access by barge. Regardless, major potentially unavoidable impacts associated with both the proposed Eastern and Central alignments, again, highlight the need for inclusion of a potential Western Alignment alternative—particularly, as noted, if a Western Alignment could be configured to reduce costs, reduce impacts, and/or reduce or avoid undue community disruption.

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<sup>4</sup> NOP at 3.

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- **Addressing Impacts—Reducing Impacts and On-going Disruptions in the Delta:** The NOP notes the project would require “a series of launch shafts and retrieval shafts,” each with a temporary “construction staging and material storage” area of some 400 acres, for an undetermined period of time. Similarly, the proposed intake facilities, forebays, pumping plants, South Delta conveyance facilities, ancillary facilities, etc., would all have their own temporary and permanent footprints and major associated construction related activities, impacting lands and farming operations, roads, residencies and the like, all along the chosen alignment. The EIR for the updated project should look at all feasible means to further avoid, minimize, and reduce such impacts and disruptions, and should carefully consider the comparative effectiveness of the various alignments—including a possible Western Alignment—to achieve this key objective.
- **Addressing Impacts—In-Delta Water Quality, Water Rights, Levee, Flood Control, and Drainage Impacts:** On page 3, the NOP notes, “DWR would operate the proposed north Delta facilities and the existing south Delta facilities in compliance with all state and federal regulatory requirements and would not reduce DWR’s current ability to meet standards in the Delta to protect biological resources and water quality for beneficial uses.” “Operations of the conveyance facilities,” it continues, “are proposed to increase DWR’s ability to capture water during high flow events.” On page 9, among “probable effects” of the proposed project, the NOP lists “Water Quality,” including “changes to water quality constituents and/or concentrations from operation of facilities.” Similarly, with respect to water rights, the NOP notes on page 3, “Although initial operating criteria of the proposed project would be formulated during the preparation of the upcoming Draft EIR in order to assess potential environmental impacts and mitigation, final project operations would be determined after completion of the CEQA process, obtaining appropriate water right approvals through the State Water Resources Control Board’s change in point of diversion process....”

COMMENT: North Delta water quality assurances and salinity, water rights and water level management issues in support of current and historic levels of irrigated agriculture in the South and Central Delta are, indeed, important considerations, and issues that should be fully addressed in the EIR. Among other potential measures, some potential linked options to address perennial issues in the South Delta include dredging and permanent operable gates under the proposed the South Delta Improvement Project. Finally, potential levee impacts, seepage, drainage, and flood control impacts are not mentioned among potential major in-Delta impacts, but should be fully analyzed and addressed through any and all feasible mitigation. Potential slumping or shifting of levees and potential increased flood risks with tunneling and impacts of traffic and movement of heavy equipment are impacts that should closely examined as well.

- **Addressing Human Impacts:** Many of the proposed potential impacts, regardless of alignment, involve human impacts for residents, farms, businesses, visitors, residents, workers and communities in the Delta. Traffic and normal movement along narrow levee roads, used to transport crops, state highways, commuter routes in the Delta, would all be profoundly impacted. Drainage and irrigation systems, roads, access points and other agricultural infrastructure would be impacted. Extensive rights of way, easements, land and temporary construction impacts, and entry rights would all require compensation and/or legal authorization, and could involve lengthy process or face broad legal challenges—again highlighting some of the advantages of careful siting or outright avoidance in the selection alternatives, alignments, design features, etc. All of these impacts should be analyzed, planned for, and fully addressed, first, through avoidance whenever possible and, second, through measures to fairly compensate and indemnify or, alternately, to minimize or mitigate unavoidable impacts in all other cases, to the greatest extent possible.
- **Project Objectives and Context—Addressing Agricultural Water Needs and Constraints:** In terms of agricultural water supply and long-term reliability, as noted previously, recent iterations of the current Delta Conveyance Project have presented several basic challenges: One is cost, another is the related issue of water volume, assurances and long-term reliability, and a third is time to implementation. All of these issues are now further accentuated by a large loss of supply under SGMA. Notably, for example, even if implemented fully on schedule and on budget with all permits and approvals in hand, the proposed project could provide only a partial response to the state’s large and growing water problems, and then not for many years.

What role the CVP and its contractors will play in relation to the current proposal, if any, is a considerable unknown—but, in addition the Department’s selection of a final preferred project alternative, would appear to depend, in large measure, on the three limiting factors mentioned above. In light of this reality, project alternatives and associated operational criteria should pay close attention to implementation time, water supply, long-term reliability from an agricultural and CVP standpoint, as well as affordability and economic feasibility and ability to pay. Among other relevant factors, this would include appropriate consideration of the need for significant parallel investment under SGMA at the local and regional level.

- **Project Objectives and Context—Defining the Role of the CVP:** The NOP contemplates that the Department’s EIR will “[consider] alternatives with capacities that range from 3,000 to 7,500 cfs, with varying degrees of involvement of the CVP, including no involvement,” and notes that “[t]he proposed project may include a portion of the overall capacity dedicated for CVP use, or it may accommodate CVP use

of available capacity (when not used by SWP participants),” whereas any role of the CVP would be subsequently “identified in a separate NEPA Notice of Intent issued by Reclamation.”<sup>5</sup> “To assist in the anticipated federal agencies’ NEPA compliance,” the NOP notes that “DWR will prepare an EIR that includes relevant NEPA information where appropriate.” The text continues: “Once the role of the federal lead agency is established, that federal lead agency will publish a Notice of Intent to formally initiate the NEPA process.”<sup>6</sup>

COMMENT: To a large degree, as noted, the role of the CVP or any of its heavily agricultural the contractors will likely depend on such important variables as project costs and financing options, project yield, contractor interest and financial wherewithal to participate, long-term reliability, and time to implementation. Depending on an assessment of these and other factors, it may be that the Bureau of Reclamation and some or all of its CVP contractors elect to participate in the proposed project in some capacity and at some level. On the other hand, it may be that the Reclamation and some or all of its contractors arrive at a decision *not* to participate. In this event, it’s reasonable to assume that Reclamation and its contractors may opt to pursue some other combination of projects and improvements to otherwise address their current and future needs *in lieu* of the proposed project in the coming years. Regardless, and even if Reclamation and all or some segment of its CVP contractor base opt for some level of participation in the proposed project, this would likely still leave a large portion of the water needs of these and other South State agricultural water users unaddressed; thus, a comprehensive statewide agricultural water solution will inevitably require a broader suite of actions and projects, both regionally and at the system level.

Given all of these possibilities, it would seem important for the Department’s EIR’s consideration of alternatives to incorporate direct input from, and consultation with the CVP and its contractors in its preparation of the EIR. If and when Reclamation initiates it’s own NEPA process, this would include close state-federal coordination in that process. With or without participation—and contemplating the potential for either scenario—alternatives in the EIR should retain sufficient system-level operational capacity and flexibility to accommodate possible additional or alternative conveyance-related projects and improvements by Reclamation and its contractors. This might include possible Through-Delta improvements or adjustments to existing CVP operations, local projects, or above-ground and underground storage projects both north and south of the Delta. Similarly, while eventual water rights proceedings would necessarily address this topic more directly, the EIR should further consider and, to the extent possible, address potential indirect impacts of dual conveyance SWP operations

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<sup>5</sup> See NOP at 3 and 9.

<sup>6</sup> See *id.* at 1.

on CVP operations and users, including potential affects on reliability, dry year effects, water costs, etc.

- **Project Objectives and Context—Regulatory Baseline, Future Water Resilience Portfolio Scenarios and No Project Impact Analyses Beyond the Delta:** Alternatives and impact analyses in the EIR, including the No Action analyses, should look at impacts to agricultural lands and socioeconomics, and at other related impacts including groundwater impacts and air quality, not only in the Delta proper, but also in the SWP and CVP export service areas. To meaningfully inform, the environmental baseline should include water supply effects under existing and reasonably foreseeable future regulations within the project planning horizon, including federal and state operating criteria, State Water Board water quality requirements, and long-term implementation of SGMA. Alternatives might also consider different possible baseline water supply scenarios within the context of statewide efforts to implement the Administration’s proposed Water Resilience Portfolio. While, admittedly, this may exceed the scope and level of analysis required with respect to the proposed Delta Conveyance Project itself, there should be room for such considerations in the alternative formulation, project description, and environmental setting portions of the EIR. Because the proposed project is so closely connected to the extended network of California’s statewide water system, though perhaps not required, additional effort in this area could well lead to a project better informed by this comprehensive, system-level perspective.
- **Project Objectives and Context—Reducing Major Certainties Associated the Current Planning Environment:** Past experience suggests that a project that attempts to ‘back in’ to a legal and regulatory environment fraught with uncertainty can run into many unforeseen obstacles. With rapidly escalating litigation in recent months, uncertainty associated with the current planning environment has reached its highest point in years, if not of all time. From a policy standpoint, grounding influences like a global voluntary agreement solution and state-federal cooperation around state and federal operational criteria could greatly help the current uncertain state of play, as would a measure of operational flexibility, some additional groundwater recharge capacity, and a level of greater water supply reliability across different year types. This too likely exceeds the minimal legal requirements of an EIR *per se* and, rather, speaks to the quality of the EIR’s analysis and to the underlying objectives of the proposed project itself; even so, such relevant policy and planning context may be precisely the big-picture perspective required, not only for an successful Delta conveyance solution, but also for a resilient and durable water future more generally.
- **Project Objectives and Context—Coordination with Proactive Environmental Solutions, Proposed Storage Facilities and Other Watershed-Level Projects and**

**Activities:** While a decision to step away from large-scale conservation beyond mitigation was reached with the move from the former Bay-Delta Conservation Plan to the now defunct California Water Fix, there are many on-going conservation activities that should be considered as part of the larger context and environmental setting for the proposed project. This would include required habitat restoration actions under the USFWS and NMFS CVP and SWP biological opinions, the Delta Smelt Resiliency Strategy, the Sacramento Valley Salmon Resiliency Strategy and, potentially, certain proposed water acquisition, habitat restoration, fish passage, conservation hatchery, and scientific research activities under proposed Bay-Delta Voluntary Agreements. Additionally, the proposed Sites Reservoir Project, which has been awarded some \$820 in from Proposition 1, would develop an average of up to 250 thousand acre feet in new dedicated state-controlled environmental water assets, while simultaneously affording additional environmental protection beyond this through related system reoperation.

Many such actions can be implemented through regional partnerships, in compatible ways with existing agricultural uses of the land, or can be otherwise sited to avoid major impacts on local agricultural economies. While these actions are not part of the proposed action as described, they may be viewed as linked actions that can help to move our statewide water system in the direction of the 2009 Delta Reform Act's 'co-equal goals' of water supply and ecosystem health. To the extent the proposed project is motivated by a desire to address the water supply impact of current regulations on SWP and CVP projects operations from an operational and engineering standpoint, such on-going conservation activities represent an important complement, in terms of their ability to potentially improve ecosystem conditions and recover protected native fish populations.

Proactive environmental enhancement actions of the kind described can move beyond single-variable management to more efficiently achieve improved biological outcomes at lower water costs. Habitat improvements and alternative migration corridors can increase fish populations and remove fish from harm's way, while dedicated environmental water assets can help to address possible detrimental effects of dams and pumps and enhance operational flexibility. For all of these reasons, such green infrastructure projects should be viewed as part of an integrated strategy to achieve a more resilient statewide water system and considered in the EIR as such.

## **Conclusion**

The search for a solution to the Delta's linked water-related and environmental problems has been a long one indeed. The Delta is a natural resource, a fertile, productive and uniquely situated agricultural region, and a place in its own right. At the same time, it is the critical

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conduit for water essential to the economy of the state as a whole, to communities and municipal and industrial and agricultural water users all the way to the Mexican border and, of course, to highly productive agricultural economies in the San Joaquin Valley, the Tulare Basin, and other areas to the south.

The notion of a man-made conveyance to bypass the delicate web of complexities that is the Delta itself, conceived as a means to more efficiently and reliably carry a portion of the North State's hydrologic bounty south, is not a new idea. It has existed in one form or another, on drawing boards and in planning documents almost from the beginning. But this decades-old engineering solution has been no easy nut to crack. In addition to endless ecological, financial, engineering, legal, political and regulatory hurdles, such a conveyance would inevitably have major impacts on communities, farms, water users, and infrastructure in the Delta itself.

In these comments, CFBF takes no position either for or against the proposed Delta Conveyance Project itself. At the same time, we do call attention to the urgent and continuing need for *some* combination physical and operational improvements to more efficiently and reliably meet the water needs of our state as a whole. Whatever this broader solution may be, from a statewide agricultural perspective we know that it must meet certain criteria:

First, it must take every effort to protect and make the Delta itself whole. Second, to be of use to agriculture, it must provide a water supply viewed by a sufficient number of potential beneficiaries—on balance with other options and necessary investments—as affordable, reliable, and sufficient to justify the cost. Third, if unable to meet the second objective, no facility constructed to meet the needs of other users should, in any way, prejudice, foreclose, or unduly compromise the ability of the state's unserved agricultural users to pursue other potential solutions to their critical water supply needs if necessary.

As the Department prepares its EIR, CFBF urges the Department to bear each of these interlocking objectives in mind. In closing, we thank the Department for the opportunity to share these key views and perspectives.

Very truly yours,

A handwritten signature in dark ink, consisting of a large, stylized 'J' followed by a series of loops and a long horizontal stroke extending to the right.

Justin Fredrickson  
Environmental Policy Analyst

**From:** [Debbie Phulps](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Public Comment to Draft EIR: Delta Conveyance Project  
**Date:** Thursday, April 16, 2020 6:14:04 PM  
**Attachments:** [BALMD Comment.pdf](#)

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Submitted by Brannan-Andrus Levee Maintenance Request in response to agency's public comment notification. Hard copy to follow.

Debbie Phulps, District Secretary  
Brannan-Andrus Levee Maintenance District

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April 16, 2020

**Via Email** (DeltaConveyanceScoping@water.ca.gov)

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

**Re: COMMENTS ON NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT  
 REPORT FOR THE DELTA CONVEYANCE PROJECT**

Dear Ms. Rodriguez:

Brannan-Andrus Levee Maintenance District (BALMD or District) appreciates this opportunity to comment on the above-referenced Notice of Preparation of Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin River Delta (NOP) posted by the Department of Water Resources (DWR) on January 15, 2020.

BALMD is a public entity established under the Water Code of the State of California, and formed under the Brannan-Andrus Levee Maintenance District Act (Stats.1967,c.910.). It is charged with the levee maintenance functions for three, independent, reclamation districts, RD 317, RD 407 and RD2067. Of the 29.4 miles of levees within its charge, 19.32 miles are considered Project levees (Sacramento River and Georgiana Slough), and 10.08 miles are considered Non-Project levees (Sevenmile Slough, and the San Joaquin and Mokelumne Rivers).

The District submits the following comments to help ensure that the full range of environmental issues and concerns related to the development of the EIR are identified and adequately studied.

**COMMENTS**

The Delta Conveyance Project proposes to downsize the past iterations by reducing the number of intakes and underground tunnels to be constructed. However, like the projects before it, the Delta Conveyance Project envisions an expansion of existing State Water Project (SWP) facilities, significant temporary construction impacts, and permanent water conveyance operations within and

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around the lands and levees within the jurisdiction of Brannan-Andrus Levee Maintenance District. According to the NOP project description, the facilities will include the following:

- Two 3,000 cfs intake facilities on the Sacramento River
- Construction footprints of 40-60 acres at each intake location
- Tunnel reaches and tunnel shafts
- Intermediate and Southern Forebays
- Pumping plant
- South Delta Conveyance Facilities

The assumptions used to develop the project objective of protecting against water supply disruptions due to a major earthquake in the Delta seemingly do not consider updated levee data and recent studies that reflect a lower probability of flooding due to an earthquake event. This objective must be re-evaluated based on the actuarial risk of extensive flooding from a seismic event causing disruptions to water supplies. The proposed project is expected to cost \$12 billion to meet this and other objectives. This objective could also be met by improvements to the existing levee system for a much lower investment. Investments must be made in the levee system regardless, as explained later.

The NOP project description says initial operating criteria will be formulated during the preparation of the Draft EIR. This is not sufficient to fully evaluate the impacts of the whole project. Modified operations of the existing SWP is the premise behind the proposed project. While construction impacts of the project will be extensive, impacts from operations will also be extensive. Operational criteria can change as a result of processes outside of CEQA and impacts will change accordingly. If final operations cannot be included within this CEQA process, they must go through a separate CEQA process to assess impacts to agricultural, environmental, and domestic water users within and outside the Delta.

The NOP also states that DWR intends to utilize certain information from prior Delta conveyance proposals, including the Bay Delta Conservation Plan (BDCP) and California WaterFix, though the proposed project will undergo separate analysis under the California Environmental Quality Act (CEQA). Reclamation District 2067 participated in the environmental review process for the BDCP/California WaterFix projects and BALMD hereby incorporates by reference those prior comment letters, as well as the comments submitted by the North State Water Alliance, and North Delta Water Agency (whose area includes BALMD), where applicable. BALMD anticipates that these entities and other Delta stakeholders may submit comments on the NOP and subsequent environmental documents, and all of those comments are likewise incorporated herein by reference.

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### **1. Delta Conveyance Operational Parameters.**

The NOP does not include a specific plan for how the proposed conveyance system will be operated, and so it is impossible to forecast the potential impacts of those operations at this stage. As DWR develops this plan, it must devote careful attention to the existing conditions within the Delta, in particular the areas encompassed by the levees maintained by Brannan-Andrus Levee Maintenance District.

We further note that the District is within the boundaries of the North Delta Water Agency (NDWA), and its landowners hold subcontracts under the 1981 NDWA Contract with DWR. Those protections include not only water quality protections, but a commitment by the State that it will not convey SWP water in such a way as to cause “a decrease or increase in the natural flow direction, or cause the water surface elevation in Delta channels to be altered, to the detriment of the Delta channels or water users” within the NDWA area. In the event that “lands, levees, embankments or reventments...experience seepage or erosion damage,” the State is responsible for repairing and alleviating that damage. (1981 Contract, para. 6). As recently as 2015, DWR failed to meet water quality requirements of the 1981 Contract and agricultural operations in the several reclamation districts were significantly affected by the resulting salinity intrusions. BALMD has grave concerns that the frequency of such events will increase under the proposed project. The legal obligations of the 1981 Contract are integral to any future implementation of the Delta Conveyance Project, and any operational plan developed by DWR must account for them.

### **2. Alternatives**

While DWR intends to draw from information and analyses of the past conveyance projects, it is not appropriate to artificially limit the range of feasible alternatives to those previously studied. The EIR for the Delta Conveyance Project must include a comprehensive discussion of the alternative locations of the water conveyance facilities that will reduce or avoid the substantial impacts expected to occur in the Pearson District if the facilities are to be located here. Alternative size and configurations must also be evaluated, and the impacts associated with each option. The current plans call for two intakes of 3,000 cfs each, or a total of 6,000 cfs. The larger the facilities and the more water to be conveyed across the reclamation districts, the greater the impact and the greater the risks to adjacent landowners and to the levee maintenance district, BALMD. The size of the forebay should also be seriously reconsidered, as should the need for a forebay at all, particularly in light of the local impacts of such a massive water regulating facility upon the District. Due to the extensive impacts described above and the hundreds of unmitigable impacts of the previously proposed, but similar, California WaterFix, below are other feasible alternatives that meet all of the listed objectives and must be included in the Draft EIR:

Comments on Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project — Brannan-Andrus Levee Maintenance District

April 16, 2020; Page 4 of 5

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*A. Improve levees to a seismic standard.*

As discussed in the project description, any proposed conveyance project will be operated as dual conveyance, utilizing the existing pumps in the South Delta. This will require significant enhancement of the existing levee system to guard against sea level rise and major earthquakes. The levees currently act as the only water conveyance for the SWP and the federal Central Valley Project, and will continue to do so through Delta Conveyance Project planning and construction which may take upwards of 20 years or more. The levee system is critical to any path forward. Improvements to a seismic standard must be included in the current project description and as a stand-alone alternative in the Draft EIR.

*B. Intakes at Sherman Island.*

Due to extensive and unavoidable impacts on private lands within the North Delta, an alternative intake location at publicly-owned Sherman Island must be considered. The proposed project will permanently remove an already limited supply of prime agriculture in the State. The impacts of final operations to the in-Delta water users and environmental needs are also greatly reduced by placing intakes at the western end of the Delta. Based on the objectives, the project operations must meet other existing applicable agreements, namely the NDWA 1981 Contract, existing water rights, and State Water Resources Control Board Decision 1641, which requires the salinity gradient, to remain downstream of Sherman Island. Currently it is unknown if the proposed project will uphold these agreements due to the lack of data on final operations. These aforementioned agreements must be upheld and enough outflow must be maintained to beyond Sherman Island to address anticipated sea level rise, project or not. An intake in this location will reduce any reverse flows that could occur within the Delta due to pumping from the North or South Delta as these intake locations are placed at the natural inlet/outlet for aquatic species in the Delta. If flows were diverted when there are sufficient flows, i.e. flood flows, the impacts to aquatic species may be low due to great sweeping velocities past intakes. This intake alternative also allows for improved aquatic conditions in the Delta by allowing substantial fresh water flows to move through the Delta before they are diverted. These improvements in water conditions and movement within the Delta may ease regulatory constraints in the Delta. As previously discussed this alternative, as with the proposed alternative, relies on the existing levee system to provide full SWP operability and guard against any disruption in water supply due to flooding. Lastly, the tunneling length through the Delta will be reduced, reducing project costs and impacts to the Delta.

*C. Congressman Garamendi's "Little Sip/Big Gulp."*

This route places intakes at publicly owned land along the Sacramento River at the mouth of the Deep Water Ship Channel (DWSC). It utilizes the DWSC as a conveyance corridor until it terminates at the lower end of Prospect Island. At this point, it could be tunneled to the existing pumps at Tracy. This alternative would meet all of the listed objectives as it would create SWP

Comments on Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project — Brannan-Andrus Levee Maintenance District

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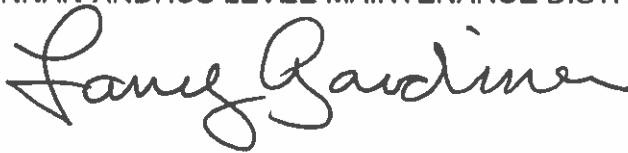
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operational flexibility and have the ability to capture water when flows are sufficient. It would have a much shorter tunneling route and associated tunneling impacts on the Delta that the current proposed solution. This removes the intake locations from the heart of the Delta, private property and prime farmland reducing overall project impacts. It also is far enough upstream on the system where there will be no impacts due to sea level rise and levee failures. That said, the existing agreements previously mentioned must continue to be upheld and the levees must still be improved and maintained to facilitate dual conveyance.

We encourage the inclusion of the listed alternatives in the Draft EIR and appreciate the opportunity to comment on the impacts of the proposed Delta Conveyance Project. Thank you for your attention to these comments.

Very truly yours,

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

A handwritten signature in black ink, reading "Larry L. Gardiner". The signature is fluid and cursive, with the first name "Larry" being more prominent and the last name "Gardiner" following in a similar style.

Larry L. Gardiner, President

ec      BALMD Directors  
         Gilbert Labrie, District Engineer  
         Rebecca Smith, Downey Brand LLC

**From:** [Bob Panzer](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Public comment  
**Date:** Thursday, April 16, 2020 6:23:51 AM

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I urge DWR to devise an investment program that continues through-Delta conveyance, subject to the rules of water quality plans and biological opinions, but which seeks to boost local and regional self-sufficiency as an alternative that seeks to address seismic and climate risks for SWP customer service areas.

Bob Panzer  
1107 Estates Dr  
Fairfield, CA 94533

**From:** [Gene Beley](#)  
**To:** [DWR Delta Conveyance Scoping](#); [Barbara Barrigan-Parrilla](#)  
**Subject:** Protest against single tunnel  
**Date:** Wednesday, April 15, 2020 1:55:10 PM

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As usual, you're hell bent to do whatever you want and ignore the peoples' objections just like you did with the twin tunnel until you got stopped by the Delta Stewardship Council's brave Chairman, Randy Fiorini.

Moving the tunnel closer to Discovery Bay... really? No regard for humans there it seems. But DWR has a history of not doing much right. Are you going to add to your reputation now by doing things all wrong once again and continuing to spend taxpayers' money by the millions of dollars for meetings and salaries for the big water contractors?

STOP NOW ON THIS PROJECT FOR GOOD.

Gene Beley  
209-956-6575  
6428 Embarcadero Drive, Stockton 95219  
copy to Barbara Barrigan-Parrilla

**From:** [Bob Panzer](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Public Comment on Delta Conveyance Project  
**Date:** Tuesday, April 14, 2020 4:16:55 PM

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The ecosystem in the Delta is threatened with algae that seriously reduce water quality. Is this issue being addressed adequately?

With what water will future Delta tunnel and dams and reservoirs be able to operate?

Will California's key water agencies conduct thorough, factual, and honest outreach to all communities, especially environmental justice and disadvantaged communities in their service areas regarding the costs of proposed projects and water outcomes?

Have California's key water agencies done the necessary "due diligence" studies to make fully informed decisions about a future Delta tunnel, dams, and reservoirs?

Have these decisions been balanced with considerations for maintaining, retrofitting, repairing, and preserving existing water agencies' infrastructure, especially any future repairs and changes needed at Oroville Dam?

Bob Panzer  
1107 Estates Dr  
Fairfield, CA 94533  
(707) 410-8839

**From:** [Mark Pruner](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Cc:** [Mellon, Erin@DWR](#); [lisa.lienmager@resources.ca.gov](#); [DWR Delta Conveyance](#)  
**Subject:** NOP Scoping and Review Letter from Clarksburg Residents  
**Date:** Friday, April 17, 2020 11:03:59 AM  
**Attachments:** [Clarksburg Residents Scoping and Review Letter \(April 17 2020\).pdf](#)

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DWR:

Attached please find a Scoping and Review in response to your January 15, 2020 Notice of Preparation regarding the proposed Delta Conveyance Project (proposed single tunnel water conveyance). The attached letter is 54 pages, and includes 250 (an exact number I believe) signatures of Clarksburg Residents.

I am sure that if given additional time, and absent the COVID-19 emergency and attendant restrictions, several hundred more residents would have signed the attached Scoping and Review letter.

We look forward to DWR's thorough review, analysis and findings on the matters brought to light both in the attached letter, and in the other letters, responses, comments and scoping and review input you are receiving.

You are always invited to reach out to the Residents of the Clarksburg Community for further engagement, inquiry and dialogue.

Mark Pruner  
Clarksburg Resident  
P. O. Box 3  
Clarksburg, CA 95612  
Tel.: (916) 744-1500  
Cell: (916) 204-9097

## RESIDENTS AND MEMBERS OF THE CLARKSBURG COMMUNITY

Clarksburg, Yolo County, California

Date: April 17, 2020

Via Email to: [DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)[Erin.Mellon@water.ca.gov](mailto:Erin.Mellon@water.ca.gov)

TO: CALIFORNIA DEPARTMENT OF WATER RESOURCES

Re: Delta Conveyance Scoping Comments to Notice of Preparation of Environmental Impact  
Report for Delta Conveyance Project; re NOP Dated January 15, 2020

Attn: Rence Rodriguez and DWR Representatives

Dear Department of Water Resources,

This letter is written to provide scoping comments to the Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project issued by the Department of Water Resources, dated January 15, 2020 (“**NOP**”). These comments are submitted both collectively and individually (jointly and severally) by the undersigned residents and members of the Clarksburg Community both as a group, **and** as separate individuals (together, the “**Residents**” and each a “**Resident**”).

The Clarksburg Community in which each of the Residents lives as a resident and/or works, and/or is an interested person, is composed of (1) the land area generally located in the County of Yolo, which is bounded on the North by the southern boundary of the City of West Sacramento, on the South by the Yolo-Sacramento County Line, on the East by the Sacramento River, and on the West by the Sacramento Deep Water Ship Channel; and (2) the community, social network, society, and public areas, centered in and around the legacy town of Clarksburg, including the Delta Elementary Charter,, Clarksburg Middle, and Delta High Schools, Protestant Community and Catholic Churches (with members attending from the Clarksburg Community and from the general Sacramento area), a County library, independent fire district, historic post office (established in 1876 by President Ulysses S. Grant), farms and ranches, many local businesses, and other community parts and organs, including the rural lands surrounding the town of Clarksburg, the residents and businesses in the town of Clarksburg and the surrounding area, and the agricultural, cultural, historical and recreational interests and existing opportunities in and surrounding the town of Clarksburg and in the North Delta (the “**Clarksburg Community**”).

The town of Clarksburg, including the Clarksburg Community, is a legacy community. (e.g., Public Resources Code § 32301(f).) The Clarksburg Community is an important part of the Sacramento-San Joaquin Delta, a unique natural resource of local, state, and national significance (Public Resources Code § 32301, *et seq.*). The values of the Clarksburg Community, and each significant part of the Clarksburg Community, such as, but not limited to, the unique values described above, including the unique cultural, recreational, natural resource,

and agricultural values of the Residents, the Clarksburg Community, and each significant part of the Clarksburg Community, must be protected and enhanced by the Project (defined below). (See, e.g., Water Code § 85054). Each of the Residents is a part of the Clarksburg Community.

The Residents are, and each Resident is, an interested party (CEQA Guidelines, § 15086).

The Clarksburg Community is dependent on levees, wells, septic systems, and a system of county roads and state highways.

The proposed Delta Conveyance Project as described in the NOP (“**Project**”) presents a series of substantial direct and indirect effects (including environmental effects), socioeconomic effects, and cumulative effects both on the Residents, on each Resident and on the Clarksburg Community.

As an example of the indirect impact and socioeconomic negative effect of the Project on Residents, each of the Residents, and the Clarksburg Community, the Residents, each of the Residents, and the Clarksburg Community will suffer substantial disruptions, or cessations, in operation because of the Project through potential levee damage, increased traffic, road and street damage, increased accidents on the roads and in other places, increased noise, increased wear and tear on Community facilities, disruption or cessation in well water operations and well water availability, disruption and cessation in septic and wastewater operations and availability, and in related operations.

In connection with the comments above, the following, without limitation, need to be **fully analyzed** in your Draft Environmental Impact Report/Draft Environmental Impact Statement:

- Construction methods must be analyzed, and alternative construction methods must be utilized, as demonstrable mitigation, which will not damage the Residents, each of the Residents and the Clarksburg Community, or any significant part of the Clarksburg Community, in any significant way.
- Significant impact of the Project on the Residents, each of the Residents, and the Clarksburg Community, or any significant part of the Clarksburg Community.
- The impacts on the zoning and land uses authorized by law on the parcels where the Residents, each of the Residents, are located, including complete description and analysis of all land use conflicts and mitigation for each land use conflict.
- The impacts on the continued and future growth and well-being of the Residents, each of the Residents, and the Clarksburg Community, or any significant part of the Clarksburg Community, including the impacts of any de-population in the Clarksburg Community and/or the North Delta, and on the economies of these areas, as a result of the construction, operations, and management of the Project.
- Whether, and how or how-not, the Project will benefit the Residents, each of the Residents, the Clarksburg Community, any significant part of the Clarksburg Community, and North Delta.
- Whether, and how or how-not, the pre-construction, construction, operations and maintenance of the Project will have a substantial impact on the views from and personal and business operations, rehabilitation, construction and reuse of the parcels of Residents and each of the Residents.
- Whether, and how or how-not, alternative locations for the proposed intakes, and all other proposed components of the Project, would lessen impacts on the Residents, each of the Residents, and the Clarksburg Community, or any significant part of the Clarksburg

Community, than, and in comparison to, the currently proposed northernmost proposed intake.


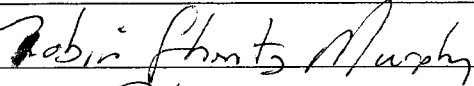

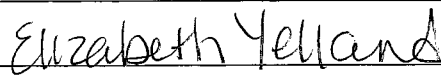
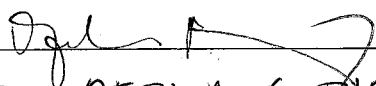
- Show how sites, other than each of the three proposed intakes, considered by the Fish Facilities Technical Team were determined to be less impactful on the Clarksburg Residents, each of the Residents, and the Clarksburg Community, or any significant part of the Clarksburg Community.
- Show how visual and noise disturbance, as well as construction-related impacts to the Residents, each of the Residents, and the Clarksburg Community, or any significant part of the Clarksburg Community, will be minimized.
- Substantive consultation, including disclosure and discussion of all alternatives and mitigation measures for the Project, with the Clarksburg Community, land use agencies, special districts (such as the reclamation and fire districts) and advisory bodies which represent the Residents, each of the Residents, and the Clarksburg Community, and each significant part of the Clarksburg Community.
- State and analyze changes in the Clarksburg Community, each significant part of the Clarksburg Community, the Residents, and each of the Residents caused by the Project, including, without limitation, changes in community cohesion, a reduction of opportunities for maintaining fact-to-face relationships, and disruptions to the functions of Clarksburg Community, each significant part of the Clarksburg Community, and North Delta community organizations and gathering places, such as the 1883 Old Clarksburg Schoolhouse, churches, library, and local businesses.
- Whether, and how or how-not, traffic patterns and changes caused by the Project will impact the Residents, each of the Residents, and the Clarksburg Community and each significant part of the Clarksburg Community.
- Whether, and how or how-not, the Project will cause a decline in Residents and each of the Residents property values in the Clarksburg Community and the North Delta.
- Whether, and how or how-not, the Project will cause blight and property abandonment in the Clarksburg Community, each significant part of the Clarksburg Community, and North Delta.
- Whether the Project will invest in public facilities and infrastructure throughout the Clarksburg Community, each significant part of the Clarksburg Community, and North Delta to mitigate the impacts of the Project.
- Whether, and how or how-not, the Project will enhance and protect the Residents, each of the Residents, the Clarksburg Community, each significant part of the Clarksburg Community, and the North Delta (Public Resource Code § 85054).
- State and analyze the socioeconomic impacts of the Project on the Residents, each of the Residents, the Clarksburg Community and each significant part of Clarksburg Community, and the North Delta.
- Whether, and how or how-not, the Project (including its construction, operation and maintenance) would conflict with the status quo of the Residents, each of the Residents, and the Clarksburg Community, and each significant part of the Clarksburg Community.

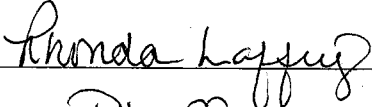
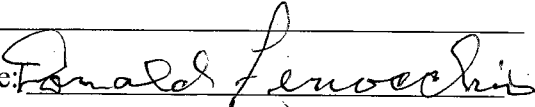
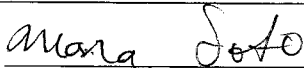
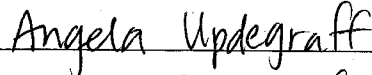
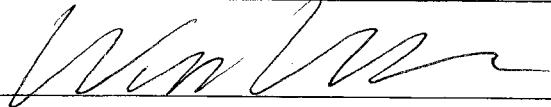
Each of the above are considered significant, material, important and substantial, as related to the Residents, each of the Residents, and the Clarksburg Community, and each significant part of the Clarksburg Community.

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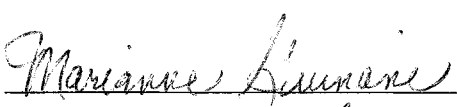
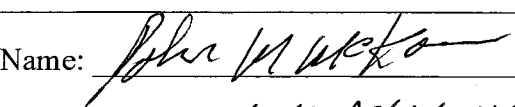
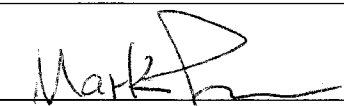
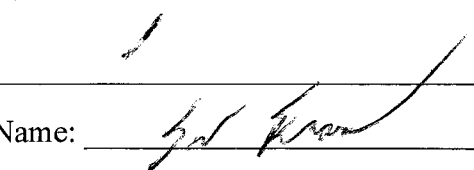
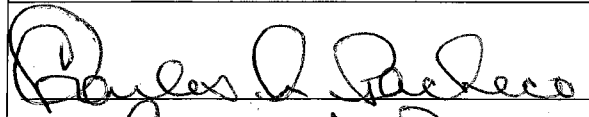
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Resident's Name and Signature	Resident's Residence and Mailing Address
 Name: <u>MICHAEL L CAMPBELL</u> Email Address: <u>mcamp.delta1@gmail.com</u>	Physical Address: <u>36136 N. CENTER ST</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 7</u> Clarksburg, CA, 95612
 Name: <u>Robin Phontz Murphy</u> Email Address: <u>Robin.murphy.07a@yahoo.com</u>	Physical Address: <u>36135 N. Center St</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 366</u> Clarksburg, CA, 95612
 Name: <u>Shannon Mlcoch</u> Email Address: <u>s1mlcoch@frontiernet.net</u>	Physical Address: <u>52265 Nishida Ln.</u> Clarksburg, CA, 95612 Mailing Address: <u>POB 507</u> Clarksburg, CA, 95612
 Name: <u>Elizabeth Yelland</u> Email Address: _____	Physical Address: <u>POB 152740</u> Clarksburg, CA, 95612 <u>Clarksburg Rd</u> Mailing Address: <u>PO Box 138</u> Clarksburg, CA, 95612
 Name: <u>OFELIA GUTIERREZ</u> Email Address: _____	Physical Address: <u>36542 David Lane</u> Clarksburg, CA, 95612 Mailing Address: <u>36542 David Lane</u> Clarksburg, CA, 95612

 Name: <u>Rhonda Laffey</u> Email Address: _____	Physical Address: <u>52770 Clarksburg Rd</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 571</u> Clarksburg, CA, 95612
 Name: <u>Donald Fenocchio</u> Email Address: <u>Don Fenocchio</u>	Physical Address: <u>36177 N. Sierra St</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 371</u> Clarksburg, CA, 95612
 Name: <u>Maria Soto</u> Email Address: _____	Physical Address: <u>51792 Clarksburg Rd</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. BOX 122</u> Clarksburg, CA, 95612
 Name: <u>Angela Updegraff</u> Email Address: <u>angelaupdegraff@gmail.com</u>	Physical Address: <u>36257 N. Center St</u> Clarksburg, CA, 95612 Mailing Address: <u>PO BOX 253</u> Clarksburg, CA, 95612
 Name: <u>WILLIAM UPDEGRAFF</u> Email Address: <u>WILLIAM.UPDEGRAFF@GMAIL.COM</u>	Physical Address: <u>36257 N CENTER</u> Clarksburg, CA, 95612 Mailing Address: <u>PO BOX 253</u> Clarksburg, CA, 95612

<p>Name: <u>Mathew Sanders</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>36040 N. School St</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 143</u> Clarksburg, CA, 95612</p>
<p>Name: <u>Ashley Sanders</u></p> <p>Email Address: <u>ashley52185@gmail.com</u></p>	<p>Physical Address: <u>36040 N. School St</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 143</u> Clarksburg, CA, 95612</p>
<p>Name: <u>JAMES C GUINANE</u></p> <p>Email Address: <u>JAMES.GUINANE46@gmail.com</u></p>	<p>Physical Address: <u>36185 N. Center St</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 473</u> Clarksburg, CA, 95612</p>
<p><u>Linda K McGregor</u></p> <p>Name: <u>Linda K McGregor</u></p> <p>Email Address: <u>lindameg@calbb.net</u></p>	<p>Physical Address: <u>35350 Willow Ave</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 622</u> Clarksburg, CA, 95612</p>
<p><u>S.J. Lawlor</u></p> <p>Name: <u>S.J. Lawlor</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>35400 Willow Ave</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 156</u> Clarksburg, CA, 95612</p>

CALIFORNIA DEPARTMENT OF WATER RESOURCES  
Delta Conveyance Project NOP Scoping Comments and Review  
Page 7

Resident's Name and Signature	Resident's Residence and Mailing Address
 Name: <u>MARIANNE GUIRIANE</u> Email Address: <u>Waterlover318@gmail</u>	Physical Address: <u>36185 No. Center St</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 473</u> Clarksburg, CA, 95612
 Name: <u>Mike McDowling</u> Email Address: <u>MIKEMCDOWLING@MSN.COM</u>	Physical Address: <u>36601 DAVID LANE</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 130</u> Clarksburg, CA, 95612
 Name: <u>Mark Pruner</u> Email Address: <u>mpruner@prunelaw.com</u>	Physical Address: <u>52933 Clarkburg Av</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 3</u> Clarksburg, CA, 95612
 Name: <u>Jason 8258 Earthlink</u> Email Address: <u>Jason 8258 Earthlink</u>	Physical Address: <u>52748 PARKWAY</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 421</u> Clarksburg, CA, 95612
 Name: <u>CHARLES A. PACHECO</u> Email Address: <u>OFFICE@PACHECOREANER.COM</u>	Physical Address: <u>52716 ALGANDRA COURT</u> Clarksburg, CA, 95612 Mailing Address: <u>8031 FREEDOM BLVD</u> <u>SACTO 32</u> Clarksburg, CA, 95612

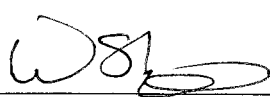

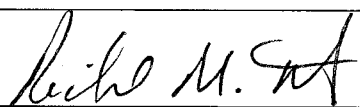
CALIFORNIA DEPARTMENT OF WATER RESOURCES  
Delta Conveyance Project NOP Scoping Comments and Review  
Page 8

<p><u>Russell Evans</u></p> <p>Name: _____</p> <p>Email Address: _____</p>	<p>Physical Address: <u>52995 Sacramento St</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 517</u> Clarksburg, CA, 95612</p>
<p><u>Yolanda Clive</u></p> <p>Name: <u>Yolanda Clive</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>52948 Sac St</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 86</u> Clarksburg, CA, 95612</p>
<p>_____</p> <p>Name: <u>Michael Parr</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>36540 So. Center</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 544</u> Clarksburg, CA, 95612</p>
<p><u>LaVonne Powell</u></p> <p>Name: <u>LaVonne Powell</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>52866 Sacto Pt</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 112</u> Clarksburg, CA, 95612</p>
<p><u>Kevin Rogers</u></p> <p>Name: <u>Kevin Rogers</u></p> <p>Email Address: <u>rogers/c@CRC.Losrios.edu</u></p>	<p>Physical Address: <u>36516 David Lane</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>36516 David Lane</u> Clarksburg, CA, 95612</p>

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<p>Name: <u>Martin R. Hill</u></p> <p>Email Address: _____</p> <p><u>Martin R Hill</u></p>	<p>Physical Address: <u>35935 Willow Ave</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 91</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>DENNIS D WONG</u></p> <p>Email Address: <u>dennisdwongdds@yahoo.com</u></p>	<p>Physical Address: <u>51200 PUMP HOUSE RD</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 369</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>Bobbie Morris</u></p> <p>Email Address: <u>morrisbobbie@gmail.com</u></p>	<p>Physical Address: <u>52333 Netherlands Ave</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 567</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>Rodney C. Gillgras</u></p> <p>Email Address: <u>rodgillgras@yahoo.com</u></p> <p><u>RODNEY GILLGRASS</u></p>	<p>Physical Address: <u>36626 S. CENTER ST</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 254</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>Jerry Spain</u></p> <p>Email Address: <u>Spainco.jerry@gmail.com</u></p>	<p>Physical Address: <u>36569 S. School ST.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 597</u></p> <p>Clarksburg, CA, 95612</p>

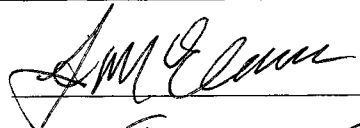
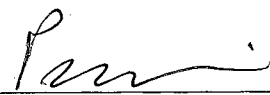
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Resident's Name and Signature	Resident's Residence and Mailing Address
 Name: <u>DENNIS SHEA</u> Email Address: _____	Physical Address: <u>37863 CR 144</u> Clarksburg, CA, 95612 Mailing Address: <u>SAME</u> Clarksburg, CA, 95612
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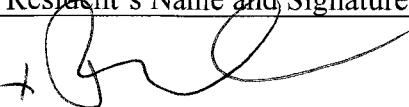
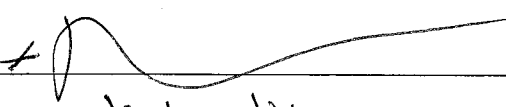
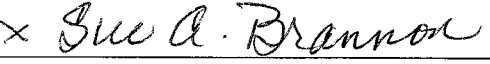
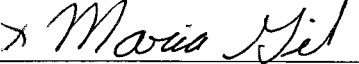
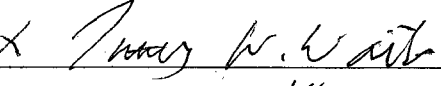
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<u>Jane A Casey</u> Name: <u>Jane A Casey</u> Email Address: <u>jcasey1395@gmail.com</u>	Physical Address: <u>52940 Park Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 375</u> Clarksburg, CA, 95612
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<u>Trevor Morris</u> Name: <u>Trevor Morris</u> Email Address: _____	Physical Address: <u>52333 NETHERLANDS RD.</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 578</u> Clarksburg, CA, 95612
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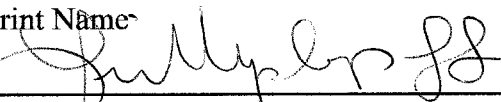
Resident's Name and Signature	Resident's Residence and Mailing Address
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<p>Name: <u>D. Griffith</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>37530 So River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 629</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>Tharon Brown</u></p> <p>Email Address: _____</p> <p><u>Tharon Brown</u></p>	<p>Physical Address: <u>39460 S River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>same</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>Joyce Pylman</u></p> <p>Email Address: _____</p> <p><u>Joyce Pylman</u></p>	<p>Physical Address: <u>51980 Clarksburg Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>same</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>Lee Harris</u></p> <p>Email Address: <u>leeharris124@gmail.com</u></p>	<p>Physical Address: <u>52426 Park Ave</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 486</u></p> <p>Clarksburg, CA, 95612</p>

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<p><u>Michele Cullenward</u> Name: <u>Michele Cullenward</u> Email Address: <u>mscullenward@gmail.com</u></p>	<p>Physical Address: <u>37232 S Riverd</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 252</u> Clarksburg, CA, 95612</p>
<p><u>Lita Campbell</u> Name: <u>Lita Campbell</u> Email Address: <u>lita_campbell@yahoo.com</u></p>	<p>Physical Address: <u>PO Box 321</u> Clarksburg, CA, 95612 Mailing Address: <u>36383 N School St</u> Clarksburg, CA, 95612</p>
<p><u>Zoey Mills</u> Name: <u>Zoey Mills</u> Email Address: <u>zoeymills101@gmail.com</u></p>	<p>Physical Address: <u>38048 Netherlands Rd</u> Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612</p>
<p><u>Gordon F Fenchel</u> Name: <u>GORDON F FENCHEL</u> Email Address: _____</p>	<p>Physical Address: _____ Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612</p>

Resident's Name and Signature	Resident's Residence and Mailing Address
Signature 	Physical Address 36588 S. Center
Print Name Dennis Updegraff	Clarksburg, CA, 95612
Email Address _____	Mailing Address PO Box 126
	Clarksburg, CA, 95612
Signature LINDA UPDEGRAFF	Physical Address 36588 S. Center ST.
Print Name 	Clarksburg, CA, 95612
Email Address _____	Mailing Address PO Box 126
	Clarksburg, CA, 95612
Signature Barrett Updegraff	Physical Address 36588 S Center ST.
Print Name Barrett Updegraff	Clarksburg, CA, 95612
Email Address _____	Mailing Address P.O. Box 126
	Clarksburg, CA, 95612
Signature Kendra Updegraff	Physical Address PO Box 126
Print Name KENDRA UPDEGRAFF	Clarksburg, CA, 95612
Email Address _____	Mailing Address 36588 S Center ST.
	Clarksburg, CA, 95612


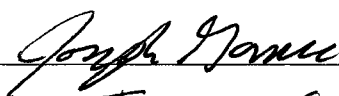
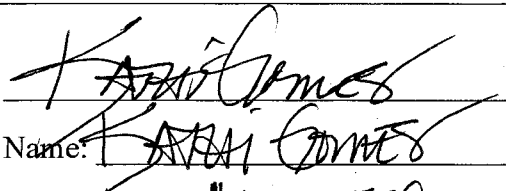
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<u>Sally Clark</u> Name: <u>Sally Clark</u> Email Address: <u>Clarksally12@gmail.com</u>	Physical Address: <u>52607 Netherlands Ave.</u> Clarksburg, CA, 95612 Mailing Address: <u>52607 Netherlands Ave.</u> Clarksburg, CA, 95612
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<u>Josie Sue Ananta</u> Name: <u>SUE SAKATA</u> Email Address: _____	Physical Address: <u>36515 S. Schurf</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 327</u> Clarksburg, CA, 95612
<u>Joseph M. Peach</u> Name: <u>Joe Peach</u> Email Address: _____	Physical Address: <u>36205 N. Carter St.</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 606</u> Clarksburg, CA, 95612


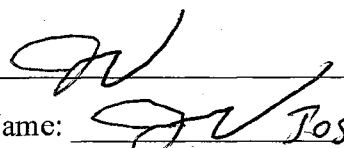

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<p><u>Michael B. Hall</u></p> <p>Name: <u>Michael B. Hall</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>3644 So. Carter St</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 419</u> Clarksburg, CA, 95612</p>
<p><u>Terrence Smith</u></p> <p>Name: <u>TERRENCE Smith</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>52992 SACRAMENTO ST</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 69</u> Clarksburg, CA, 95612</p>
<p><u>Darlene Webber</u></p> <p>Name: <u>Darlene Webber</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>37363 Co. Rd. 144</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 92</u> Clarksburg, CA, 95612</p>
<p><u>Amontzingo</u></p> <p>Name: <u>Amontzingo</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u><del>32</del> 39676 S River Rd</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 264</u> Clarksburg, CA, 95612</p>
<p><u>Sean Bailey</u></p> <p>Name: <u>Sean Bailey</u></p> <p>Email Address: _____</p> <p><u>Sean Bailey</u></p>	<p>Physical Address: <u>36530 River View Dr</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>Box 383</u> Clarksburg, CA, 95612</p>

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Resident's Name and Signature	Resident's Residence and Mailing Address
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 Name: <u>Joseph Gomes</u> Email Address: <u>jjgomes@gmail.com</u>	Physical Address: <u>52945 Clarksburg Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 515</u> Clarksburg, CA, 95612
 Name: <u>KARRI GOMES</u> Email Address: <u>Kgomes58@gmail.com</u>	Physical Address: <u>52945 Clarksburg Ave.</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 515</u> Clarksburg, CA, 95612
<u>Elva Lomeli</u> Name: <u>Elva y Ernesto Lomeli</u> Email Address: _____	Physical Address: <u>51300 clarksburg</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box #25</u> Clarksburg, CA, 95612
<u>X Hope Heringer</u> Name: <u>Hope Heringer</u> Email Address: _____	Physical Address: <u>52151 Central Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 485</u> Clarksburg, CA, 95612

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<p><u>x Michelle Call</u> Name: <u>Michelle Call</u> Email Address: <u>Michelle Call Day</u></p>	<p>Physical Address: <u>36552 S. Center</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 425</u> Clarksburg, CA, 95612</p>
<p><u>x Brian Luce</u> Name: <u>BRIAN LUCE</u> Email Address: _____</p>	<p>Physical Address: <u>53535 S. RIVER RD.</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 475</u> Clarksburg, CA, 95612</p>
<p><u>x Tess Jonson</u> Name: <u>Tess Jonson</u> Email Address: _____</p>	<p>Physical Address: <u>52813 Clarksburg Rd</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 211</u> Clarksburg, CA, 95612</p>

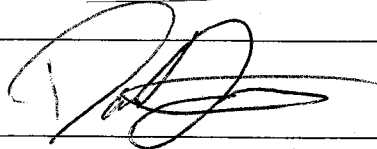
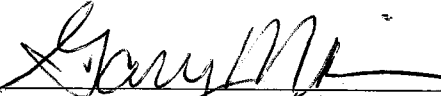


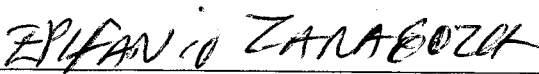
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Resident's Name and Signature	Resident's Residence and Mailing Address
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Name: <u>Las Seebach</u> Email Address: _____	Physical Address: <u>39080 S. River Rd.</u> Clarksburg, CA, 95612  Mailing Address: <u>P.O. Box 8</u> Clarksburg, CA, 95612
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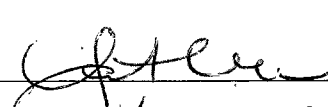

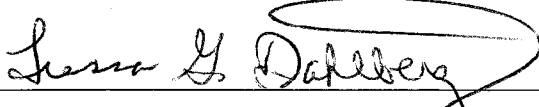
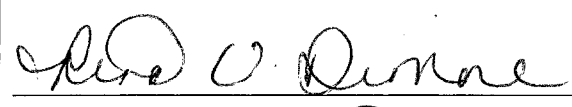
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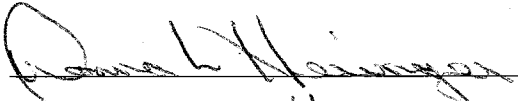
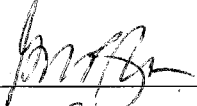
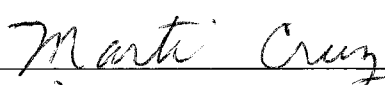
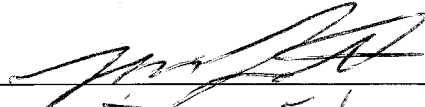
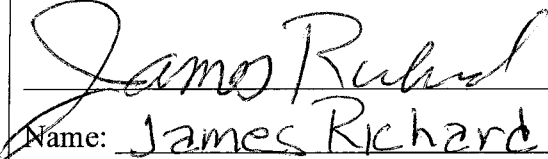
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 Name: <u>James Richard</u> Email Address: _____	Physical Address: <u>52688</u> Clarksburg, CA, 95612 Mailing Address: <u>PO BOX 263</u> Clarksburg, CA, 95612

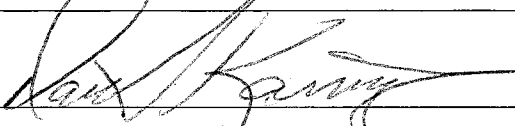

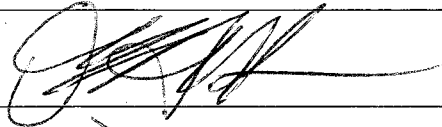
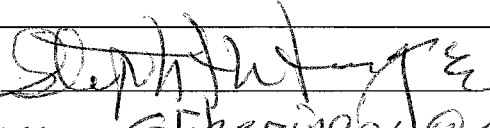
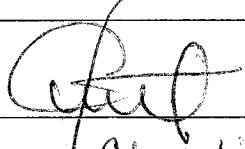
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 Name: <u>SEAN BRAUN</u> Email Address: _____	Physical Address: <u>37675 CO. RD 144</u> Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612
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<u>Sierra Alvarez</u> Name: <u>SA</u> Email Address: _____	Physical Address: <u>37675</u> <u>COUNTY RD 144</u> Clarksburg, CA, 95612 Mailing Address: _____

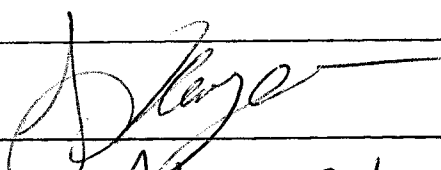
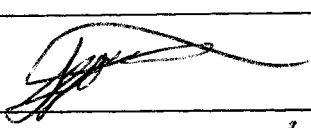
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 Name: <u>José A. Gómez</u> Email Address: _____	Physical Address: <u>37909 Ct Rd 144</u> Clarksburg, CA, 95612 Mailing Address: _____

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Resident's Name and Signature	Resident's Residence and Mailing Address
<u>Jeff Merwin</u> Name: <u>Jeff Merwin</u> Email Address: <u>Shmerwin@calbreath.net</u>	Physical Address: <u>39108 Z Line Rd</u> Clarksburg, CA, 95612 Mailing Address: <u>Same</u> Clarksburg, CA, 95612
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<u>Martin Correa G</u> Name: <u>Martin Correa</u> Email Address: _____	Physical Address: <u>79008 N. Courtland Rd</u> Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612
_____ Name: <u>Jose Manuel Jara</u> Email Address: _____	Physical Address: <u>4461 N Courtland Rd</u> Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612
<u>E.P.</u> Name: <u>ERICK PEREZ</u> Email Address: <u>eperez0311@gmail.com</u>	Physical Address: <u>40454 WIDGEON RD</u> Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612

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Name: <u>Agony Merwin</u> Email Address: _____	Physical Address: <u>39104 Z-Line Rd</u> Clarksburg, CA, 95612 Mailing Address: <u>Same</u> Clarksburg, CA, 95612
Name: <u>Patricia Merwin</u> Email Address: _____	Physical Address: <u>39104 Z-LINE RD</u> Clarksburg, CA, 95612 Mailing Address: <u>Same</u> Clarksburg, CA, 95612
Name: _____ Email Address: _____	Physical Address: _____ Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612
Name: _____ Email Address: _____	Physical Address: _____ Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612

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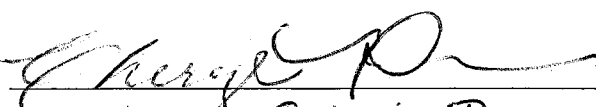
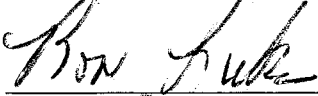
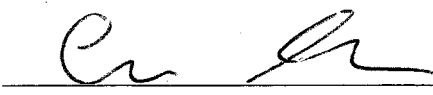

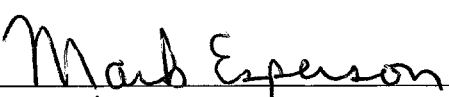
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<p><u>A Brincko</u></p> <p>Name: <u>Aaron Brincko</u></p> <p>Email Address: <u>abrincko@gmail.com</u></p>	<p>Physical Address: <u>36361 N. Center St.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>PO Box 15</u></p> <p>Clarksburg, CA, 95612</p>
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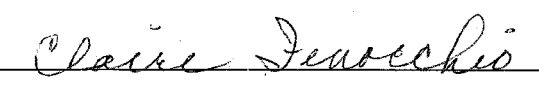

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<p><i>CYNTHIA TICKLER</i> Name: <u>Cynthia Tickler</u> Email Address: <u>cindy.tickler@</u> <u>gmail.com</u></p>	<p>Physical Address: <u>55680 County Rd</u> <u>141</u> Clarksburg, CA, 95612  Mailing Address: <u>P.O. Box 57</u> Clarksburg, CA, 95612</p>
<p><i>Valerie R. Elmore</i> Name: <u>Valerie R. Elmore</u> Email Address: <u>mkelmore@frontier</u> <u>net.net</u></p>	<p>Physical Address: <u>52911 Clarksburg Rd</u> Clarksburg, CA, 95612  Mailing Address: <u>P.O. Box 359</u> Clarksburg, CA, 95612</p>

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 Name: <u>RON LUKINS</u> Email Address: _____ <u>JR LUKINS @YAHOO.COM</u>	Physical Address: <u>5297E Sack St</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 175</u> Clarksburg, CA, 95612
 Name: <u>Clayton Morgan</u> Email Address: <u>CMorgan@EA.org</u>	Physical Address: <u>36043 Willow Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 462</u> Clarksburg, CA, 95612
 Name: <u>MONROE ELMORE</u> Email Address: _____	Physical Address: <u>76632 9th Center</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 545</u> Clarksburg, CA, 95612
 Name: <u>Mark Esperson</u> Email Address: <u>espersonfarms@frontiernet.net</u>	Physical Address: <u>178 Edgewater Dr</u> Clarksburg, CA, 95612 Mailing Address: <u>Same</u> Clarksburg, CA, 95612

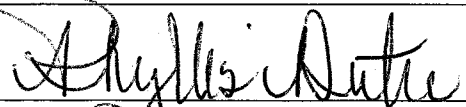
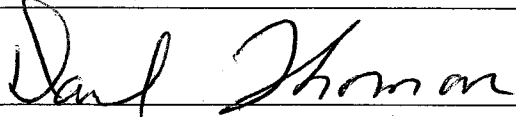
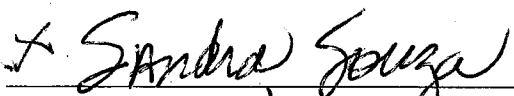

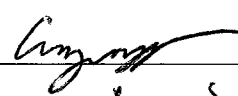
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 Name: <u>DONALD NICHOL</u> Email Address: _____	Physical Address: <u>52844</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 457</u> Clarksburg, CA, 95612
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Name: <u>Camille Cox</u> Email Address: _____	Physical Address: <u>54075 S. River Rd</u> Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612
 Name: <u>Michael Dutra</u> Email Address: _____	Physical Address: <u>39354 Waukeena Rd</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 290</u> Clarksburg, CA, 95612
<u>Kendra Munguia</u> Name: <u>K/Munguia</u> Email Address: <u>Kendra Munguia</u> <u>@XPO.com</u>	Physical Address: <u>35950 Willow Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>POB 344</u> Clarksburg, CA, 95612


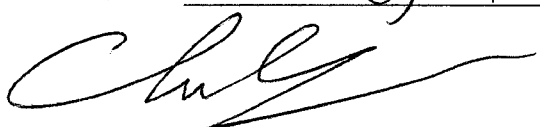
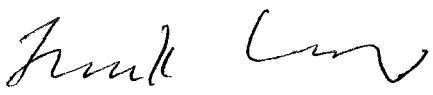
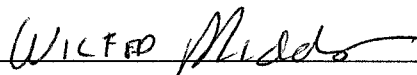
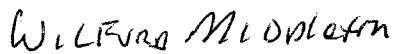
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<p>Name: <u>Pedro Reynoso</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>52105 Willow St. Rd</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 195</u> Clarksburg, CA, 95612</p>
<p>Name: <u>Luz Reynoso</u></p> <p>Email Address: <u>Luz Reynoso</u> <u>lreynoso83@yahoo.com</u></p>	<p>Physical Address: <u>52105 Willow St Rd.</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 195</u> Clarksburg, CA, 95612</p>
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<p>Name: <u>Allison McCox</u></p> <p>Email Address: <u>AllisonCox36@outlook.com</u></p>	<p>Physical Address: <u>54075 S. River Rd</u> Clarksburg, CA, 95612</p> <p>Mailing Address: <u>Same</u> Clarksburg, CA, 95612</p>




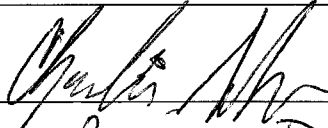
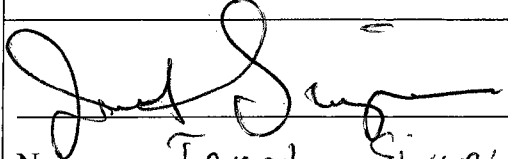
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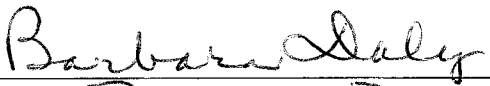
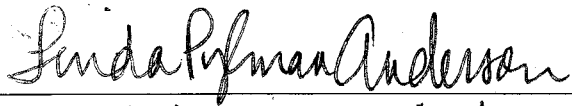

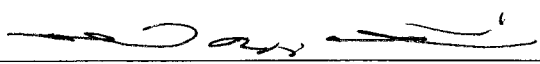
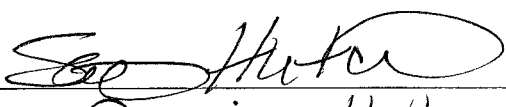
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 Name: <u>Dylan Morgan</u> Email Address: <u>dylanmorg@yahoo.com</u>	Physical Address: <u>52431 Netherlands Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 65</u> Clarksburg, CA, 95612
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 Name: <u>Sabrina Hutchins</u> Email Address: <u>dave.sabrina247@gmail.com</u>	Physical Address: <u>36320 N. Center St</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 501</u> Clarksburg, CA, 95612

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Resident's Name and Signature	Resident's Residence and Mailing Address
<p>Signature <u>Lila Stults</u></p> <p>Print Name <u>Lila Stults</u></p> <p>Email Address <u>deealvin@hotmail.com</u></p>	<p>Physical Address <u>36645 Netherlands Road</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>SAME</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Patricia E Cunningham</u></p> <p>Print Name <u>Patricia E Cunningham</u></p> <p>Email Address <u>mylillypad3@yahoo.com</u></p>	<p>Physical Address <u>37500 S. River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>same</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>R. E. Wilson</u></p> <p>Print Name <u>Robert Wilson</u></p> <p>Email Address <u>BobWilson@gmail.com</u></p>	<p>Physical Address <u>37500 S. River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>same</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Paul Hughes</u></p> <p>Print Name <u>Paul Hughes TX@gmail.com</u></p> <p>Email Address _____</p>	<p>Physical Address <u>37470 South River Rd.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>P.O. Box 360, NW</u></p> <p>Clarksburg, CA, 95612</p>

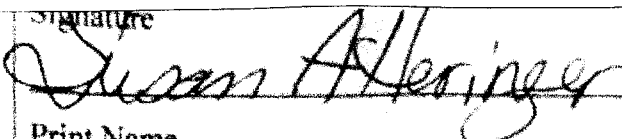
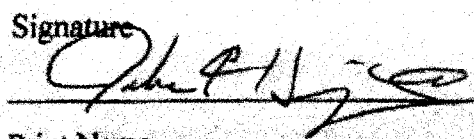
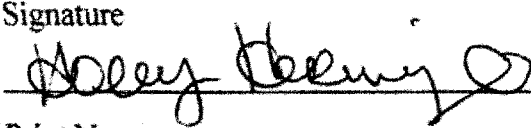
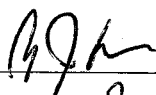
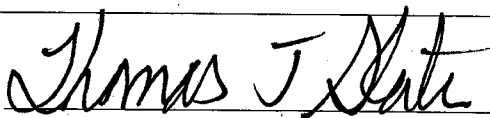
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Resident's Name and Signature	Resident's Residence and Mailing Address
<p>Signature <u>Harold Scherbenske</u></p> <p>Print Name <u>HAROLD SCHERBENSKE</u></p> <p>Email Address _____</p>	<p>Physical Address <u>37542 SOUTH RIVER RD</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>SAME</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Diane B. Scherbenske</u></p> <p>Print Name <u>Diane B. SCHERBENSKE</u></p> <p>Email Address _____</p>	<p>Physical Address <u>37542 South River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>SAME</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Isabelle Griffay</u></p> <p>Print Name <u>Isabelle Griffay</u></p> <p>Email Address <u>griffay14@gmail.com</u></p>	<p>Physical Address <u>same</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>37520 S. River Rd</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Randall K. Fashner</u></p> <p>Print Name <u>RANDALL K. FASHNER</u></p> <p>Email Address <u>rfashner@outlook.com</u></p>	<p>Physical Address <u>37400 S. River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>SAME</u></p> <p>Clarksburg, CA, 95612</p>

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Resident's Name and Signature	Resident's Residence and Mailing Address
<p>Signature <u>Karla M. Fachner</u></p> <p>Print Name <u>Karla M. FACHNER</u></p> <p>Email Address <u>Karla.FACHNER@aspirepublicschools.org</u></p>	<p>Physical Address <u>37400 S. River Rd.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>Same</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Ryan Wilson</u></p> <p>Print Name <u>Ryan Wilson</u></p> <p>Email Address _____</p>	<p>Physical Address <u>37500 South River Rd.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>Same</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Angelika Boessel</u></p> <p>Print Name <u>Angelika Boessel</u></p> <p>Email Address <u>westendangel@gmail.com</u></p>	<p>Physical Address <u>36645 Netherlands Rd.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>Same as above</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Chris Bishop</u></p> <p>Print Name <u>Chris Bishop</u></p> <p>Email Address <u>walkingball@gmail.com</u></p>	<p>Physical Address <u>36645 Netherlands Rd.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>P.O. Box 337</u></p> <p>Clarksburg, CA, 95612</p>

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Signature  Print Name Susan A. Heringer Email Address sue.heringer@gmail.com	Physical Address 52151 Central Ave Clarksburg, CA, 95612 Mailing Address Same Clarksburg, CA, 95612
Signature  Print Name John F. Heringer III Email Address sue.heringer@gmail.com	Physical Address 52151 Central Ave Clarksburg, CA, 95612 Mailing Address Same Clarksburg, CA, 95612
Signature  Print Name Holly Anna Heringer Email Address Holly.Herring@hotmail.com	Physical Address 52151 Central Ave Clarksburg, CA, 95612 Mailing Address Same Clarksburg, CA, 95612
Signature  Name: Brenda Kress Email Address: bjkress@comcast.net	Physical Address: 8859 Springhurst Dr Clarksburg, CA, 95612 Elk Grove CA 95624 Mailing Address: Same Clarksburg, CA, 95612
Signature  Name: Thomas J Slater Email Address: tslaterdee@yahoo.com	Physical Address: 51379 Central Ave Clarksburg, CA, 95612 Mailing Address: Same Clarksburg, CA, 95612

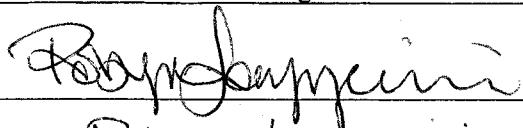
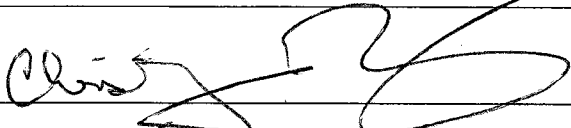
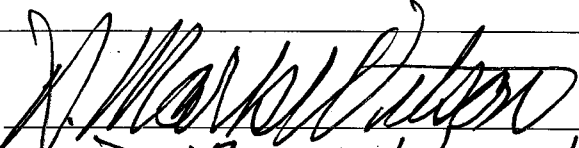
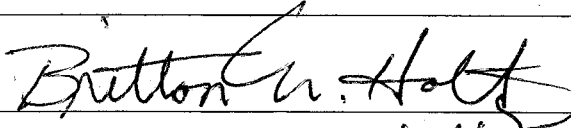
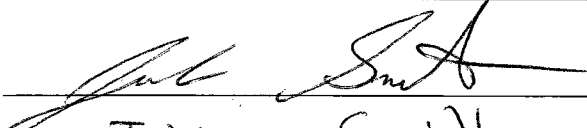
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<p>Signature <u>Edith Yvonne Pyman</u></p> <p>Print Name <u>EDITH YVONNE PYLMAN</u></p> <p>Email Address <u>HOME RANCH @AOL.COM</u></p>	<p>Physical Address <u>38368 S. River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>38368 S. River Rd</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Wendy Heaton</u></p> <p>Print Name <u>Wendy Heaton</u></p> <p>Email Address <u></u></p>	<p>Physical Address <u>37470 S. River Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>P.O. Box 360</u></p> <p>Clarksburg, CA, 95612</p>
<p>Name: <u>Shirley McDonald</u></p> <p>Email Address: <u>dawnmc9707@ATT.NET</u></p>	<p>Physical Address: <u>52931 Netherlands Ave.</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 18</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>James Dahlberg</u></p> <p>Print Name <u>James Dahlberg</u></p> <p>Email Address <u>bo-dhlbrg@yahoo.com</u></p>	<p>Physical Address <u>38465 County Rd 144</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>SAME</u></p> <p>Clarksburg, CA, 95612</p>

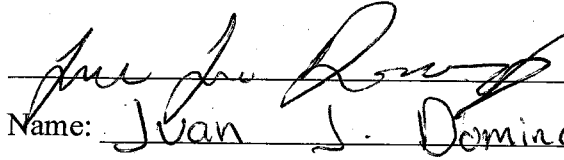
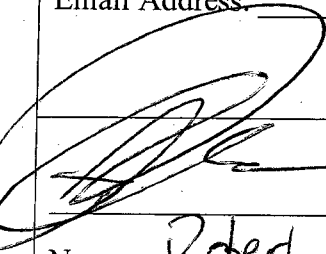
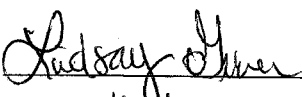

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Resident's Name and Signature	Resident's Residence and Mailing Address
<p><u>Edna Rae Elmore</u></p> <p>Name: <u>Edna Rae Elmore</u></p> <p>Email Address: _____</p>	<p>Physical Address: <u>36632 So. Center</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address: <u>P.O. Box 576</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Anna Swenson</u></p> <p>Print Name <u>Anna Swenson</u></p> <p>Email Address <u>watergirlca@gmail.com</u></p>	<p>Physical Address <u>PO Box 223</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>52868 Clarksburg Rd</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Karen Caul</u></p> <p>Print Name <u>Karen Caul</u></p> <p>Email Address <u>Kcaulgrame@gmail.com</u></p>	<p>Physical Address <u>PO Box 223</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>52880 Clarksburg Rd</u></p> <p>Clarksburg, CA, 95612</p>
<p>Signature <u>Brian Taylor</u></p> <p>Print Name <u>Brian Taylor</u></p> <p>Email Address <u>brian.taylor916@gmail.com</u></p>	<p>Physical Address <u>52868 Clarksburg Rd</u></p> <p>Clarksburg, CA, 95612</p> <p>Mailing Address <u>PO Box 223</u></p> <p>Clarksburg, CA, 95612</p>

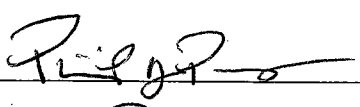
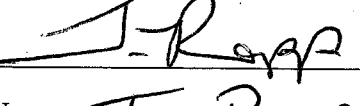
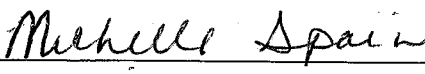
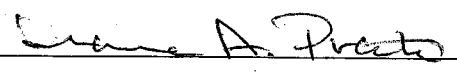
CALIFORNIA DEPARTMENT OF WATER RESOURCES  
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Resident's Name and Signature	Resident's Residence and Mailing Address
 Name: <u>Robyn Letzner</u> Email Address: _____	Physical Address: <u>50400 Gaffney Rd</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 84</u> Clarksburg, CA, 95612
 Name: <u>Christine M. Gonzalez</u> Email Address: <u>cathmom72@hotmail.com</u>	Physical Address: <u>50400 Gaffney Rd</u> Clarksburg, CA, 95612 <i>employed</i> Mailing Address: <u>2377 Broken Way</u> <u>CLARKSBURG CA 95612</u> Clarksburg, CA, 95612
 Name: <u>D. MARK WILSON</u> Email Address: <u>wilson80@msn.com</u>	Physical Address: <u>50404 GAFFNEY RD</u> Clarksburg, CA, 95612 Mailing Address: <u>50404 GAFFNEY RD</u> Clarksburg, CA, 95612
 Name: <u>BRITTON N. HOLTZ</u> Email Address: _____	Physical Address: <u>48050 Central Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 125</u> Clarksburg, CA, 95612
 Name: <u>Julie Smith</u> Email Address: _____	Physical Address: <u>36542 Riverview Dr</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 155</u> Clarksburg, CA, 95612


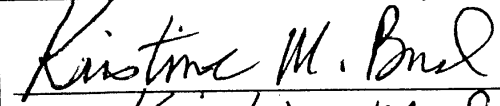
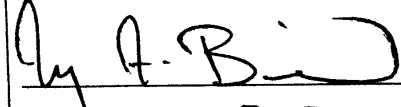
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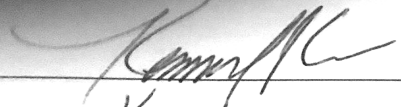
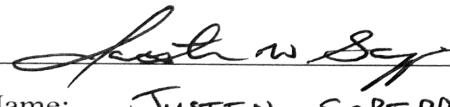
 Name: <u>Juan S. Dominguez</u> Email Address: _____	Physical Address: <u>53750</u> <u>Clarksburg, CA, 95612</u> Mailing Address: _____ <u>Clarksburg, CA, 95612</u>
 Name: <u>Robert Ackerman</u> Email Address: _____	Physical Address: <u>31620 S. Center</u> <u>Clarksburg, CA, 95612</u> Mailing Address: <u>P.O. Box 364</u> <u>Clarksburg, CA, 95612</u>
Name: <u>Sherrice Finnicum</u> Email Address: <u>riverviewgran@gmail.com</u>	Physical Address: <u>36374 Riverview Drive</u> <u>Clarksburg, CA, 95612</u> Mailing Address: <u>P.O. Box 365</u> <u>Clarksburg, CA, 95612</u>
 Name: <u>Lindsay Green</u> Email Address: <u>LindsayGreen@kw.com</u>	Physical Address: <u>36350 Jefferson Blvd.</u> <u>Clarksburg, CA, 95612</u> Mailing Address: <u>P.O. Box 341</u> <u>Clarksburg, CA, 95612</u>
 Name: <u>Sandy Adams Jr.</u> Email Address: _____	Physical Address: <u>36115 N. School St.</u> <u>Clarksburg, CA, 95612</u> Mailing Address: <u>P.O. Box 24</u> <u>Clarksburg, CA, 95612</u>

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 Name: <u>Philip J. Perez</u> Email Address: <u>PJPerez70@yahoo.com</u>	Physical Address: <u>12500 Walnut Grove</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 136</u> Clarksburg, CA, 95612
Name: <u>Rodney Beckwith</u> Email Address: _____ <u>Rodney Beckwith</u>	Physical Address: <u>49445 Clarksburg Rd</u> Clarksburg, CA, 95612 Mailing Address: _____ Clarksburg, CA, 95612
 Name: <u>Tim Rapp</u> Email Address: <u>Trapp.decs@gmail.com</u>	Physical Address: <u>36633 South School St</u> Clarksburg, CA, 95612 Mailing Address: <u>P.O. Box 184</u> Clarksburg, CA, 95612
 Name: <u>Michelle Spain</u> Email Address: <u>bellated69@gmail.com</u>	Physical Address: <u>36529 S-School St</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 597</u> Clarksburg, CA, 95612
 Name: <u>DIANE PRATO</u> Email Address: <u>1957Winky@gmail</u>	Physical Address: <u>52948 Park Ave</u> Clarksburg, CA, 95612 Mailing Address: <u>PO Box 654</u> Clarksburg, CA, 95612

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 Name: <u>Delaney Bird</u> Email Address: <u>dbird@gm.slc.edu</u>	Physical Address: <u>38388 S. River Rd.</u> Clarksburg, CA, 95612  Mailing Address: <u>38388 S. River Rd.</u> Clarksburg, CA, 95612
 Name: <u>Kristine M. Bird</u> Email Address: <u>clarksbird@calbroadband.net</u>	Physical Address: <u>38388 S. River Rd</u> Clarksburg, CA, 95612  Mailing Address: <u>Same</u> Clarksburg, CA, 95612
 Name: <u>Troy F. Bird</u> Email Address: <u>troyfbird@gmail.com</u>	Physical Address: <u>38388 S. River Rd</u> Clarksburg, CA, 95612  Mailing Address: <u>Same</u> Clarksburg, CA, 95612

Resident's Name and Signature	Resident's Residence and Mailing Address
 Name: <u>KENNETH R. WILSON</u> Email Address: <u>kenneth@wilsonvineyards.com</u>	Physical Address: <u>41560 WAUKEEN RD</u> <del>50878 BABEL STREET RD</del> Clarksburg, CA, 95612 Mailing Address: <u>41560 WAUKEEN RD</u> <del>50878 BABEL</del> Clarksburg, CA, 95612
 Name: <u>JUSTIN SCRIPPS</u> Email Address: <u>jscripps17@hotmail.com</u>	Physical Address: <u>36331 N. Center St.</u> Clarksburg, CA, 95612 Mailing Address: <u>Po Box 17</u> Clarksburg, CA, 95612

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Resident's Name and Signature	Resident's Residence and Mailing Address
Signature <i>De</i>	Physical Address <i>37484 S River Road</i>
Print Name <i>Donnie Le</i>	Clarksburg, CA, 95612
Email Address <i>MNMP7ME@gmail.com</i>	Mailing Address <i>Same as above</i>
	Clarksburg, CA, 95612

Resident's Name and Signature	Resident's Residence and Mailing Address
Signature <i>Mm Le</i>	Physical Address <i>37484 S. River Road</i>
Print Name <i>Maria Le</i>	Clarksburg, CA, 95612
Email Address <i>MNMP7ME@gmail.com</i>	Mailing Address <i>Same as above</i>
	Clarksburg, CA, 95612

**From:** [Susan Simpson](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Please stop the tunnel  
**Date:** Friday, April 17, 2020 12:33:30 PM

---

I find myself writing to you again on this subject. My concerns were laid out in my last letter.

Relentless noise

Construction equipment/traffic on our fragile levee roads

Environmental impact

Business impact

Devastation and destruction to local communities including historic towns in the region

A decade (or more) of construction/destruction and expense for no MORE water

But that is not why I am writing today. I heard that you are trying to hold meetings during this coronavirus epidemic! Sure seems like you are trying to sneak something past, while everyone is distracted with this crisis! AND I have seen new plans for a tunnel that goes right under Discovery Bay! What in the world are you thinking? Is there no limit to the callousness of your actions? Are you setting out to hurt the most people possible with this ridiculous plan? One thing this coronavirus crisis should teach us, is how fragile infrastructures can be. Financial, environmental, commercial and governmental. Driving a stake in the heart of the Delta will have permanent consequences on things we can see and things we can only imagine.

If you were hoping that no one would notice, you are wrong. If you are hoping to slip this by all of the stakeholders, you didn't. I will be sending a copy of this letter to Governor Newsome and our local representatives. Please stop this shameless attempt to divert what little clean water there is coming into the Delta.

Susan Simpson

Discovery Bay and Cupertino, California Resident

**From:** [Georgia Goldberg](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** PLEASE STOP THIS PROJECT!!!!!!  
**Date:** Wednesday, April 15, 2020 2:03:26 PM

---

Dear Committee Members,

Please stop this project for all the reasons laid out by the Sierra Club. I support their position absolutely.

All best- now more than ever we need to protect nature.

Georgia June Goldberg  
21 Woodside Way  
Ross, CA 94957

--

[georgiajunegoldbergart.com](http://georgiajunegoldbergart.com)

**From:** [CAROLYN GRAHAM](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Opposition  
**Date:** Friday, April 17, 2020 11:17:20 AM

---

Hello

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.

Thank you

Bob and Carolyn Graham

4909 South Point

Discovery Bay, Ca

945050

Sent from my iPad

**From:** [Gabrielle](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Please do not proceed to the Central Corridor  
**Date:** Friday, April 17, 2020 11:33:04 AM  
**Attachments:** [PastedGraphic-1.tiff](#)

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Dear Department of Water Resources,

I live in Discovery Bay, California. My home is on the water with its own dock. I am an avid boater. I am writing today to express my opposition to the proposed Central Corridor. I have spoken with numerous colleagues and we all have the same concerns.

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.

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.

Delta farmers will also have their livelihoods negatively affected.

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.

Sincerely

**Gabrielle A Tetreault, Esq.**  
**Law Office of Gabrielle Tetreault**



1145 N. California Street, First Floor  
Stockton, California 95202

Website: [www.gatlaw.net](http://www.gatlaw.net)  
Email: [gabrielle@gatlaw.net](mailto:gabrielle@gatlaw.net)  
Office: 209-546-7411  
Mobile: 209-815-4024  
Fax: 209-546-7412

**From:** [Richard Jamison](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Objection To Your Most Recent Tunnel Idea  
**Date:** Friday, April 17, 2020 1:13:52 PM

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It is difficult to understand how you could develop a proposal such as this. To create a project that would be so disruptive to the Delta and especially the large number of residents of Discovery Bay is astonishing. The traffic, noise, dust and other environmental and ecological consequences seem to lack an understanding of the effects of this proposal.

I hope that this is not some sort of "payback" to the residents of Discovery who have been vocal in their opposition to your intended project.

Richard Jamison

**From:** [Emily Moloney](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Cc:** [Mike DeSpain](#); [Richard Hawkins](#)  
**Subject:** NOP Comment Letter from Buena Vista Rancheria of Me-Wuk Indians  
**Date:** Wednesday, April 15, 2020 10:29:03 AM  
**Attachments:** [BVR Scoping Comment Letter signed.pdf](#)

---

Greetings DWR,

Please see the attached letter for Buena Vista of Me-Wuk Indians' comments regarding the Delta Conveyance Project.

Sincerely,

[Emily Moloney](#)

[Water Program Coordinator](#)

Buena Vista Rancheria of Me-Wuk Indians

1418 20th Street, Suite 200

Sacramento, CA 95811

(c) (530) 514-8714

(o) (916) 491- 0011 ext 259

(f) (916) 491- 0012

[emily@buenavistatribe.com](mailto:emily@buenavistatribe.com)



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

RE: Delta Conveyance Project Scoping period NOP Comments

April 6, 2020

Dear Department of Water Resources Staff,

Thank you for notifying The Buena Vista Rancheria of Me-Wuk Indians (BVR) of the Delta Conveyance Project (the project) and inviting us to participate in one-on-one consultation. We will be working with you to schedule consultation, yet we also wish to comment regarding the Notice of Preparation (NOP) that your Agency has presented to the public during your scoping session. At this time BVR is not in support of the Delta Conveyance Project as proposed in the NOP released by your agency on January 20, 2020. As your agency moves into the research phase of drafting your Environmental Impact Report (EIR), BVR would like to offer a joint letter composed by the Natural Resources Department Water Program and the Tribal Historic Preservation Office (THPO) and Cultural Resources with input from the Tribal Council, and THPO Advisory Board to provide you with Buena Vista's perspective and suggestions for analysis and project alternatives in your EIR.

Firstly, BVR does not support this project for a variety of reasons including but not limited to: (1) impacts to cultural resources within the project footprint, and (2) impacts to water quality and overall ecosystem health in the Sacramento / San Joaquin Delta (The Delta), both reasons alone, in our view, impose greater costs that far out way the benefit of providing a small supply of rainy season water to Southern California Municipalities and Irrigation districts. At this time BVR suggests that DWR analyze a no project alternative and consider other innovative projects for implementation in the southern part of the state that will build their overall water resiliency.

The Area of Potential Effect (APE) lies within the traditional aboriginal territories of the Buena Vista Me-Wuk peoples and as such we are concerned about the potential to disturb the burial sites of Me-Wuk Ancestors and the possible likely impact and destruction of cultural resources present in the area. According to the February 26, 2020 Stakeholder Engagement Committee (SEC) meeting minutes, the components of the Tunnel Drive are illustrated to include a 125 ft diameter launch shaft at the beginning of the project, 85ft diameter maintenance shafts spaced 4-5 miles apart until the terminus of the tunnel at the retrieval shaft that is 85 ft in diameter. All of these give access to the 35 ft diameter tunnel that is bored 150-180 ft deep into the delta's alluvial sediments.

Despite the depth of the tunnel there is still potential for impact of cultural resources. A precursory investigation of alluvial sedimentary deposit rates in the area of the project, the Great

Valley of California, and known dates of Native American habitation within that area suggests a common timeline and is particularly aligned during the late Pleistocene Epoch.

According to Katheryn Matthews- Calpine Sutter Power Plant Project EIR, October 19, 1998: *"The valley is filled with a thick sequence of marine and non-marine sediments that range in age from the Jurassic Period to some relatively recent that may be only 10,000 years old. To put these vast time periods into human context for this analysis, we can use a generally accepted timeline...; the Pleistocene Epoch began about one million years ago and ended about 10,000 years ago. ... in some areas of the Great Valley, the sediments may be as much as 100 feet thick and the overlying recent alluvial deposits may reach as much as 125 feet in thickness."* (Calpine 1997)

Barry T. Klein- Reference Encyclopedia of the American Indian; 7<sup>th</sup> Edition West Nyack New York Todd Publications 1995 states: *"Evidence of human occupation of California dates from at least 19,000 years ago."*

Barry M. Pritzker- A Native Encyclopedia: History, Culture and Peoples; Oxford: Oxford University Press, ISBN978-0-19-513877-1 writes: *"Early Native Californians were hunter-gatherers, with seed collection becoming widespread around 9000 BC."*

Other data is easily available online supporting Late-Pleistocene/ aboriginal habitation. Clearly native peoples were present during most of 250 feet of annual alluvial sedimentary deposit in the Great Valley of California, particularly in the Delta region. BVR suggests to DWR to complete a comprehensive ethnohistorical investigation into aboriginal habitation within the delta region and thoroughly analyze the impacts and mitigations methods needed to accomplish this project.

BVR's second concern resides over water quality and overall health of the Delta ecosystem. The Delta Conveyance Project proposes two pumping stations near Hood, CA to convey a range of flows between 3,000 and 7,500 cfs, during winter flow events. The Sacramento River is a very important source of freshwater to the Delta ecosystem and provides approximately 85% of freshwater inputs, whereas the San Joaquin River provides about 12% of freshwater inputs to the Delta (Schoellhamer et al., 2016). Pumping water from the Sacramento River will impact water quality in the Delta and will impact the distribution of chemical constituents within the Delta in an unknown way which will have impacts to wetlands, fish and wildlife.

The Delta is a complex ecosystem with a variety of management systems superimposed on it. Management activities that take place on a local scale within the Delta need to address the implications that a project will have on a broader ecosystem scale. As suggested in Monsen et al., 2007, understanding how flow manipulations alter hydraulics, water quality, habitat quality, and sustainability of the Delta ecosystem is of utmost importance. BVR recommends the suggestions outlined in Monsen et al., 2007 to develop and apply hydrodynamic models to various pumping rates at various flow rates to study how chemical constituents, such as dissolved oxygen, temperature, salinity, and heavy metals (selenium, mercury) are affected by the varying river flows and pumping rates (including a no pumping option) that may occur as a result of this project.

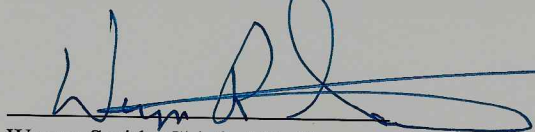
Though imperfect, utilizing hydrodynamic models can help aid in understanding the possible affects by hydraulic manipulations implemented and how they affect the Delta on a regional scale (Monsen et al., 2007). BVR would like to see a minimum analysis performed on the aforementioned water quality chemical constituents for a pumping regime of 0 cfs, 3000 cfs, 6000 cfs, 7000 cfs using winter flow rates in the Sacramento River that reflect historical flow rates, in wet, average and drought years. Another important facet would be to study flow rates that are projected based on climate modeling based on different scenarios including a reduction in carbon emissions and a no change in carbon emissions, that influence sea level rise and precipitation patterns.

In summary BVR suggests conducting thorough ethnographic studies to inform activities within the project footprint and develop mitigation strategies to deal with potential losses of cultural resources due to tunnel boring. BVR also suggests thorough analysis of the impacts pumping from the Sacramento River will have on water quality and habitat of the delta ecosystem. Finally, we urge you to analyze a no pumping / no project alternative in your EIR.

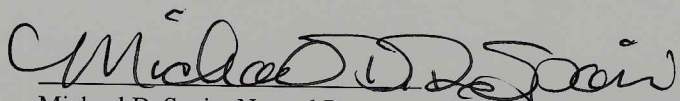
We recognize supplying water to the state is a tremendous challenge and making compromises will be necessary; however, DWR needs to seek innovative solutions for the southern part of the state that come from the southern region itself, such as, increased use of recycled water, allowance for the use of grey-water in homes and businesses (primarily to flush toilets), rainwater catchment infrastructure, side channel catchment basins, and desalination.

Respectfully,

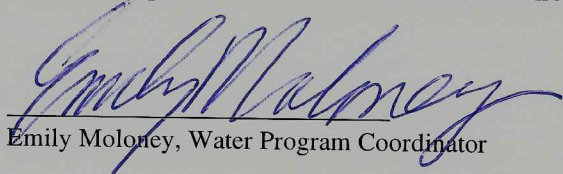
Buena Vista Rancheria of Me-Wuk Indians,



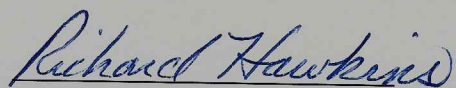
Wayne Smith, Chief of Staff



Michael DeSpain, Natural Resources & Grants Director/ THPO



Emily Moloney, Water Program Coordinator



Richard Hawkins, THPO Coordinator

## Sources

Barry T. Klein- Reference Encyclopedia of the American Indian; 7<sup>th</sup> Edition West Nyack New York Todd Publications 1995 states: "*Evidence of human occupation of California dates from at least 19,000 years ago.*"

Barry M. Pritzker- A Native Encyclopedia: History, Culture and Peoples; Oxford: Oxford University Press, ISBN978-0-19-513877-1 writes: "*Early Native Californians were hunter-gatherers, with seed collection becoming widespread around 9000 BC.*"

Monson, Nancy E., Cloern, James E., Burau, Jon R., San Francisco Estuary and Watershed Science, 5(3), "*Effects of Flow Diversions on Water ad Habitat Quality: Examples from California's Highly Manipulated Sacramento-San Joaquin Delta.* 2007."

Schoelhamer, David H., Wright, Scott A., Monismith, Stephen G., et al. San Francisco Estuary and Watershed Science, 14(4). "*Recent Advances in Understanding Flo Dynamics and Transport of Water-Quality Constituents in the Sacramento-San Joaquin River Delta*" 2016.

Zedler, Joy B., Stevens, Michelle L., San Francisco Estuary and Watershed Science, 16(3). "*Western and Traditional Ecological Knowledge in Ecocultural Restoration*" 2018.

**From:** [Nichelle Garcia](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Notice of Preparation - Scoping Comment Submission  
**Date:** Friday, April 17, 2020 4:54:17 PM

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Dear Department of Water Resources,

As a concerned citizen, mother, and elementary school educator, I respectfully request that you direct the Department of Water Resources to suspend and cease all Delta Conveyance Project activity, Sites Reservoir proceedings, and other water diversion projects at this time. The public's ability to participate and have a voice in these projects has been drastically stifled by the Covid-19 pandemic. To proceed via teleconferencing or online meetings would be inherently inequitable and discriminatory, especially toward communities who are coincidentally the largest stakeholders. As an elementary school librarian and reading intervention teacher, I am well aware of the challenges distance learning has been for our children and families with limited internet access. In addition to communication constraints, families and communities are dealing with the stresses of lost jobs, health risks, and death due to Covid-19.

However, the inclusion of public comments and consent for these water projects were a concern long before the pandemic. Prior to the Shelter in Place, the Delta Conveyance Project held 7 public hearings in Central and Southern California, while only 1 meeting was held in Northern California where the headwater sources are. Why? To collect more comments in areas that are proposed to benefit most versus several tribes, organizations, and communities from the Bay-Delta north to the rivers and headwaters that oppose the project. To work around the scientific studies that indicate that more freshwater needs to flow through the Delta, not less, to restore the estuary and preserve vital habitat for the endangered salmon and Delta smelt. To dismiss thousands of years of Indigenous knowledge that knows salmon are a key species in the health of our watersheds, from the rivers to the ocean, to the forests that soak up their nutrients. For the Hupa, Yurok, Karuk, Pit River, and Winnemem Wintu whose rivers are the most impacted by these projects, salmon are not just a food source. Salmon are relatives – it is a spiritual and cultural relationship. Water is not a commodity, it is sacred, it is life. Harm to the waters and the loss of salmon is a continuation of the cultural genocide Governor Newsom acknowledged and pledged to address. How can there be truth and healing without the protection of Indigenous lifeways, waters, and salmon? Many of these Native communities who are the ardent protectors of their rivers and salmon, and thus the key stakeholders in the Delta Tunnel project have limited internet access or financial resources to organize, especially during this difficult time.

As a resident of the Bay Area, I support the protection of our Bay-Delta, our rivers, and all life who depend on them - not the industrial agriculture and petroleum companies who are the real beneficiaries of this project. We need a better solution, we need change. Most importantly, we need to be heard. Please consider the following:

- \* The California governor's office does not have the free, prior and informed consent of the Indigenous people, then he has no right to build the tunnel. No consent, no tunnel!

- \* The EIR (Environmental Impact Report) should analyze impacts to California's salmon people, including salmon dependent Tribes along the length of the affected watersheds, as well as coastal fishing communities.

- \* The EIR should analyze alternatives that would increase Delta outflow and reduce water exports as compared to current conditions in the Delta.
- \* The EIR should analyze the impacts to source waters, and their reservoir storage, including the Trinity, Klamath, Sacramento, Feather, Yuba and San Joaquin Rivers and their tributaries. Water quality impacts from any increased diversions should be included in this analysis.
- \* The EIR should analyze the cumulative impacts of the Delta tunnels in the context of the new Trump administration Biological Opinions for the Trump Water Plan, the BOR plan to raise Shasta Dam, the long term operations of the State Water Project, and the proposed Sites Reservoir. Would these new projects and rules be used to fill the tunnels?
- \* The EIR should analyze water conservation, efficiency, and additional demand reduction measures that would be less environmentally harmful and more economical than the tunnel and achieve the same water supply reliability goals and targets.
- \* The EIR must analyze the tunnel's consistency with the Delta Reform Act's policy of reduced reliance on the Delta as a water source.
- \* The EIR must analyze the tunnel's cumulative impacts, with particular focus on:
  - Global climate change impacts;
  - Water quality, including effects of increases in salinity, toxic hot spots, pesticides, mercury, and other pollutant discharge that won't be cleaned out due to lack of freshwater in the Delta;
  - Biological resources, including all species that may be impacted by the SWP, as well as upland habitats that may be affected;
  - Impacts on tunnel alignment, since the proposed eastern alignment has potential for significant urban impacts for Delta residents; and
  - Impacts incurred during construction of the tunnel
- \* The EIR must adequately analyze the effectiveness of proposed mitigation and conservation measures over the term of the tunnel project, and include mitigations and protections for every impacted watershed.
- \* The EIR should analyze the economic costs and benefits of the single tunnel project, as well as those of a "no tunnel" alternative and investment in water conservation and efficiency improvements to meet water supply needs.
- \* DWR must investigate serious alternatives, including a no tunnel alternative that could address the main objectives of this project without any additional water diversions. Input from tribes, traditional ecological knowledge, and the recommendations in the Environmental Water Caucus' "A Sustainable Water Plan for California," should be considered in developing a No Tunnel alternative.
- \*The ancestral lands and watersheds of the Hupa, Yurok, Karuk, Pit River and Winnemem

Wintu tribes should be added to the project area, and they must be consulted as required by CEQA AB 52 as the Delta Tunnel would impact their cultural resources. The Delta Tunnel, if constructed, would be pumping water from these rivers, the flows of which have already been heavily degraded by reservoirs, diversions and hydroelectric projects.

\*As required by the UN Declaration on the Rights of Indigenous People, the Department of Water Resources must seek out the free, prior and informed consent of the tribes before greenlighting this project.

\* The EIR must include an environmental racism analysis to determine if the environmental burden of this project will disproportionately fall upon people of color and Indigenous people.

Many thanks for your time and consideration,

Nichelle Garcia

San Mateo, California

**From:** [Jacklyn Shaw](#)  
**To:** [DWR Delta Conveyance Scoping](#); [mayor.garcetti@lacity.org](mailto:mayor.garcetti@lacity.org)  
**Cc:** [belliot@sjgov.org](mailto:belliot@sjgov.org); [cwinn@sjgov.org](mailto:cwinn@sjgov.org); [Amber McDowell](#); [markgoble536](#)  
**Subject:** Notes on Delta Counties in Environment and Liability concerns: "BROKEN PROMISES" as SPIGOT, QUID PRO QUOS are listed: For Delta counties and Rivers in California, USA  
**Date:** Friday, April 17, 2020 1:09:48 PM

---

On 4.17.2020, from [jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com)

Dear Renee Rodriguez, "DWR, Delta...scoping? Renee Rodriguez"

<[DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)>

Attn: Mayor Garcetti, LA City,

#### NOTES: LIABILITIES?

RE: A form letter was submitted on the DWR, website. The following NOTES were not included in the limited space:

(A) GLACIER, Move it before it melts? Then another chilly, money idea for taxpayers is "just pull a glacier" from Alaska, and hope dripping does not happen in corpus climate control?

(B) Moat, feudalistic? Build a dry Moat?

© Did Alvin Toffler's Future Shock envision ocean SATELLITE VILLAGES? Navy ships are used for medical, emergency retreats. Call it Ship CaLodian, from impending environmental disaster of any aqueduct constructions for Dust Bowl.

(D) MEXICO for diversion? Is it in public news that Los Angeles County seeks destruction of Delta Counties, because they owe quality water to Mexico? We wondered why so many workers at water board meetings were Hispanic. Are local resident citizens hired to ruin their own livelihoods...?

(E) MOVE TO WHERE THE WATER IS instead of costly burden of transporting water 300-500 miles. (Locals should not have to pay for demise of their own livelihoods and environmental losses.) (i) Dumb and numb tunnels were voted against in 1982, when "Californians" were informed. (ii) Salt makes more salt statewide. Drought cycles make more drought recycles. (iii) Seek regional hospitality.

(F) DESALINATION was invented at UCB, with J. Leibovitz, 1977, and since used in 100 nations. Department of Interior gives grants to other states. Why not to CALIFORNIA COAST (with 90% of Californians)? That is 9000 mile of overmuch ocean water? We need DESAL in NorCal with San Francisco, Port of Oakland, and SoCal developments. Boondoggle construction costs more in damages than Desalination developments!

(G) See the USDA map on Delta with NATURAL WATER CYCLE picture.

(H) To whom does the PREAMBLE to the US Constitution with original Bill of Rights apply? If environment means concern for LIABILITES, another letter will spell out the abuse of Ten Amendments. (Let us count the ways and means...?) (

I) The ELECTED SUPERVISORS' COALITION OF FIVE DELTA COUNTIES WROTE IN 2019 THAT ANY TUNNEL WOULD BE DEVASTATING TO THE DELTA. So why is it or who is ignoring local elected officials and generational stewards of the Delta counties for over 100 varieties of fresh food crops to the nation and world? (Is healthy food crops an environmental issue of well-being for all species, human too? Displacing agri-tourism jobs with Delta destruction of temp construction jobs is a costly, unethical boondoggle. Hispanic workers make more pay in USA agri-business than in Mexico, lacking environmental pesticide laws.

(J) The bipartisan DELTA HERITAGE ACT includes TERMINOUS,, marina resort. (Fact is this has been part of Lodi Unified School District.) Yet Lodi area has not received copies of the Delta map options. Please include Delta River West side option. Is this why the

permanent permit to Westlands (near Hanford dune buggy racing) has been rushed during the Covid-19 pandemic?

**(\*) IF ANY "CONVEYANCE", then the DELTA MAP PLAN OPTIONS need to include DELTA RIVER WEST SIDE, and that is in "compliance to wet years". Moreover, this is fitting to any Westlands permit granted or rushed during the Covid-19 pandemic with public closures.**

Hopefully, you find this list of , Spigot Control, Quid Pro Quo, past and future, to be helpful, for everyone's mutual benefit and prosperity. Save the Rivers. Friendly fisherman are farmers and growers. Are Californians still part of the USA and Constitution Rights?

Sincerely in shock,

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

P.S. 7-12 miles from any East side "funnel". Note: If any "conveyance" for 400 miles away, if not Mexico, too, then make it West of Delta River. Then it can be more in compliance for only in wet years. In learning concern was on Environment and Liabilities, *another letter is drafted on concern for the Bill of Rights in Delta Counties, NorCal.*

ATTACHED: This is the main letter, submitted to DWR, website, with limited space.

on 4.17.2020 from [jjjshaw@verizon.net](mailto:jjjshaw@verizon.net)

"BROKEN PROMISES" as SPIGOT, QUID PRO QUOS are listed: For Delta counties and Rivers California, NorCal, SoCal and Federal laws of Bill of Rights, Who controls "spigots", flow of water exports and money diversions vs environmental travesties? What makes Secretary, DOI/Interior, say he can control the water flow from VA to CA?

- (1) MONO LAKE dissipation (Owens Valley) vs Los Angeles County, DWR imports, now advocates promoting nature's tributaries?
- (2) YOSEMITE FALLS is in drought (KCRA, 2.24.2020), since forest fires and half via Hatch Hetchy reservoir had gone to San Francisco for decades? (Fresno County best reclaim it as San Francisco starts using its Desalination plants, daily.)
- (3) WID VS EBMUD? Woodbridge vs East Bay ([lodinews.com](http://lodinews.com), 1.31.2018): Lodi/Mokelumne (River) Aqueduct has export increases?
- (4) Since PARDEE DAM, 1929 is towards Port of Oakland. Did Governor Pardee learn about water "redistribution" in a trip to Germany around 1901, with earthquake, 1906 (wikipedia, 2014)? (Lodi growers protested paying taxes for water losses.)
- (5) DESALINATION was invented in California at UCB, with J. Leibovitz, 1977? Regional responsibility means this timely option. Unending, concrete repairs — cost more than desalination for Coast, with 90% of Californians? (Lodi does Desal. Why not L.A. or Mexico?)
- (6) DREDGING avoids flooding: Why did some former elected California officials, profiteers in water bonds, send USACE funds, for deep, pure DREDGING, Rio Vista to Antioch Bay, instead to Washington State? Has Dredging been a major way for decades, to avoid "flooding" ([Sacbee.com](http://Sacbee.com) 2014).
- (7) "BAIT and SWITCH" wording in alternatives to "no tunnel" of informed California voters, 1982, might be West side of Delta River near a ship canal? Response to suggestion: "Oh, no, I go duck hunting there." They count 17,000 salmon babies, but not a small grower's 17,000 green vines in threat? Redefine environment to include health of hospitable species of residents contributing to the agri-business economy.
- (8) With "WATER SOCIALISM" would it be more taxes, compounded, for water aqueduct exports from Washington State? One "funnel" 60 foot wide, for 500 miles. That is the size of a two lane roadway.)
- (9) DROUGHT RECYCLES to STATEWIDE? Since more salt causes more salt, how much is it a setup for drought statewide? (a) Ask J. Michaels, UOP data institute. (b) Why ignore multiple water options, with job opportunities. © Delta destruction is counter productive.
- (10) The WATER TABLE to homesteads west of Lodi, formerly with watermelons, was 16 foot in 1960's, but 34' in 2019 (50' above sea level)? Lodi area varies above sea level, from 35 feet to 900 for well-being. That is proof of corrupt climate change by competitive neighbors, if not cronyism.
- (11) DELTA MAP PLANS AND OPTIONS, with DWR? Where is any easy public view to impacted locales? If any "conveyance", make it West of Delta River, to be in compliance with wet years only.
- (12) RIVER CITY, Lodi Lake, what do "CaLodians" say about new Delta map plan, with Tower Park, nearly 15 miles from Lodi City, Hall? Where is free press, public service?
- (13) How about HEALTH, environmental and well being, in Delta counties vs itchy peat "snakes", dirt in Delta breeze, 20-90 mph? It is a costly, boondoggle construction for empty tunnel, convenience.
- (14) DUST BOWL ("Dejavu"): With the Midwest Dust Bowl, nobody knew or cared until the dust blew into the streets of New York.
- (15) Endless WATER BOARDING Meetings? Who's paid and keeps silent for "Bullet train, with no water for nowhere", and wasted monies.
- (16) LETTERS? Who cares or even knows to write letters, like to Department of Water Resources? Drought makes more drought. We don't want any conveyances for Delta Dust Bowl.
- (17) SPIGOTS Controls? Recently, Anderson Dam flooded into Silicon Valley, 2. 2020. Who controls water flows? Was this not local controls?

(18) HOSPITALITY with FOOD CROPS: With most fertile soil for fresh food in the world, the Delta is a place of scenic, pastoral hospitality. Construction is better for jobs in agri-tourism industries, and maybe sparse tower homes.

CONTINUED. \*Notes A-J, sent separate, as well as Bill of Rights liabilities.

God Bless, "B. Jellings" AKA [jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com), Lodi, CA, 4.17-2.25.2020.

cc: concerned others

**From:** [Mary Elizabeth](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** NOP Comments DSG  
**Date:** Thursday, April 16, 2020 10:39:44 AM  
**Attachments:** [2020.04.16\\_NOP\\_Tunnels\\_DSG.pdf](#)

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Hello,

Attached are our comments regarding the Delta Conveyance Scoping particularly regarding potential impacts to residents of San Joaquin County.

Sincerely,

Mary Elizabeth M.S., R.E.H.S.



*Delta-Sierra Group  
Mother Lode Chapter  
P.O. Box 9258  
Stockton CA 95208*

4.16.2020

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

via email: [DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)

Re: Notice of Preparation (NOP) for the Delta Conveyance Project (DCP) dated January 15, 2020, by the California Department of Water Resources (DWR)

This letter is meant to supplement our public comments and to further elaborate on local issues related to the Delta Conveyance Project NOP<sup>1</sup>. We appreciate your extending the public comments from March 30, 2020 to April 17, 2020. In this time of the COVID19 Pandemic priorities and conditions have changed dramatically, in some regards, in the last month. These changes are unimaginable. We understand that there is considerable staff time allocated towards this project and moving forward in a more “streamlined manner” might be tempting; however, we request that other priorities might be attended to instead of moving forward with the Delta Conveyance Project draft environmental impact report (DEIR). Examples of other priorities include determining minimum flows for our streams and rivers that contribute to the Delta so that flood flows can be better estimated or creating a database that tracks water transfers for surface or groundwater supplies and how these existing water transfers and SGMA efforts might negate the need for the Delta Conveyance Project.

We appreciate that the Department of Water Resources (DWR) engaged extra outreach for the scoping meetings; however more is needed for a project of this scope. Environmental Justice, Human Right to Water, and Affordability are areas which require more focused outreach and analysis. The DWR should be preparing white papers that provide information to stakeholders to evaluate initial findings, including the analysis behind those findings, so that when the DEIR is complete, stakeholders have had an opportunity to become educated and provide relevant comments. Special consideration and analysis should be prepared for the disadvantaged communities within the area of construction.

This project will impact the residents from south Sacramento to south San Joaquin County all to benefit primarily areas of the south that have used their water resources for economic gain. The currently proposed Delta Conveyance Project is significantly less than the Waterfix that was roughly 40 miles of two-44 ft diameter bores (40 ft inside diameter) for 9,000 cubic feet per second. The proposed Delta Conveyance project is a single 40 ft bore (36 ft inside diameter) at 6,000 cubic feet per second. Six thousand cubic feet per second of high-quality water bypassing

<sup>1</sup> [https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Delta\\_Conveyance\\_Project\\_NOP\\_20200115\\_508.pdf?la=en&hash=74B80DAAE5B9C4BC2EB0619B6A252011F72D1087](https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Delta_Conveyance_Project_NOP_20200115_508.pdf?la=en&hash=74B80DAAE5B9C4BC2EB0619B6A252011F72D1087) Accessed 4.11.2020.

the Delta is more than 2.5 million gallons of water a minute which will have a huge impact on Delta water quality.

The NOP stated that operations of the conveyance facilities are proposed to increase DWR's ability to capture water during high flow events. These are current high flows events which will be needed locally as a result of climate changing snowpack storage and as groundwater basins get back to sustainable yields. Already, the call for systemwide water budgets has been made. The DEIR should assess all reaches of source water and determine high flows that are protective of all resources. These same high flows should not solely be used by DWR but only a percentage that is agreeable to affected local communities.

Affordability is an issue that affects all, albeit the low income more. Removing more water from the Delta, facilitated by the single tunnel now considered, will increase salt water intrusion and result in lower Delta circulation that is associated with algal blooms including harmful algal blooms (HABs) that increase costs for water treatment. The City of Stockton's primary surface water source is the Delta with treatment at the Delta Water Treatment Plant<sup>2</sup>. Harmful algal blooms increase treatment cost which would lead to increased water rates for residents within the City of Stockton's Municipal Service Department service area (approximately half of all of Stockton residents). The City of Stockton is in the process of conducting their 5-year water rate study. Stockton has a very low median income (\$51,318<sup>3</sup>) as compared with the statewide median income (\$71,228<sup>4</sup>). How will the Delta Conveyance Project funders reimburse the residents of Stockton for higher water treatment costs?

Surface water flow changes will be occurring, and these changes should be estimated at multiple points in the Delta and at sites requested by stakeholders to ensure that public health and recreational water quality goals can be achieved. Existing over allocations of surface waters and pesticide/fertilizer/pollutant loading have resulted in toxic algal blooms in and around Stockton which directly impact the ability to use the waterways of Stockton for subsistence fishing and recreation<sup>5</sup>. Additionally, these HABs in the Delta and statewide have become a concern as climate predictions indicate a warming trend for our state which, in addition to lowered circulation, is a favorable condition for algal growth. Aeration devices operated by the City of Stockton and the Port of Stockton are not the answer as periodic blooms continue to occur in the Stockton area<sup>6</sup>. These HAB cyanobacteria produce toxins that can become airborne, create foul odors, and degrade air quality<sup>7</sup> in areas already impacted by poor air quality. The City of Stockton has high levels of air pollutants and residents with asthma that will be further impacted by increased incidences of HABs in our western waters. These HABs that become airborne will be distributed by prevailing westerly Delta winds. The Delta-Sierra Group (DSG) is actively participating in the AB617 process to create emission reduction and air monitoring plans. Three resident steering committee members serve on the DSG's Executive Committee and the San Joaquin Valley Air Pollution Control Group Citizen's Advisory Group. Actions that further increase air pollutants must be completely mitigated. The DEIR should include a robust cumulative air quality analysis that evaluates community-based impacts associated with the

<sup>2</sup> <http://www.stocktongov.com/files/QOR.pdf> for July to September 2019. Accessed 4.11.2020

<sup>3</sup> <https://www.census.gov/quickfacts/fact/table/stocktoncitycalifornia/INC110218> Accessed 4.11.2020

<sup>4</sup> <https://www.census.gov/quickfacts/fact/table/CA/IPE120218#IPE120218> Accessed 4.11.2020

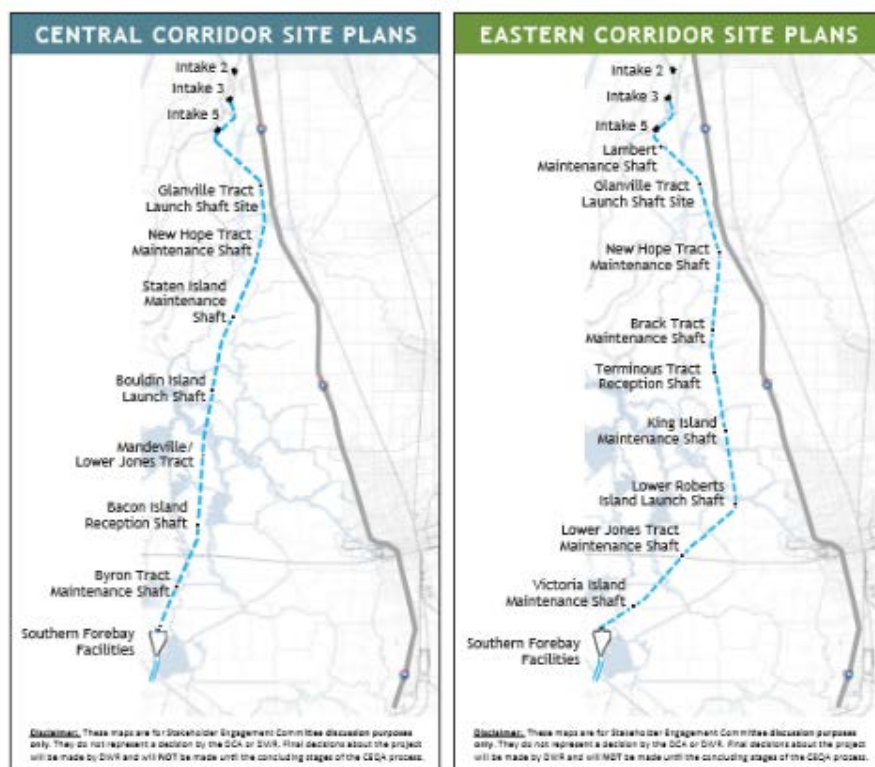
<sup>5</sup> [https://www.youtube.com/watch?time\\_continue=72&v=3F7ZusFuNi0&feature=emb\\_logo](https://www.youtube.com/watch?time_continue=72&v=3F7ZusFuNi0&feature=emb_logo) Accessed 4.11.2020

<sup>6</sup> <https://www.portofstockton.com/aeration-facility/> Accessed 4.11.2020

<sup>7</sup> <https://www.cdc.gov/habs/illness.html> Accessed 4.11.2020

construction and operation of the proposed tunnel, particularly relating the disadvantaged communities.

Proposed tunnel operations must consider increased economic and environmental costs that our local San Joaquin County residents will encounter if a Delta tunnel is constructed and operated. The new DCP is still under design thus costs for the project are in flux, adding to that uncertainty are mitigation cost changes associated with those design changes. Already there are significant differences between the central vs eastern route under consideration, as shown to the right<sup>8</sup>.



The eastern corridor, if selected, will represent a greater impact to our local environment. These impacts are far reaching and in addition to air quality impacts, rail and water transport options will be affected including the already bottlenecked rail area in the southern part of Stockton. Moving the tunnel east as a means to reduce construction costs will force those direct and indirect environmental and transportation related costs on the residents of San Joaquin County. How will the Delta Conveyance Project funders reimburse the residents of Stockton for higher transportation costs, road and rail improvements, and loss time; as well as those harmed due to increased concentrations of air pollutants?

The Delta-Sierra Group shares the following questions as DWR continues design and environmental analysis:

- With what water will future Delta tunnel and dams and reservoirs be able to operate?
- Will California's key water agencies, including DWR conduct thorough, factual, and honest outreach to all communities, especially environmental justice and disadvantaged communities in their service areas regarding the costs of proposed projects and water outcomes during the development of the DEIR?
- With lengthy and costly construction logistics, have California's key water agencies, including DWR, done the necessary "due diligence" studies to make fully informed decisions about a future Delta tunnel, dams, and reservoirs and widely shared those with the public?
- Have these decisions been balanced with considerations for maintaining, retrofitting, repairing, and preserving existing water agencies' infrastructure, especially any future repairs

<sup>8</sup> <https://www.dcdca.org/pdf/2020-03-19-DCABoardMeetingPacketVF.pdf> Accessed 4.11.2020


and changes needed at Oroville Dam and construction of projects planned during the planning period for the Delta Conveyance Project?

The list of potential impacts associated with the proposed project in the NOP is inadequate. Environmental justice effects are omitted. Public health effects are confined to risk of mosquito-borne diseases, which are routinely controlled by mosquito abatement districts. Harmful algal blooms (HABs) are not mentioned but must be considered. Construction and operational effects to transportation and noise levels must also be addressed. Disturbance of channel sediments that may contain mercury, selenium, arsenic, and chromium 6 must be addressed for their water quality, public health, cost of treatment and environmental justice effects.

Beneficial reuse of removed sediments created when digging 190 feet below ground surface should be a priority so that these sediments do not end up in the San Francisco Deep Ocean Disposal Site and out of the natural system<sup>9</sup>. Available information indicate that tunnel planners should not solely count on reusing Delta sediments, removed during construction for shoring up levees or the new forebay to be constructed around the existing pumps. There is keen competition amongst northern California dredging projects for beneficial use reuse disposal sites and the DEIR should include plans to develop more beneficial reuse sites<sup>10</sup>. Delta sediments contain legacy mercury, arsenic, and chromium-6 and high levels are not considered safe for use near drinking water supplies. In fact, naturally occurring arsenic and chromium-6 in aquifers require additional costly treatment. It will be costly to remove, safely transport, and store such sediments to avoid becoming airborne dust (particulate matter) or leaching into drinking water sources. Safe disposal of tunnel-excavated soils will be a costly enterprise if not handled correctly due to negative environmental health outcomes both to human and wildlife.

The DEIR should fully analyze alternatives that are less environmental harmful, including the no-project alternative. These alternative analyses should be comprehensive and include existing efforts to manage water in the State of California. Thank you for considering our comments.

Sincerely,



Mary Elizabeth M.S., R.E.H.S.  
Delta-Sierra Group Conservation Chair  
Sierra Club

<sup>9</sup> <https://www.epa.gov/ocean-dumping/san-francisco-bay-long-term-management-strategy-dredging>

<sup>10</sup> [https://www.spn.usace.army.mil/Portals/68/docs/P%20and%20Programs/A-Z%20extras/SFBTS\\_Main\\_Report\\_JAN2020.pdf?ver=2020-03-04-174542-050](https://www.spn.usace.army.mil/Portals/68/docs/P%20and%20Programs/A-Z%20extras/SFBTS_Main_Report_JAN2020.pdf?ver=2020-03-04-174542-050)

**From:** [Blosser, Amanda@Parks](mailto:Blosser, Amanda@Parks)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** NOP Comment letter  
**Date:** Friday, April 17, 2020 12:35:34 PM  
**Attachments:** [NOP Delta Conveyance Letter\\_.pdf](#)

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I've attached the letter with comments from the Planning Division of California State Parks.

Amanda Blosser



April 17th, 2020

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

RE: Comments on the Delta Conveyance Scoping and Compliance with the Davis-Dolwig Act

We appreciate the opportunity to comment on the Notice of Preparation (NOP) of Environmental Impact Report for the Delta Conveyance Project, and Department of Water Resources (SWR) compliance with the Davis-Dolwig Act, specifically as it relates to recreation.

As described in the Project Description in the NOP, the project proposes to make future improvements to the State Water Project (SWP) Delta Conveyance facilities and to construct new facilities as needed to meet the project objects. These new facilities proposed, but not limited to, the following:

- Intake facilities on the Sacramento River
- Tunnel reaches and tunnel shafts
- Forebays
- Pumping plants
- South Delta Conveyance Facilities

We would recommend that DWR consider how the proposed project may affect recreation areas at the new primary project facilities and in the facility corridor options and to incorporate suitable recreational activities at new facilities. Factors that may warrant consideration include changes to stream flows that affect use of recreational waters, direct impacts to recreational facilities such as demolition or removal of features, and changes in water quality that would impair water contact recreation, fishing, hunting or aesthetics.

We look forward to continuing on this process as the EIR is developed and as recreation is incorporated in this project. If you have questions please contact Alexandra Stehl at [alexandra.stehl@parks.ca.gov](mailto:alexandra.stehl@parks.ca.gov) or Amanda Blosser at [amanda.blosser@parks.ca.gov](mailto:amanda.blosser@parks.ca.gov).

Sincerely,

*Alexandra Stehl*

Alexandra Stehl  
Planning Chief  
Strategic Planning and Recreation Services

**From:** [Melissa Baum-Haley](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Cc:** [Pari Francisco](#)  
**Subject:** MWDOC Comments on Scoping Process  
**Date:** Friday, April 17, 2020 4:17:41 PM  
**Attachments:** [image015.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)  
[image020.png](#)  
[image021.png](#)  
[NOP Scoping- MWDOC Letter\\_ 2020-04.pdf](#)

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Ms. Rodriguez,

Please find the comments on the scoping process attached from the Municipal Water District of Orange County.

Thank you



**Melissa Baum Haley**, Ph.D. M.E.  
**Principal Water Resources Analyst**  
Municipal Water District of Orange County  
**P:** (714) 593-5016 | **E:** [mbaum-haley@mwdoc.com](mailto:mbaum-haley@mwdoc.com)  
**A:** [18700 Ward Street, Fountain Valley, CA 92708](#)





April 16, 2020

Submitted via email to [DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)

Street Address:  
18700 Ward Street  
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P.O. Box 20895  
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Robert J. Hunter  
*General Manager*

#### MEMBER AGENCIES

City of Brea  
City of Buena Park  
East Orange County Water District  
El Toro Water District  
Emerald Bay Service District  
City of Fountain Valley  
City of Garden Grove  
Golden State Water Co.  
City of Huntington Beach  
Irvine Ranch Water District  
Laguna Beach County Water District  
City of La Habra  
City of La Palma  
Mesa Water District  
Moulton Niguel Water District  
City of Newport Beach  
City of Orange  
Orange County Water District  
City of San Clemente  
City of San Juan Capistrano  
Santa Margarita Water District  
City of Seal Beach  
Serrano Water District  
South Coast Water District  
Trabuco Canyon Water District  
City of Tustin  
City of Westminster  
Yorba Linda Water District

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

**Subject:** The Municipal Water District of Orange County Letter of Comments Regarding Scoping for the Development of an Environmental Impact Report for the Delta Conveyance Project

Dear Ms. Rodriguez:

On behalf of the Municipal Water District of Orange County<sup>1</sup> (MWD OC), would like to offer comments regarding scoping for the development of an Environmental Impact Report (EIR) for the Delta Conveyance Project. As a member agency of the Metropolitan Water District of Southern California (Metropolitan), MWD OC relies on the State Water Project to deliver a portion of our water supply from Northern California through the Delta.

Our comments reflect our ongoing concern for the need to restore and protect the long-term reliability of these supplies, in a cost-effective manner, and thus the important role of the Delta Conveyance Project. Modernizing conveyance through the Delta is consistent with the state's Water Resilience Portfolio framework to address California's water challenges and support long-term water resilience and ecosystem health.

As stated within the Notice of Preparation, MWD OC is in full support of the objectives to develop a **reasonable range** of alternatives that will be analyzed within the EIR to:

- Address sea level rise and climate change
- Minimize water supply disruption due to seismic risk
- Protect water supply reliability
- Provide operational flexibility to improve aquatic conditions in the Delta

MWD OC has identified the following areas of significance that we would like to highlight in this letter:

#### **Support of scoping process**

We support the overall scoping for the Delta Conveyance Project at three possible intake facilities and at both the central and eastern corridor for conveyance options. The intake locations were thoroughly reviewed during the previous *California WaterFix*

process and had strong rationale from both a fishery and construction perspective. Utilizing a decade of information and data from the previous process, this scoping process should be sufficiently broad yet refined enough to explore alternatives that are both cost-effective and achievable. This new single tunnel project has emerged to be largely a climate change project to make the existing system more resilient to sea level rise and more variable to weather patterns.

### Facilities must be sized sufficiently

Over several years the Department of Water Resources spent \$273 million on the EIR for the *California WaterFix*. This effort considered over one-hundred alternatives and formally evaluated eighteen. The conclusion of that long sought after effort was that the preferred alternative (4A) resulting in two tunnels with a capacity of 9,000 cubic feet per second. Moreover, we urge you to take into account previous studies that found that smaller facilities do not proportionately reduce expenses. In turn the smaller facilities disproportionately impact the ability to capture peak storm flows.

Unfortunately, we find that the proposed range of alternatives within this scope does not even overlap this preferred alternative from the previous effort. Sizing the project sufficiently is absolutely necessary to reliably capture storm water flows in the windows of opportunity during the decades ahead. Per the requirements of CEQA, the EIR must “develop a reasonable range of alternatives to evaluate in the EIR.”

**Thus the list of alternatives should be expanded to include larger projects, like alternative (4A), in the scope of the EIR due to fact that the reasonable range is required under CEQA.**

### California’s Water Resiliency & Climate Change

The state water reliability strategy cannot be successful without the infrastructure necessary to capture wet-period supplies. The water that Southern California relies on for drought and emergency-needs is dependent on securing an abundant amount of imported supplies. Modernizing conveyance through the Delta, in combination with Metropolitan’s and its member agencies’ past and continued efforts, provides flexibility to deal with droughts and climate change, and guard against disruptions from earthquakes or levee failures in the Delta.

Projections of availability of water in wet years from the operations of Delta conveyance facilities, combined with the potential for earlier season snow melt in California, will require conveyance and additional storage on a statewide basis to help capture water when it is available. The earlier snowpack melt has been analyzed as a potential loss of 14 million acre-feet of storage from having the snow remain in the mountains longer.

### Need for the project remains

The governor’s draft Water Resilience Portfolio reflects both the need to make progress locally and with Delta infrastructure. Given how 27 million Californians get some or all of their water from the Delta, it is imperative to prepare this vital segment of our statewide water delivery system for the future. **As you proceed with the environmental review, we urge you to double the efforts to identify ways to minimize impacts to Delta communities by refining the routing of the project.**

We fully support the separate and complementary efforts to prepare the Delta for our changing climate, particularly the ongoing climate change assessment process under way at the Delta Stewardship Council in conjunction with assistance from the Department of Water Resources.

While, this Delta Conveyance project is an indispensable project and we fully support the Newsom administration moving forward in the planning process in both a thorough and expeditious manner. The Delta Conveyance Project and the EIR should not be based on political beliefs but on sound science, engineering and economics.

Sincerely,



Robert J. Hunter  
General Manager

*<sup>1</sup>Municipal Water District of Orange County is a member of the Metropolitan Water District of Southern California, providing imported water to over 3.2 million Orange County residents through 28 retail water agencies. MWDOC is a wholesale water supplier and resource planning agency whose efforts focus on sound planning and appropriate investments in water supply development, water use efficiency, public information, legislative advocacy, water education and emergency preparedness.*

**From:** [Chuck & Mary Niessen](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** no tunnel  
**Date:** Wednesday, April 15, 2020 1:55:49 PM

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Please reconsider you plans for the Delta and the tunnel. The Delta is a precious commodity for the California Bay Area, not only for the ecology but for the local communities that depend on the water supply, the boating community that uses the rivers and canals. We have been fighting this project for too long and wish for the folks in Southern California find another source such as desalination  
The Tunnel is not the answer - please take other actions.  
Mary and Chuck Niessen

**From:** [Jim Rich](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** My comments on DWR's NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR THE DELTA CONVEYANCE PROJECT  
**Date:** Thursday, April 16, 2020 4:14:57 PM

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Cal. Dept. of Water Resources:

Greetings. I am submitting my comments on DWR's 1/15/20 "NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR THE DELTA CONVEYANCE PROJECT," hereafter referred to as the NOP. From January 1980 until my retirement on June 30, 2015, I worked as an Economist for DWR. When I retired I was working as a Research Program Specialist III (Resource Economics/Operations Research) for DWR's Division of Statewide Integrated Water Management. During the last six years of my DWR career I was heavily involved with the proposed twin tunnels under the Delta, then known as the BDCP.

My comments are from the perspective of an Economist. Other economists have pointed out the folly of the current schedule for the Delta Conveyance Project (DCP) planning studies, which has a Benefit-Cost Analysis and a Financial Analysis for the proposed DCP done *after* a preferred alternative for the DCP has already been selected. That seems backwards to me, and appears to not follow DWR's own guidelines on the subject, as stated in *Guidance for Development of a State-Led Feasibility Study* [DWR, Final Draft, DEC 2014]. Page 26 states:

"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."

My comments on the NOP focus on a few important problems or weaknesses with that document that are related to economics, and which have received little attention in recent discussions on the wisdom of a proposed large single-tunnel DCP.

The first weakness is that the NOP appears to ignore DWR's own guidance on the plan formulation process for major water projects, especially as that guidance relates to considering project alternatives. From Page 15 of the previously-cited DWR *Guidance ...* report:

The first phase in the plan formulation process is the identification of management actions that could be implemented, giving equal consideration to structural and nonstructural measures. Structural actions are facilities such as new or improved levees, dams, pump stations, weirs, and gates. Non-structural actions can include a wide range of actions that can help achieve the plan objectives without constructing or improving facilities, such as incentives, regulations, land use changes, and emergency preparations. Non-structural actions, such as effective floodplain land use regulations, can be very cost-effective tools for achieving plan objectives.

The authors of the NOP pay lip service to this guidance near the top of Page 15 of the NOP, where they admit that State law requires that the "EIR shall describe a range of

reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

However, this NOP does not consider such alternatives. Instead, in the second paragraph on Page 15, the authors state, “In identifying the possible EIR alternatives to be analyzed in detail, DWR is currently considering alternatives with capacities that range from 3,000 to 7,500 cfs, with varying degrees of involvement of the CVP, including no involvement.” All of these alternatives appear to be structural alternatives which involve various types and sizes of Delta tunnels to convey more SWP water (and perhaps more CVP water as well) to contractors south of the Delta. There is no mention of evaluating the environmental or socio-economic impacts of any non-structural alternatives, or of structural alternatives which do not involve large tunnels going through the Delta.

It’s a real shame that DWR ignored State law and its own guidelines in preparing this NOP, for there are “reasonable alternatives to the [proposed] project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.” One such alternative to the proposed DCP is Integrated Water Management (IWM), on both a regional and statewide basis.

IWM projects involve both structural projects and non-structural programs, of various sizes and time frames. They usually involve cooperation and collaboration between local, state and federal agencies and a wide range of non-governmental stakeholders. IWM programs include integrating surface and ground water supplies. IWM projects also improve regional water self-reliance, a stated goal of the current administration. Most are multi-benefit projects, providing improved water supply or quality, increased flood protection, and recreational benefits. Many IWM projects also benefit efforts to combat global climate change, as well as help society adapt to a changing climate.

One of the many recent DWR documents which detail the many benefits of various IWM projects and programs is a 56-page white paper, *FLOOD-MAR: Using Flood Water for Managed Aquifer Recharge to Support Sustainable Water Resources* [DWR, June 2018]. Page 7 of that report lists some of the benefits of FLOOD-MAR programs:

Using Flood Water for Managed Aquifer Recharge Can Provide Broad Benefits. There is a clear State interest in encouraging, and participating in, Flood-MAR projects because they can provide broad and multiple public and private benefits for Californians and the ecosystems of the state. Potential public benefits include:

- Flood Risk Reduction.
- Drought Preparedness.
- Aquifer Replenishment.
- Ecosystem Enhancement.
- Subsidence Mitigation.
- Water Quality Improvement.
- Working Landscape Preservation and Stewardship.
- Climate Change Adaptation.
- Recreation and Aesthetics.

Private benefits include improved water supply reliability for urban and agricultural water uses through direct supply or improved system flexibility.

One of the drawbacks to the latest proposed Delta tunnel project is that it would crowd out much of the federal, State, regional and local funding needed to support these promising IWM projects and programs, such as FLOOD-MAR. During the past ten years local governments, plus local and regional water districts and agencies, have worked together to plan, fund, develop and operate a wide range of cost-effective IWM projects and programs. They have often leveraged their own funds with State and federal loans and grants. A massive through-Delta tunnel project would cost anywhere from \$15 billion to more than \$20 billion, and would dry up much – perhaps most – of the funding used to accomplish these IWM projects and programs. That is one reason why most of the local governments and water districts and agencies in California did not support the BDCP or WaterFix, and do not support the DCP.

Finally, on Pages 9 and 10 of the NOP is a long list of what are called both “potential” and “probable environmental effects” from constructing and operating the DCP. Two significant potential environmental and socio-economic effects are missing from this list:

1. The risks to the stability and structural integrity of certain important Delta levees due to boring a large DCP tunnel under those levees.
2. The dangers that constructing the DCP in a Delta full of abandoned and active natural gas wells and pockets of natural gas could result in a catastrophic explosion, such as the one that occurred on June 24, 1971, when a methane gas explosion in a water tunnel being drilled for the SWP beneath Sylmar, CA killed 17 workers.

In conclusion, this NOP does not represent a promising start for the environmental review of the DCP’s proposed tunnel through the Delta. I still hope that despite that, the final EIR for this project will conform to State law and DWR’s own guidance concerning Environmental Impact Reports for major water projects, and will include a fair and complete examination of the socio-economic and environmental impacts of a wide range of true alternatives to constructing a large tunnel beneath the Delta.

Thanks for giving me an opportunity to comment on this important Notice of Preparation.  
Jim Rich, retired DWR Economist, 4/16/20.

**From:** [Julie Hanson](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** New tunnel shaft near Discovery Bay?  
**Date:** Thursday, April 16, 2020 6:52:40 AM

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Good morning

I hope you and yours are safe and well.

I'm a simple person and simply put, I don't understand how pulling more water south so that northern farmers have salty water is okay? The signs down south say it all, no water, no food....and that's exactly what will happen in the north if too much water is diverted south. Is it okay that the northern farmers are out because the water will be useless? Very sad.

This noisy tunnel up close to Discovery Bay, what if it were your home? It is true about noise out here, it travels and it's loud. Just not right. Again very sad.

Julie Hanson

(Simple person, usually quiet about things like this)

[Sent from Yahoo Mail on Android](#)

**From:** [Osha Meserve](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Cc:** [Millie Bailey](#); [Nicolas Sweeney](#)  
**Subject:** LAND Comments on DPC NOP  
**Date:** Friday, April 17, 2020 4:57:42 PM  
**Attachments:** [20.4.17 LAND NOP Comments.pdf](#)

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Ms. Rodriquez,

Attached are the LAND comments on DWR's January 15, 2020 Notice of Preparation of an Environmental Impact Report for the Delta Conveyance Project.

Please contact our office with any questions.

-Osha

Osha R. Meserve  
*Soluri Meserve*  
510 8th Street  
Sacramento, CA 95814

 *tel:* 916.455.7300 ■  *fax:* 916.244.7300 ■  *mobile:* 916.425.9914 ■  *email:* [osha@semlawyers.com](mailto:osha@semlawyers.com)

This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient.



tel: 916.455.7300 • fax: 916.244.7300  
510 8th Street • Sacramento, CA 95814

April 17, 2020

**SENT VIA EMAIL (DeltaConveyanceScoping@water.ca.gov)**

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

**RE: Comments on Delta Conveyance Project Notice of Preparation.**

Dear Ms. Rodriguez:

These comments on the Department of Water Resources' ("DWR") Delta Conveyance Project ("project") Notice of Preparation ("NOP") are submitted on behalf of Local Agencies of the North Delta ("LAND"). Formed in 2011, LAND is a coalition of local reclamation and water agencies. LAND member agencies cover an approximately 90,000 acre area of the northern Delta. Some of these agencies provide both water delivery and drainage services, while others only provide drainage services. These districts also assist in the maintenance of the levees that provide flood protection to Delta communities and farms.

As an initial matter, LAND objects to DWR's failure to extend the comment period on the NOP, given that the state is essentially shut down right now with the COVID-19 pandemic. Notably, planning for the Delta Conveyance Project is not part of essential work as defined in the Governor's COVID-19 orders, and the public processes around it should be paused until it is possible for the public to meaningfully engage. In any case, DWR must fully analyze the environmental impacts of the project in its Draft Environmental Impact Report ("EIR") for the project.

**Shift to Delta Conveyance Project from California WaterFix Project**

According to Governor Newsom's Executive Order N-19, the state would inventory and assess "[c]urrent planning to modernize conveyance through the Bay Delta with a new single tunnel project." According to the California Natural Resources Agency's ("CNRA") May 2, 2019 Press Release, "DWR will work with local public water agencies that are partners in the conveyance project to incorporate the latest science and innovation to design the new conveyance project, and work with Delta communities and other stakeholders to limit local impacts of the project." In the same Press Release,

Delta Conveyance Scoping Comments  
 April 17, 2020  
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CNRA Secretary Crowfoot explained that “A smaller project, coordinated with a wide variety of actions to strengthen existing levee protections, protect Delta water quality, recharge depleted groundwater reserves, and strengthen local water supplies across the state, will build California’s water supply resilience.”

Yet the NOP outlines a cursory description of a Single Tunnel project that is the same in almost every respect to the failed California WaterFix (“CWF”) project. Moreover, the NOP contains no references to coordination on actions such as levee strengthening, water quality improvements, groundwater recharge or other “resilience” tools. In addition, the Delta Conveyance Design and Construction Authority has thus far refused to pause its Stakeholder Engagement Committee process despite the COVID-19 pandemic, undermining prior commitments to work with Delta communities and other stakeholders to limit local impacts of the project. Thus, it appears that project design and engineering is continuing without the promised local engagement, and without substantive progress on related actions to improve California’s water supply resilience.

Since the project proposed now is basically the same as the CWF project approved by DWR in 2017,<sup>1</sup> LAND refers DWR to the voluminous and detailed comments submitted by LAND and by this law office on that prior project since 2009. In the course of litigation over the adequacy of the California WaterFix project review and approvals, those comment letters were compiled by DWR counsel and staff into a draft administrative record.<sup>2</sup> In addition, LAND, alongside numerous other protestants, prepared, presented and defended voluminous evidence in the form of expert and lay testimony, as well as supporting references for the State Water Resources Control Board’s (“SWRCB”) water rights hearings on the CWF project.<sup>3</sup> These previously prepared comments and testimony apprise DWR of the reasonably foreseeable environmental and other effects of the project, along with the shortcomings of the prior approaches to review and analysis. LAND suggests that DWR thoroughly review these comments prior to completing the project description and analysis in the draft EIR for the “new” Delta Conveyance Project. A few key issues are also highlighted below.

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<sup>1</sup> This fact undermines the NOP claim on page 9 that: “As described above, the proposed project has been informed by past efforts taken within the Delta and the watersheds of the Sacramento and San Joaquin Rivers, including those undertaken through the Bay Delta Conservation Plan (BDCP)/California WaterFix.”

<sup>2</sup> Should DWR have trouble locating these comments, please contact my office.

<sup>3</sup> Available at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/) (see especially evidence submitted by Groups 19 and 24). Should DWR have trouble locating this evidence, please contact my office.

### Project Description

The level of detail in the NOP is inadequate to fully understand the proposed project, including both the proposed physical components as well as proposed operations. The planned volumetric capacity of the project and its alternatives must be clearly defined. During the time period under which a single or phased tunnel project was considered in 2018, engineers for the Metropolitan Water District (“MWD”) explained that “In order to accommodate a higher flow rate in the tunnels, the original 2015 concept design of the pumping facilities, the facilities included in the Final EIR/EIS was modified. Examples included utilizing larger pumps and deepening the pump well structure to accommodate the larger pumping equipment.”<sup>4</sup> If a 4,500 cfs tunnel can be modified to carry up to 6,000 cfs or more of water (as described by MWD), that means the project (now apparently proposed at 6,000 cfs) might also be later modified divert much more than 6,000 cfs. With the unending pressure to divert more water from the Delta, the Draft EIR must disclose and analyze the maximum amount of water that may be diverted from the Sacramento River by the project.

Similarly, proposed project operations must be provided in the project description. During environmental review of the CWF project, the EIRs presented various modeling scenarios that provided only a general idea of how the project might be operated, with retention of maximum flexibility for the operators. The vague operations description, along with constantly shifting approaches to modeling rendered the resulting environmental analysis of operations virtually meaningless. The new Draft EIR must actually analyze the fully range of potential effects from operation of the project.

The project description should also include details on the proposed role of adaptive management in defining future operations. Operation of the CWF included no input from affected water users and others within the Delta, with the adaptive management process only including the agencies, export water contractors and limited fishery organization input. As explained in expert testimony submitted to the SWRCB, the Interagency Implementation Coordination Group in the adaptive management plan was:

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<sup>4</sup> See SWRCB CWF Water Rights Hearing Exhibit LAND-309, Exhibit 1, MWD Email, February 2, 2018; see also the 2018 Conceptual Engineering Report, DWR-1304, PDF pp. 406-407 (discussing potential to transport up to 7,500 cfs in 40 foot diameter tunnels), available at [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/docs/LAND/part2sur\\_rebuttal/land309.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/LAND/part2sur_rebuttal/land309.pdf) and [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/docs/petitioners\\_exhibit/dwr/part2\\_rebuttal/dwr\\_1304.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/petitioners_exhibit/dwr/part2_rebuttal/dwr_1304.pdf).

co-led by Reclamation and DWR, includes a representative of Reclamation, USFWS, and NMFS, as well as one designated representative each from DWR, CDFW, a participating SWP contractor, and a participating CVP contractor. [Citation.] The IICG makes recommendations and DWR and the Bureau of Reclamation provide the “management hub” for the AM process. [Citation.]<sup>5</sup>

There was also an advisory role for the Collaborative Science and Adaptive Management Program, which did not include any representatives from the Delta community or local agencies. This failed approach to operations and adaptive management must not be repeated. To the extent the project description provides operational flexibility and defers operational decisions, Delta stakeholders directly impacted by those operations must have a role in any adaptive management process.

As documented by LAND and others, the diversions proposed by the project are large enough to change river water levels, reduce local groundwater recharge to depleted aquifers, and impact water quality throughout the Delta. Especially with respect to water quality, the timing of the new water diversions makes a tremendous difference. For instance, diversions in the late summer and fall months, while possibly reducing potential impacts to certain listed fish species, would increase the potential for significant water quality effects during lower river flows, as well as pose impacts to recreation and other existing uses of the Delta water and waterways. References by project proponents to having the capacity to take a “big gulp” when flows are high should be matched by a commitment to take only “little sips” when flows are low. This type of operation, however, was not reflected in the CWF environmental review or modeling runs, with “big gulps” and inadequate bypass flows proposed in the summer and fall low flow months. The Draft EIR should clearly describe proposed operations that actually conform to this oft-repeated talking point, and then analyze the impacts of those operations.

The Draft EIR must also describe actions by other agencies to carry out the project, including “[a] list of related environmental review and consultation requirements [found in] federal, state, or local laws, regulations, or policies. To the fullest extent possible, DWR must integrate CEQA review with these related environmental review and consultation requirements.” (CEQA Guidelines, § 15124, subd. (d)(1)(C); see also

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<sup>5</sup> See SWRCB CWF Water Rights Hearing Exhibit LAND-240 Errata, p. 28, available at: [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/docs/LAND/part2rebuttal/land240errata.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/LAND/part2rebuttal/land240errata.pdf).

CEQA Guidelines, § 15006, subd. (i).) An EIR must also consider related regulatory regimes when considering project alternatives. (See Guidelines, § 151126.6, subd. (f)(1).) Identifying competing regulatory authorities of other agencies and disclosing how those authorities may impact a project is essential information for an EIR. (See *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 935 (*Banning Ranch*); see Pub. Resources Code, § 21003, subd. (a).) DWR must also “make a good faith attempt to analyze project alternatives and mitigation measures in light of applicable [regulatory] requirements” and may not “leav[e] it to other responsible agencies to address related concerns seriatim.” (*Banning Ranch, supra*, 6 Cal.5th at 941.)

With respect to review and permitting of the project by other entities, the NOP’s uncertain references to the role of the Bureau of Reclamation (“BOR”) in the project must be resolved prior to release of the Draft EIR. The participation of BOR in the project directly affects the environmental review and permitting process, including the critical issue of which agency would serve as the federal lead under the National Environmental Policy Act. In addition, local and state agencies have authority over various aspects of the project (e.g., roadways, facilities siting, groundwater and flood control structures), which should be clearly described. Without this information, the Draft EIR would not comply with the requirements described in California Supreme Court’s *Banning Ranch* decision.

### Effects on Flood Control

The project would modify the State Plan of Flood Control by making modifications to levees in two locations along the eastern bank of the Sacramento River. Proposed designs must be developed in coordination with the Central Valley Flood Control Board, as well as local flood control agencies in order to avoid deleterious changes to the flood control system. The Draft EIR should also consider the potential for project facilities to be flooded, given proposed placement within a historic floodplain. In addition, project facilities are proposed to be placed within areas protected by levees maintained by local reclamation districts. The project should be designed to avoid interference with levee maintenance and flood fighting activities. As alluded to in Secretary Crowfoot’s remarks in a Press Release, the project should also be accompanied by *improvements* to the flood control system. Statewide and locally important infrastructure in the Delta must continue to be protected by the Delta’s levee system even if the project is constructed.

### Effects on Agriculture

The Delta is home to the largest continuous swath of prime farmland in the state. Of the approximately 500,000 acres of farmland in the Delta, approximately eighty

percent (80%) is classified as Prime Farmland. Due to special statutory protections of the Delta, as well as local zoning, the Delta is largely protected from urban development. Without the project and with continuing local, state and federal investment in the levee system, the Delta is poised to continue providing high quality agricultural products for local, regional, national and international markets in the long term. The project, with its lengthy and disruptive construction, along with operations that deprive Delta farms of fresh water, is currently the largest threat to Delta agriculture.

Unlike the EIR for the CWF, this project's Draft EIR must clearly disclose the total acreage of agricultural land that would be permanently converted to other uses as a result of the project. The amount of agricultural land would be subject to indirect impacts from project construction and operation must also be disclosed. Such an analysis requires a complete and detailed project description, along with accurate baseline information regarding cropping, irrigation and harvesting practices, among other factors.

In addition, impacts to surface water quality that reduce agricultural productivity must also be disclosed. Extensive comments and testimony have been prepared regarding these issues. Thousands of senior water rights holders rely on high quality water supplies in the north Delta to produce crops. Any denigration of this water quality must be analyzed and disclosed. Compliance with Water Quality Control Plan standards (for which there may not be specific compliance points in the north Delta) is inadequate from a CEQA perspective. In addition, farmers irrigate in real time, not over two-week averages. The Draft EIR should assume that farmers will rely on surface water diversions every day of the growing season, and analyze the effects of both short and long term increases in salinity on agricultural productivity and soil health.

Adequate mitigation under CEQA must include enforceable mitigation, or an enforceable performance standard is proposed if formulation of mitigation is deferred. My office worked with DWR staff and others on what became the Agriculture and Land Stewardship ("ALS") Framework during the Bay Delta Conservation Plan process.<sup>6</sup> This approach was a step toward in the formulation of mitigation for disruptions of agricultural operations and conversion of agricultural lands to non-agricultural uses. Yet the EIR for the CWF referred to the actions identified in the ALS Framework without committing to any specific mitigation. If it will be relied upon to mitigate the project's impacts, the ALS Framework must include enforceable performance standards, not just provide a menu of options to be selected later.

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<sup>6</sup> Available at: <https://water.ca.gov/Programs/California-Water-Plan/Water-Resource-Management-Strategies/Agriculture-and-Land-Stewardship-Framework>.

## Delta Conveyance Scoping Comments

April 17, 2020

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Biological Effects

The draft EIR must analyze likely impacts on all fisheries resources in the vicinity of the proposed intakes. It would not be adequate for the Draft EIR to only focus on potential impacts to listed fish species. As shown in the table below, which references information in the 2017 Final EIR for the CWF,<sup>7</sup> there are likely fish in the vicinity of the proposed North Delta Diversions throughout the year. Impacts to those fish, whether they are listed or not, must be disclosed and mitigated. Many of these fish have recreational values, and are also tribal trust species for Native American tribes. In addition, bypass flow criteria and screening standards must be developed to protect all fishery resources, not just listed fish.

<b>Potential Presence of Fish in Vicinity of Proposed North Delta Diversions*</b>				
<b>Species</b>	<b>Listing Status</b>	<b>Presence-Adult</b>	<b>Presence-Juvenile</b>	<b>FEIR/S Reference**</b>
Delta Smelt	ESA: Threatened CESA: Endangered	Dec-May/Jan-May	Sep-Dec	p. 11A-5
Longfin Smelt	CESA: Threatened	Jan-Dec	Jan-Dec	pp. 11A-30 to 32
Central Valley Fall- and Late Fall-run Chinook Salmon	CA Species of Special Concern	June-Dec	Dec-June	pp. 11A-103, 104
Winter Run Chinook	CESA: Endangered ESA: Endangered		Jan-Apr/Sep-Dec	p. 11A-50
Spring Run Chinook	ESA: Threatened CESA: Threatened		Jan-Aug/Nov-Dec	p. 11A-77
Central Valley Steelhead	ESA: Threatened CA Species of Special Concern	June-March	Feb-May	pp. 11A-129-130
Sacramento Splittail	CA Species of Special Concern		Apr-June	p. 11A-146
Green Sturgeon	ESA: Threatened (Southern distinct population) ESA: Species of Special Concern	Jul-Dec	Jan-Dec/Apr-Oct	p. 11A-162

<sup>7</sup> See SWRCB Water Rights Hearing Exhibits SWRCB-102 and SWRCB-25, pp. 45-46, 52, available at: [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/exhibit102/index.html](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/exhibit102/index.html) and [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/docs/swrcb\\_25.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/swrcb_25.pdf).

## Delta Conveyance Scoping Comments

April 17, 2020

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	(Northern distinct population)			
White Sturgeon	Not listed	Feb-Jun		p. 11A-178
Pacific Lamprey	Not listed	Mar-Jun		p. 11A-191
River Lamprey	Not listed	Feb-Jun		p. 11A-199

\* Location information limited by locations where presence was sampled.

\*\*Note: Where temporal occurrence tables were provided, months listed here are indicated as high or medium abundance.

### Alternatives

LAND and other groups and individuals have suggested many alternatives to the north Delta tunnel concept over the last decade as well as during the last year, in the time since the CWF project was rescinded and a “new” way forward was identified. We expected that there would be a substantive discussion of alternatives prior to release of the NOP. The NOP, however, proposes basically the same project as the failed CWF project, apparently discounting those suggestions without any analysis. The Draft EIR, however, must consider a reasonable range of alternatives that would feasibly attain the identified project objectives. (CEQA Guidelines, § 15126.6.) Should DWR wish to engage in discussions regarding alternatives – both different configurations of conveyance as well as groupings of actions that would preclude the need for new conveyance – LAND is available for those conversations.

\* \* \*

Thank you for considering these comments, and please feel free to contact me with any questions.

Very truly yours,

**SOLURI MESERVE**

A Law Corporation

By:

Osha R. Meserve

ORM/mmb

**From:** [Andrew Muse-Fisher](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Cc:** [Dora Rose](#); [Carol Moon Goldberg](#); [Jane Wagner-Tyack](#)  
**Subject:** League of Women Voters of California comments on Delta Conveyance Project  
**Date:** Thursday, April 16, 2020 3:06:40 PM  
**Attachments:** [League of Women Voters of California Comments on Delta Conveyance Project 4-16-20.pdf](#)

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Please find attached the League of Women Voters of California's comments on NOP/scoping for the Environmental Impact Report for the Delta Conveyance Project. Do not hesitate to reach out if you have any questions or need anything else.

Thank you,

**Andrew Muse-Fisher**

Civic Engagement Coordinator

League of Women Voters of California

921 11<sup>th</sup> Street, Ste 700

Sacramento, CA 95814

[916-442-7215](tel:916-442-7215) or [1-888-870-8683](tel:1-888-870-8683), phone

[www.lwvc.org](http://www.lwvc.org) | [www.cavotes.org](http://www.cavotes.org) | [www.easyvoter.org](http://www.easyvoter.org) | [www.votersedge.org/ca](http://www.votersedge.org/ca)

April 16, 2020

VIA email to [DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)

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

**RE: Comments on NOP/Scoping for the Environmental Impact Report for the Delta Conveyance Project**

Dear Ms. Rodriguez:

The League of Women Voters of California appreciates the opportunity to comment on the most recent plans being undertaken for Delta water conveyance. We would like to associate our comments with those of the April 14, 2020, NOP comment letter submitted by AquAlliance et alia.

The League has long-standing policies supporting nonstructural alternatives for water supply in this state. We have commented in the past on the BDCP and WaterFix plans for moving Sacramento River water under the Sacramento-San Joaquin Delta to the state and federal water project export pumps at Tracy. In the League's October 30, 2015, comment letter on the RDEIR/SDEIS for BDCP/WaterFix (included by reference as if set forth herein), we identified serious policy and legal problems that precluded League support for that project. Despite the substitution of a single tunnel for two tunnels, we still see many problems with the tunnel conveyance project, including, but not limited to, those that follow.

We do not see that realistic limits have been placed on the amount of water to be exported, as the state has approved at least five acre-feet of consumptive water rights claims for every acre-foot of unimpaired flow in the Sacramento and San Joaquin river basins. Under these circumstances, protecting existing supplies consistent with existing water rights is not a sustainable strategy. This is especially true with the recent granting of permanent water rights under the WIIN Act (Water Infrastructure Improvements for the Nation), potentially extending demand claims.

We do not see that strategies such as water conservation and wastewater reclamation have been employed to the fullest extent possible by export users to minimize reliance on the Delta, as required by the Delta Reform Act.

Renee Rodriguez  
Page 2  
April 16, 2020

We do not see that high water quality standards will be protected in the Delta and the estuary, or that strong, binding environmental safeguards will protect all in-stream uses. Of growing concern are the health impacts, especially on low- or fixed-income water users, of Harmful Algal Blooms (HABs) caused by inadequate flows of freshwater through the Delta and the estuary.

We do not see that the full economic, social, and environmental costs and benefits of the project have been fully assessed regarding areas of water origin. It is significant that no public hearings have been scheduled north of the Delta in the Trinity and Klamath watersheds on which the Central Valley Project (CVP), which is identified in the Notice of Preparation (NOP) as a potential beneficiary, relies. For the Sacramento River watershed, a scoping meeting was added in Redding only in response to public pressure. Even in areas where the Stakeholder Engagement Committee is actually being asked to engage, actions like predetermination of Delta tunnel intake locations—and assumption of the inevitability of a tunnel conveyance—inappropriately deprive the committee of meaningful input.

The League of Women Voters of California has not seen any good-faith effort on the part of those promoting Delta Conveyance to consider alternatives to tunnel conveyance for meeting the state's 21<sup>st</sup> century water challenges. In a world being transformed by climate change, we look forward to the day when California water management planning will reflect a true commitment to sustainable, regional projects that recognize the actual amount and timing of water available for all public uses. We will monitor the scoping process and subsequent documents to verify that California is on that course.

Sincerely,



Carol Moon Goldberg  
President

**From:** [Theodora Atkinson](#)  
**To:** [DWR Delta Conveyance Scoping](#)  
**Subject:** Misguided tunnel project  
**Date:** Friday, April 17, 2020 11:25:15 AM

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My opinion of the Delta conveyance plan is that it will impoverish Northern California both monetarily and through diminished water resources we will (and do) find essential. Here are my points of argument:

1. Reduction of water for Northern California at the time of crucial climate change and in the future.
2. The cost of the tunnel is prohibitive, with a 5% inflation cost and a 1/4 century to build, meanwhile huge disruption. What is the cost? 40 billion?
3. How dare you think building this with all these considerations and now the global economic collapse taking place.

Beware of this project as it will come to haunt you as you destroy a delicate ecosystem.

Signed, Theodora K. Atkinson

**From:** [Jacklyn Shaw](#)  
**To:** [DWR Delta Conveyance Scoping](#); [Bruce Blodgett](#)  
**Cc:** [Senator McConnell Mitch](#); [kensvogel@yahoo.com](mailto:kensvogel@yahoo.com); [Amber McDowell](#); [mayor.garcetti@lacity.org](mailto:mayor.garcetti@lacity.org)  
**Subject:** Help! Liabilities? Delta/DHA map plan does not include Lodi, impacted 15 miles from "conveyance" plans, yet cities near Oakland are included, 45 miles away? Fwd: Notes on Delta Counties in Environment and Liability concerns: "BROKEN PROMISES" as SPIGO...  
**Date:** Friday, April 17, 2020 2:23:48 PM  
**Attachments:** [IMG\\_1774.jpeg](#)  
[IMG\\_1773.jpeg](#)

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on 4.17.2020 from [jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com)

Delta Heritage Act, DHA, map plan does not include Lodi, impacted 15 miles from "conveyance" plans, yet cities near Oakland are included, 45 miles away?

Fwd: Notes on Delta Counties in Environment and Liability concerns: "BROKEN PROMISES" as SPIGOT, QUID PRO QUOS are listed: For Delta counties and Rivers in California, USA

This is patently not fair on Environmental concerns, especially with Delta Breeze, blowing East, 20-90 mph winds. Where is representation and concerns for liability, including the Bill of Rights, for green losses, including taxpayer losses in agricultural-business economy.

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



Begin forwarded message:

**From:** Jacklyn Shaw <[jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com)>  
**Subject:** Notes on Delta Counties in Environment and Liability concerns: "BROKEN PROMISES" as SPIGOT, QUID PRO QUOS are listed: For Delta counties and Rivers in California, USA  
**Date:** April 17, 2020 at 1:09:41 PM PDT  
**To:** "DWR, Delta...scoping? Renee Rodriguez" <[DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)>, [mayor.garcetti@lacity.org](mailto:mayor.garcetti@lacity.org)  
**Cc:** "[belliot@sjgov.org](mailto:belliot@sjgov.org)" <[belliot@sjgov.org](mailto:belliot@sjgov.org)>, "[cwinn@sjgov.org](mailto:cwinn@sjgov.org)" <[cwinn@sjgov.org](mailto:cwinn@sjgov.org)>, Amber McDowell <[amber@sjfb.org](mailto:amber@sjfb.org)>, [markgoble536@gmail.com](mailto:markgoble536@gmail.com)>  
**Reply-To:** "[jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com)" <[jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com)>

On 4.17.2020, from [jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com)

Dear Renee Rodriguez, "DWR, Delta...scoping? Renee Rodriguez"

<[DeltaConveyanceScoping@water.ca.gov](mailto:DeltaConveyanceScoping@water.ca.gov)>

Attn: Mayor Garcetti, LA City,

NOTES: LIABILITIES?

RE: A form letter was submitted on the DWR, website. The following NOTES

were not included in the limited space:

(A) GLACIER, Move it before it melts? Then another chilly, money idea for taxpayers is “just pull a glacier” from Alaska, and hope dripping does not happen in corpus climate control?

(B) Moat, feudalistic? Build a dry Moat?

© Did Alvin Toffler’s Future Shock envision ocean SATELLITE VILLAGES?

Navy ships are used for medical, emergency retreats. Call it Ship CaLodian, from impending environmental disaster of any aqueduct constructions for Dust Bowl.

(D) MEXICO for diversion? Is it in public news that Los Angeles County seeks destruction of Delta Counties, because they owe quality water to Mexico? We wondered why so many workers at water board meetings were Hispanic. Are local resident citizens hired to ruin their own livelihoods...?

(E) MOVE TO WHERE THE WATER IS instead of costly burden of transporting water 300-500 miles. (Locals should not have to pay for demise of their own livelihoods and environmental losses.) (i) Dumb and numb tunnels were voted against in 1982, when “Californians” were informed. (ii) Salt makes more salt statewide. Drought cycles make more drought recycles. (iii) Seek regional hospitality.

(F) DESALINATION was invented at UCB, with J. Leibovitz, 1977, and since used in 100 nations. Department of Interior gives grants to other states. Why not to CALIFORNIA COAST (with 90% of Californians)? That is 9000 mile of overmuch ocean water? We need DESAL in NorCal with San Francisco, Port of Oakland, and SoCal developments. Boondoggle construction costs more in damages than Desalination developments!

(G) See the USDA map on Delta with NATURAL WATER CYCLE picture.

(H) To whom does the PREAMBLE to the US Constitution with original Bill of Rights apply? If environment means concern for LIABILITES, another letter will spell out the abuse of Ten Amendments. (Let us count the ways and means...?) (

I) The ELECTED SUPERVISORS’ COALITION OF FIVE DELTA COUNTIES WROTE IN 2019 THAT ANY TUNNEL WOULD BE DEVASTATING TO THE DELTA. So why is it or who is ignoring local elected officials and generational stewards of the Delta counties for over 100 varieties of fresh food crops to the nation and world? (Is healthy food crops an environmental issue of well-being for all species, human too? Displacing agri-tourism jobs with Delta destruction of temp construction jobs is a costly, unethical boondoggle. Hispanic workers make more pay in USA agri-business than in Mexico, lacking environmental pesticide laws.

(J) The bipartisan DELTA HERITAGE ACT includes TERMINOUS,, marina resort. (Fact is this has been part of Lodi Unified School District.) Yet Lodi area has not received copies of the Delta map options. Please include Delta River West side option. Is this why the permanent permit to Westlands (near Hanford dune buggy racing) has been rushed during the Covid-19 pandemic?

**(\*) IF ANY “CONVEYANCE”, then the DELTA MAP PLAN OPTIONS need to include DELTA RIVER WEST SIDE, and that is in “compliance to wet years”. Moreover, this is fitting to any Westlands permit granted or rushed during the Covid-19 pandemic with public closures.**

Hopefully, you find this list of , Spigot Control, Quid Pro Quo, past and future, to be helpful, for everyone’s mutual benefit and prosperity. Save the Rivers.

Friendly fisherman are farmers and growers. Are Californians still part of the USA and Constitution Rights?

Sincerely in shock,

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

P.S. 7-12 miles from any East side “funnel”. Note: If any “conveyance” for 400 miles away, if not Mexico, too, then make it West of Delta River. Then it can be more in compliance for only in wet years. In learning concern was on Environment and Liabilities, *another letter is drafted on concern for the Bill of Rights in Delta Counties, NorCal.*

ATTACHED: This is the main letter, submitted to DWR, website, with limited space.

on 4.17.2020 from [jjjshaw@verizon.net](mailto:jjjshaw@verizon.net)

“BROKEN PROMISES” as SPIGOT, QUID PRO QUOS are listed: For Delta counties and Rivers California, NorCal, SoCal and Federal laws of Bill of Rights, Who controls “spigots”, flow of water exports and money diversions vs environmental travesties? What makes Secretary. DOI/Interior. say he can control the water flow from VA to CA?

- (1) MONO LAKE dissipation (Owens Valley) vs Los Angeles County, DWR imports, now advocates promoting nature’s tributaries?
- (2) YOSEMITE FALLS is in drought (KCRA, 2.24.2020), since forest fires and half via Hatch Hetchy reservoir had gone to San Francisco for decades? (Fresno County best reclaim it as San Francisco starts using its Desalination plants, daily.)
- (3) WID VS EBMUD? Woodbridge vs East Bay ([lodinews.com](http://lodinews.com), 1.31.2018): Lodi/Mokelumne (River) Aqueduct has export increases?
- (4) Since PARDEE DAM, 1929 is towards Port of Oakland. Did Governor Pardee learn about water “redistribution” in a trip to Germany around 1901, with earthquake, 1906 (wikipedia, 2014)? (Lodi growers protested paying taxes for water losses.)
- (5) DESALINATION was invented in California at UCB, with J. Leibovitz, 1977? Regional responsibility means this timely option. Unending, concrete repairs — cost more than desalination for Coast, with 90% of Californians? (Lodi does Desal. Why not L.A. or Mexico?)
- (6) DREDGING avoids flooding: Why did some former elected California officials, profiteers in water bonds, send USACE funds, for deep, pure DREDGING, Rio Vista to Antioch Bay, instead to Washington State? Has Dredging been a major way for decades, to avoid “flooding” ([Sacbee.com](http://Sacbee.com) 2014).
- (7) “BAIT and SWITCH” wording in alternatives to “no tunnel” of informed California voters, 1982, might be West side of Delta River near a ship canal? Response to suggestion: “Oh, no, I go duck hunting there.” They count 17,000 salmon babies, but not a small grower’s 17,000 green vines in threat? Redefine environment to include health of hospitable species of residents contributing to the agri-business economy.
- (8) With “WATER SOCIALISM” would it be more taxes, compounded, for water aqueduct exports from Washington State? One “funnel” 60 foot wide, for 500 miles. That is the size of a two lane roadway.)
- (9) DROUGHT RECYCLES to STATEWIDE? Since more salt causes more salt, how much is it a setup for drought statewide? (a) Ask J. Michaels, UOP data institute. (b) Why ignore multiple water options, with job opportunities. © Delta destruction is counter productive.
- (10) The WATER TABLE to homesteads west of Lodi, formerly with watermelons, was 16 foot in 1960’s, but 34’ in 2019 (50’ above sea level)? Lodi area varies above sea level, from 35 feet to 900 for well-being. That is proof of corrupt climate change by competitive neighbors, if not cronyism.
- (11) DELTA MAP PLANS AND OPTIONS, with DWR? Where is any easy public view to impacted locales? If any “conveyance”, make it West of Delta River, to be in compliance with wet years only.
- (12) RIVER CITY, Lodi Lake, what do “CaLodians” say about new Delta map plan, with Tower Park, nearly 15 miles from Lodi City, Hall? Where is free press, public service?
- (13) How about HEALTH, environmental and well being, in Delta counties vs itchy peat “snakes”, dirt in Delta breeze, 20-90 mph? It is a costly, boondoggle construction for empty tunnel, convenience.
- (14) DUST BOWL (“Dejavu”): With the Midwest Dust Bowl, nobody knew or cared until the dust blew into the streets of New York.
- (15) Endless WATER BOARDING Meetings? Who’s paid and keeps silent for “Bullet train, with no water for nowhere”, and wasted monies.
- (16) LETTERS? Who cares or even knows to write letters, like to Department of Water Resources? Drought makes more drought. We don’t want any conveyances for Delta Dust Bowl.
- (17) SPIGOTS Controls? Recently, Anderson Dam flooded into Silicon Valley, 2. 2020. Who controls water flows? Was this not local controls?
- (18) HOSPITALITY with FOOD CROPS: With most fertile soil for fresh food in the world, the Delta is a place of scenic, pastoral hospitality. Construction is better for jobs in agri-tourism industries, and maybe sparse tower homes.

CONTINUED. \*Notes A-J, sent separate, as well as Bill of Rights liabilities.  
God Bless, "B. Jellings" AKA [jacklyn.el.shaw@icloud.com](mailto:jacklyn.el.shaw@icloud.com), Lodi, CA, 4.17-2.25.2020.  
cc: concerned others