

From: [Denise Louie](#)
To: [DWR Delta Conveyance Scoping](#); [WaterBoardsPublicAffairs_OPA@Waterboards](#)
Subject: Fw: Reminder: Delta Conveyance Project Scoping Period Ends on April 17th at 5:00 p.m.
Date: Friday, April 17, 2020 12:05:18 PM

Hello Department of Water Resources,

I am extremely concerned about species we humans have brought to the edge of extinction, including salmon and Delta smelt. The Delta Conveyance project should not be done when the fish need increased unimpaired flows of fresh, cool water in order to survive.

Furthermore, the project should be tied to a rationalization of water use. Thirsty export crops and green lawns should be limited. Freshwater should be used more than once as greywater. More rooftop rain harvesting should be required.

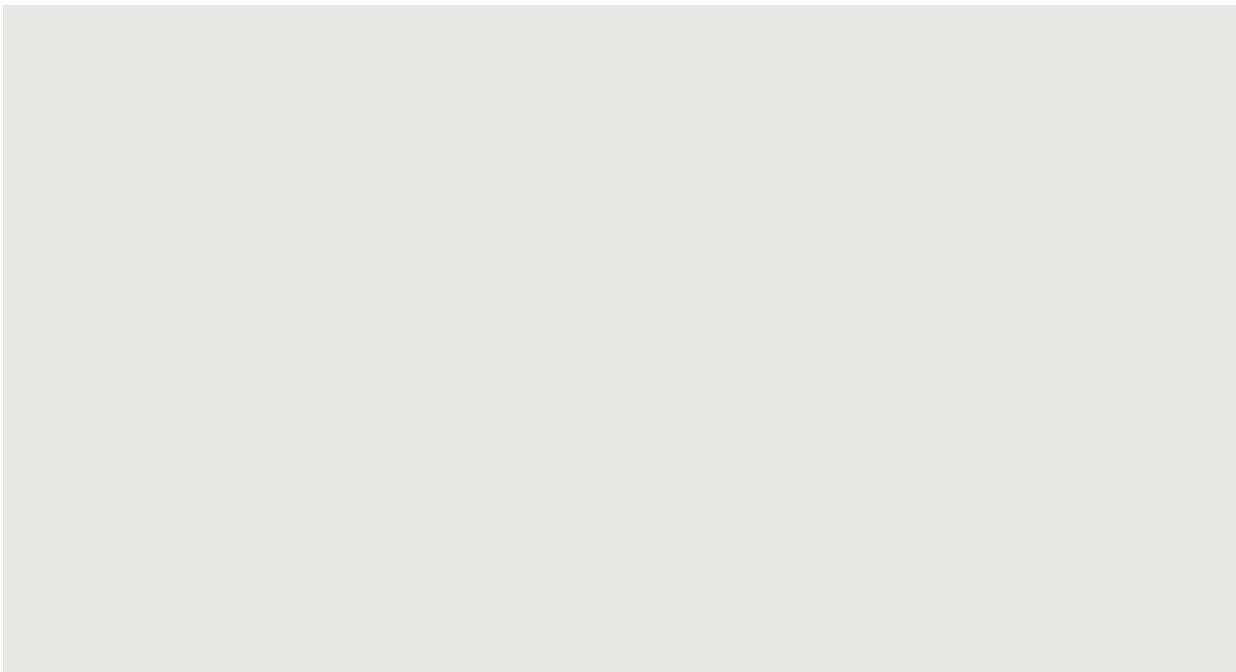
My household averages 14 gal/day/person. We wash hands for 30 sec. using smaller amounts of soap and only a trickle of water. We use environment-friendly soap and laundry detergent for watering plants with greywater. People can and must do better to conserve more freshwater.

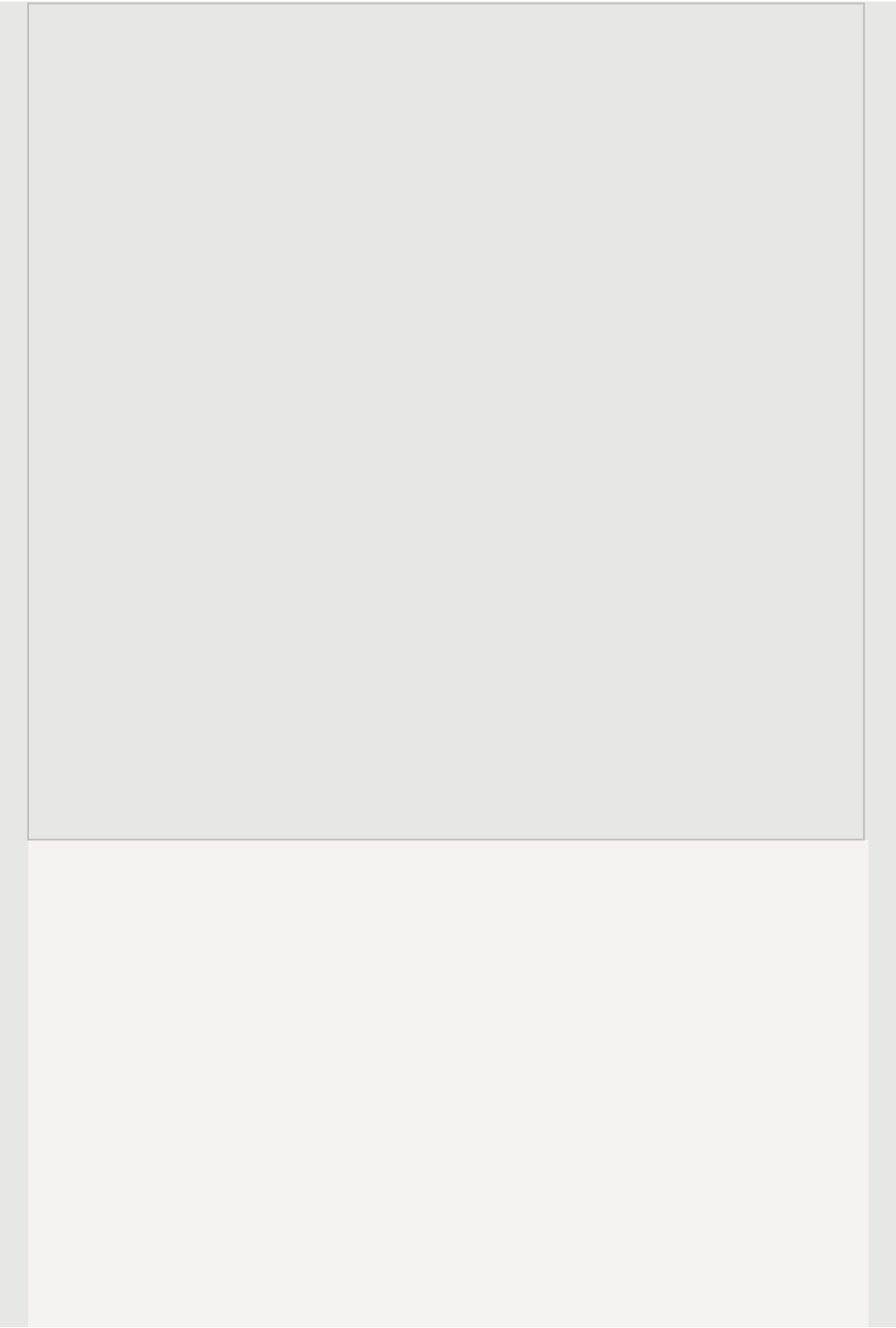
Please forward my email to State Water Resources Control Board commissioners, Governor Newsom and all relevant decision makers.

Thank you,
Denise Louie
San Francisco

----- Forwarded Message -----

From: Department of Water Resources <deltaconveyance@water.ca.gov>
To: "denise_louie_sf@yahoo.com" <denise_louie_sf@yahoo.com>
Sent: Monday, April 13, 2020, 11:40:17 AM PDT
Subject: Reminder: Delta Conveyance Project Scoping Period Ends on April 17th at 5:00 p.m.





April 13, 2020

Reminder: Delta Conveyance Project Scoping Period Ends on April 17th at 5:00 p.m.

This coming Friday, April 17, 2020 is the close of the Delta Conveyance Project [scoping comment period](#). The start of the scoping period was January 15, 2020, and the original deadline was extended from March 20 to allow additional time in response to the COVID-19 situation. As a reminder, scoping provides an opportunity for the public and agencies to provide input on the scope and content of environmental review. The Notice of Preparation and related availability and informational materials can be viewed [here](#).

To help broaden public access, DWR has added the option of commenting via its multi-lingual toll-free number. Some members of the public may find this verbal method easier. The toll-free

number will record the comments, which will then be transcribed and entered into the record.

Toll-free public comment phone number: [1-866-924-9955](tel:1-866-924-9955)

This number has a five-minute limit for voicemail recordings. Callers should feel free to call back in if they would like to make a comment longer than five minutes.

The other existing methods available for public comment include:

- **Email:** DeltaConveyanceScoping@water.ca.gov (by 5:00 p.m. on 4/17/20)
- **Mail:** Department of Water Resources, Attn: Renee Rodriguez, P.O. Box 942836, Sacramento, CA 94236 (postmarked by 4/17/20)
- **Fillable online form:** [View form](#) (by 5:00 p.m. on 4/17/20)

For general questions about the Delta Conveyance Project, please email DeltaConveyance@water.ca.gov.

In Case You Missed It:

- There is an online *Introduction to CEQA* as it relates to Delta Conveyance. Watch the video [here](#).
- There is a digital article online that describes the Delta Conveyance design process. Read the article [here](#).
- The next DCA board meeting will be on Thursday, April 16 at 2:00 p.m. The meeting will be remote. Please find more information about the DCA meeting [here](#).
- The next SEC meeting will be on Wednesday, April 22 at 3:00 p.m. This meeting will also be remote. Please find more information about the SEC meeting [here](#).

Amid COVID-19, Essential Work Continues with Commitment to Public Engagement and Transparency

DWR has begun to utilize a number of practices to ensure that while the Department continues its work in the circumstances of today's new normal, it does so in ways that provide reasonable accommodations and hopefully even increase public participation. For more information, visit [here](#).

Importance of Modernizing Delta Conveyance

The proposed Delta Conveyance Project is intended to upgrade one of California's most critical public infrastructure assets to protect and preserve a vital state water supply for 27 million Californians and nearly a million acres of farmland by guarding against potential disruptions caused by sea level rise, the hydrologic effects of climate change and seismic threats. Please find more information about the proposed Delta Conveyance Project [here](#).





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From: [Jacklyn Shaw](#)
To: [DWR Delta Conveyance Scoping](#)
Cc: [jacklyn.el.shaw@icloud.com](#)
Subject: Fwd: Reminder: Delta Conveyance Project Scoping Period Ends on April 17th at 5:00 p.m.
Date: Monday, April 13, 2020 1:29:37 PM

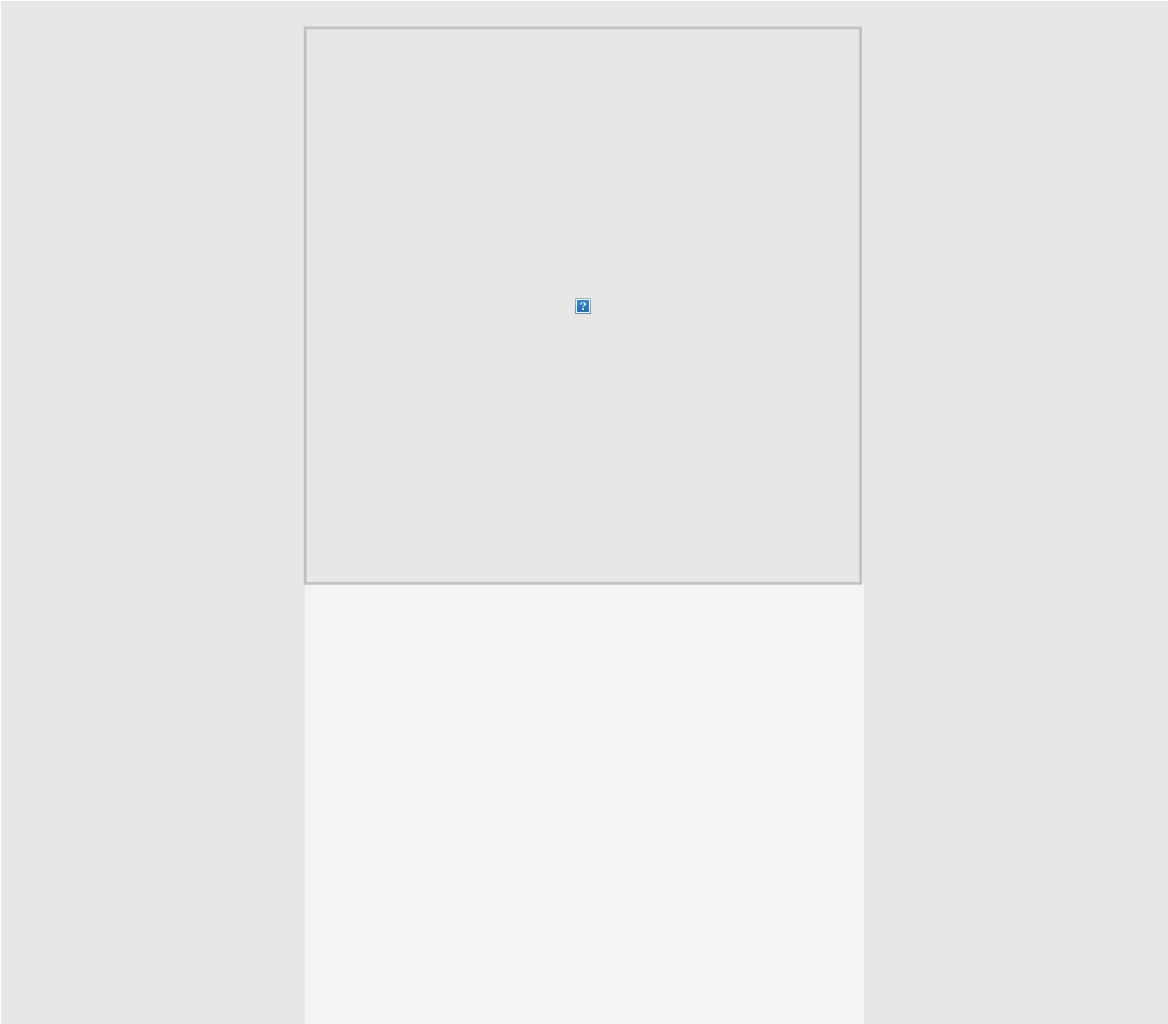
Begin forwarded message:

From: Jacklyn Shaw <jacklyn.el.shaw@icloud.com>
Subject: Fwd: Reminder: Delta Conveyance Project Scoping Period Ends on April 17th at 5:00 p.m.
Date: April 13, 2020 at 1:07:44 PM PDT
To: "DWR, Delta...scoping? Renee Rodriguez" <DeltaConveyanceScoping@water.ca.gov>, "Wid Anders Christenson,mngr" <widirrigation@gmail.com>, "cwinn@sjgov.org" <cwinn@sjgov.org>
Cc: "belliot@sjgov.org" <belliot@sjgov.org>, Representative Jerry McNerney <CA09JMIMA@mail.house.gov>, Bruce Blodgett <bruceb@sjfb.org>, "kensvogel@yahoo.com" <kensvogel@yahoo.com>, Corky Kuykendall <jkuykenx@hotmail.com>, Amber McDowell <amber@sjfb.org>
Reply-To: "jacklyn.el.shaw@icloud.com" <jacklyn.el.shaw@icloud.com>

on 4.13.2020 from jacklyn.el.shaw@icloud.com
Where is AVAILABILITY of Conveyance map/ options to public news? Residents, rural and urban, are not aware of the DELTA MAP PLANS? Why not? Where are photos of all the communities, towns, etc. in East of Delta River? The elected Supervisors Coalition of Five Delta Counties wrote that any tunnel (or Tunnel) would be DEVASTATING to the Delta. Avoid Terminous with Tower Park and community recreation at large with aquatic sports. Originally, it was part of the Delta Heritage Act. IF ANY " FUNNEL/ CONVEYANCE, 60 feet wide for 400 miles away, it needs to BE ON WEST SIDE of the DELTA RIVER. When do we see a map plan with options, on website of DWR with water.ca.gov ?
Sincere N.I.M.B.Y.
Prof. Jacklyn E. Shaw, Grower
[facebook.com/CaliforniaWaterSolutions](https://www.facebook.com/CaliforniaWaterSolutions)
(or Delta Currents, community services)
15766 N. DeVries Road (private)
Lodi, CA 95242
(562) 233-7300
*We need COUNTY RESPONSIBILITIES in SoCal or South Central Valley (of 28 counties). Born and raised 7-12 miles from projected "funnel" conveyance option near Terminous, in February, Lodi had the worst drought in its history. Since Pardee Dam 1929, water exports have gone towards Port of Oakland. (Woodbridge/WID vs East Bay/EBMUD, Jan 31, 2018, lodinews.com Also, lack is partly due to lack of restoring funds To USACE for DEEP PURE DREDGING, from Rio Vista towards Oakland. SAN FRANCISCO HAS A DESALINATION PLANT that needs to be used every day. Port of Oakland needs to implement such an option. (Maybe Fresno/Kern need to RECLAIM HETCH HETCHY Reservoir!) Lodi fog was three months, now a few weeks. We have a desalination plant. (How about Tracy River?) Drought makes more drought recycles, from NorCal to statewide. DOI, Bureau of Reclamation needs to make DESALINATION grants to California Coast, NorCal and SoCal. It was invented at UCB, with J. Leibovitz, 1977, and since used in 100 nations. Is water redistribution/socialism? Stop ignoring elected Supervisors of Five Delta Counties? Where are pictures of communities, impacted by HEALTH ISSUES. San Joaquin County has most fertile soil for FOOD CROPS. But itchy peat dirt and Delta breeze of 20-40-90 miles an hour, makes for a Dust Bowl, east of Delta River. If any "funnel" of water export, then where is a map with the option of Delta River West tunnel?

Begin forwarded message:

From: Department of Water Resources <deltaconveyance@water.ca.gov>
Subject: Reminder: Delta Conveyance Project Scoping Period Ends on April 17th at 5:00 p.m.
Date: April 13, 2020 at 11:40:12 AM PDT
To: <jjjshaw@verizon.net>
Reply-To: Department of Water Resources <deltaconveyance@water.ca.gov>



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

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

From: [Don Hankins](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Hankins Scoping Comments
Date: Friday, April 17, 2020 4:59:13 PM

17 April 2020

To Whom It May Concern:

This transmits comments in regards to the scoping preparation of an Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin Delta. As a Miwko? traditional cultural practitioner, I have sought to engage in this process via government to government engagement with the Department of Water Resources, but communications with the Native American Liaison did not receive a reply. Apparently, DWR has opted to consult with AB 52 tribes and tribal organizations despite other policies which are more inclusive of consultation pursuant to HR 93-638, B-10-11, and other federal or state policies recognizing tribal self-determination and sovereignty. The limited approach to AB 52 consultation is problematic given the limitations of knowledge and input such narrow consultation may provide. As a traditional cultural practitioner I have worked with or provided comments on prior environmental reviews related to the Delta and elsewhere, and should be utilized to develop a project and analysis that avoids and minimizes impacts to cultural and ecological systems directly, indirectly, and cumulatively with any proposed project.

This endeavor follows multiple efforts of this sort over multiple decades, which have all failed for a variety of reasons. Prior analyses have all failed to adequately address the ecocultural impacts of such projects, thus this effort should strive to address these deficiencies. First and foremost for any of these projects, the analysis should not be focused on water delivery, rather how can delivery be done in a way that is ecoculturally resilient and sustainable. California's water is highly variable given long-term knowledge and data regarding climate conditions. To understand the ecocultural context of the planning area, DWR should become familiarized with points of analysis noted in Hankins (2018), which discusses many problems related to water management impacts from a tribal perspective. It is recommended that this should be the starting point of this analysis. It is also recommended that the analysis consider testimony provided to the State Water Resource Control Board regarding the point of diversion for the Water Fix as key points for analytical understanding.

Tribal planning is inclusive of past, present, and future generations. This planning is retrospective to prior generations impacts and into the future. Thus, the project analysis should look at this Delta landscape prior to European invasion to 200 years from present. Specific analysis (inclusive of past projects prior to existence of consultation policies and environmental impacts) should focus on the following areas:

- Impacts to sacred sites, traditional cultural properties, and traditional cultural landscapes (all of which occur within the footprint of the project, and in order to understand would require government to government consultation with us). Not all of these features may be on file with the Native American Heritage Commission.
- Diversions impacts to Indigenous water rights and self-determination (e.g., Winters Doctrine and prior appropriations).
- Implications to self-determination and sovereignty pursuant to policies including HR 93-638, B-10-11 and N-15-19.

- Analysis of solastalgia and intergenerational trauma to Tribal individuals/communities
- Long-term survival and recovery to abundance of ecocultural species.
- Water sustainability and resilience given climatic variability.
- Traditional Indigenous lifeways and economy.
- The impacts to species needs to be comprehensive of the food web from source to sink (i.e., mountains to sea), as all of these species are likely to be impacted.

I suggest DWR work in cooperation with traditional cultural practitioners and the California Indian Water Commission to complete analysis of the ecocultural impacts through use of the Maurimeter, which is a heuristic model for assessing project impacts on ecocultural properties.

The project should seek to comprehensively recover species and ecosystems prior to any diversion. There is sufficient data to demonstrate the flow requirements necessary for fisheries survival and recovery, but that is not necessarily sufficient to achieve ecosystem function. A functioning ecosystem is critical to the quality of water, economy, and other attributes of the region.

Project alternatives should include opportunities beyond conveyance. These opportunities include reducing demand on water by all users. Key opportunities exist for land retirement, restoration of historic wetlands and reservoirs for natural storage, infiltration, and ecological benefits, which all work to reduce water demands unsustainable water uses and achieve species recovery. Other opportunities include modifications to the antiquated aqueduct system, which utilizes open canals for conveyance, but could be placed into pipes to reduce loss and vulnerability. Further, these pipes could be turned into a source of energy via inline power generation and other similar technologies. Alternatives should also look beyond the existing state and federal water projects for sources of water.

A purpose of the California Environmental Quality Act is to provide a mechanism for public input on projects funded, authorized, or carried out by state and local agencies. Thus, to provide for meaningful input from the public, it is recommended the environmental document length be manageable for the general public to engage with. This was specifically an issue with the Water Fix project documents. One cannot be expected to read 30,000-100,000 pages of material to comprehend a project.

I appreciate the opportunity to provide comments on this scoping, and hope thoughtful analysis inclusive of these points will be included in forthcoming documents. Furthermore, I strongly encourage further engagement as discussed to clarify points of uncertainty and to provide a more inclusive process for analysis. Please be in communication if you have further questions regarding this letter.

Sincerely,

Don Hankins, Ph.D.

Hankins, D.L. 2018. Ecocultural Equality in the Miwko? Waali?. *San Francisco Estuary and Watershed Science*. 16(3): 1-11

From: [Rana, Ashwani K.](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnel
Date: Friday, April 17, 2020 11:35:18 AM

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

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

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

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

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

Please do not move forward with this plan.

Sent from Samsung Galaxy smartphone.

From: [Clifford Sanburn](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnel comments
Date: Friday, April 17, 2020 10:43:45 AM

Please accept my input on the matter you are considering. During the time we are living through, we are constantly told to “listen to the scientists”. Or “follow the science”.

Sadly, we must listen to another tired old axiom: “follow the money”.

Anyone with an even cursory knowledge of science knows that a marine estuary system, especially a stressed one like the Delta is never made healthier when less water flows through it. Flooding would be better! At least it is a naturally occurring cycle.

You should dismiss any of these follies out of hand. Monied interests (from massive Southern California water districts) and farmers have clouded the issue with a false and incomplete set of choices.

Why not look at desalination projects for the southern part of the state? I am sympathetic to farmers who are willing to invest their own funds in more efficient use of their allotments and alternative, less thirsty crops.

I urge you to shelve this ridiculous idea, the latest version of the peripheral canal! The water in the northern part of the state is needed nearer to its point of origin. Look for options closer to home in the southern part of the state and our agriculture can be sustained properly, and the priceless Delta protected.

Thank You,
Clifford Sanburn, Jr.

From: [Lori LaFata](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnel Delta
Date: Friday, April 17, 2020 3:06:06 PM

Please study for algae bloom, we must save our delta. Do not over pump!

[Sent from AT&T Yahoo Mail on Android](#)

From: [Cheyene DeWeese](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnel Project(s)
Date: Tuesday, April 14, 2020 1:44:06 PM

Hello Delta Conveyance.

I am against the creation of any tunnel project that takes water from Northern California and sends it to any other region including Southern California.

If Southern California or any other region wants fresh potable water, it should use the desalination process from the Pacific Ocean.

Desalination allows for farmers and ranchers of the central and northern valleys to use water which provides a sustainable future for agriculture (California grown fruits, vegetables, nuts, milk and so many other wonderful things).

A tunnel project almost certainly destroys sustainability of any agricultural system and perpetuates the decline of wetlands, fisheries, farm land and any other green pastures where they still exist.

Respectfully,

Cheyene DeWeese
Resident of West Sacramento

From: [Marty Freitas](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnels
Date: Friday, April 17, 2020 11:36:33 AM

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

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

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

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

Fourth, the effects of this will increase salinization into the delta causing harm to wildlife, farming, and drinking water.

Fifth, government authorized that water would only be taken from the southern most section of the Delta, specifically where the current forebay is located.

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

Please do not move forward with this plan.

Martin Freitas

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Martin Freitas

From: [Colin Brodie](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Tunnels
Date: Wednesday, April 15, 2020 9:53:31 PM

Dear Tunnel committee:

It is very difficult to believe that you would continue to request comments, let alone going ahead with the tunnel project, during this pandemic. Yes, I live on Delta and greatly impacted, as our many of my friends and neighbors, by this horrible project are battling a plethora of problems like worrying about our finances and how to safely buy groceries (being older and in the high-risk category). Apparently your focus is very self-serving and has little or no feeling about those trying to get through this crisis. This project will simply further impact my community's economy and way of life.

After all these years of attending meetings in Sacramento and giving inputs verbally and in writing about how this project would be so detrimental to my life, it seems that has all been forgotten and this project is still being planned through the center of the Delta (the Central Corridor), even though it's clear that is an illogical choice due to lack of infrastructure, impact on boating & recreation, and resulting economic loss due to the shutting down of numerous small recreational and boating-based businesses throughout the Delta.

I guess I am forced to send you my comments one more time. I only wished my neighbors could all get together and travel to your "meetings". Or are you not meeting at this time in order to protect your own personal safety -- therefore leaving the worrying to us "little" folks who you apparently have a minimal regarding your project and our way of life on the Delta!

**Colin Brodie
5631 Starboard Drive
Discovery Bay, CA 94505**

From: [Jerry Willis](#)
To: [DWR Delta Conveyance Scoping](#)
Date: Wednesday, April 15, 2020 2:46:16 PM

The water districts spend over 2 billion dollars on a survey report, that would have bought us a damn that could hold three to four million acre-feet of surface supply water, you can add to our water supply. We need more dams here in California for more surface applied water, well building these dams we could be building hydraulic Electric Power plants which is the cheapest power in the world. If we do Dam the American river that would be 3.5 million acre feet, Dam on the Cosumnes River that's another 3 million acre-feet a surface supplied water if we dam the Mokelumne River that's another three million acre-feet a surface supplied water not counting the hydraulic electrical plants that we could build to produce electricity for California. Doing the tunnels is going to run are Delta sanctuary just like Owens Lake and the other lakes that LA and San Diego sucked dry. We need common sense not a bunch of bureaucratic bullshit.

From: partwolff@yahoo.com
To: [DWR Delta Conveyance Scoping](#)
Subject: Water
Date: Monday, April 13, 2020 10:52:25 PM

I don't want any more water shipped, siphoned or pumped south to the Los Angeles/southern California metropolis area. It just gets wasted!

People just don't understand what a precious resource water is. They just let it go down the drain, or down the street to the ocean.

No one should be growing grass unless it will be eaten by grazing animals. No one should be planting any trees, shrubs or ground cover except those that are summer water intolerant and native to their area of California, unless the plants are specifically to grow food.

Farmers should be rewarded for using water conservation methods so that less water is needed.

If these became requirements, there would be no need for transferring water from the Bay area to southern California!

Pat Wolff
1020 El Sur Ave
Arcadia, CA 91006

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"EquineRevelation" -- Google that!

From: [Christine Donnelly](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: What is your problem?
Date: Thursday, April 16, 2020 7:05:54 PM

Millions of Americans, especially Californians are scared for their lives as well as their jobs and you are holding hearings and meetings that will affect Californians economically for generations to come.

What is wrong with you? You should be ashamed of yourselves...

You may have no problem spending our money and destroying california's ecosystem for almonds and other water intensive crops, but I do not and I know I'm not alone.

Please grow a conscience and do the right thing and stop this now.

Help California recover if we ever can from the COVID 19 and stop worrying about the almond farmers.

Deeply concerned and troubled,

Chris Donnelly

From: [Lyster, Stefanie](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: FW: NOP comments Delta Conveyance, One Tunnel Project
Date: Monday, April 20, 2020 1:04:04 PM
Attachments: [AquAllianceEtAltunnelNOPScopingComments041720.pdf](#)

From: Barbara Vlamis <barbarav@aqualliance.net>
Sent: Monday, April 20, 2020 12:08 PM
To: Lyster, Stefanie <Stefanie.Lyster@icf.com>
Cc: Jim Brobeck <jimb@aqualliance.net>; Michael Jackson <mjatty@sbcglobal.net>; Carolee Krieger <Caroleekrieger7@gmail.com>; Bill Jennings <deltakeep@me.com>
Subject: Fwd: NOP comments Delta Conveyance, One Tunnel Project

Hello Ms. Lyster,

Are you able to confirm that you received the comments submitted by AquAlliance on behalf of our group, California Water Impact Network, and California Sportfishing Protection Alliance? The e-mail I sent on Friday, April 17, 2020 at 16:34 (see below) was not returned, so it is my hope it went through seamlessly. It was clearly received by the people I copied on the submission.

In my original e-mail I requested a response acknowledging our comment letter was received, but you may not have had time to do this yet. Knowing that there was a DNS issue, I would appreciate an acknowledgment at your earliest convenience.

Thank you.

Barbara

----- Original Message -----

Subject: NOP comments Delta Conveyance, One Tunnel Project
Date: Fri, 17 Apr 2020 16:33:31 -0700
From: Barbara Vlamis <barbarav@aqualliance.net>
To: DeltaConveyanceScoping@water.ca.gov
CC: Jim Brobeck <jimb@aqualliance.net>, Michael Jackson <mjatty@sbcglobal.net>, Carolee Krieger <Caroleekrieger7@gmail.com>, Bill Jennings <deltakeep@me.com>

Ms. Rodriguez, Please accept our comments for the NOP for the Delta Conveyance, One Tunnel Project.

We would appreciate an acknowledgement that you received this e-mail with the attached comment letter.

Thank you.

Barbara

--

Barbara Vlamis
Executive Director
AquAlliance
P.O. Box 4024
Chico, CA 95927
(530) 895-9420
www.aqualliance.net

PRIVILEGE AND CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law as confidential communications. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication or other use of a transmission received in error is strictly prohibited. If you have received this transmission in error, immediately notify us at (530) 895-9420.

AQUALLIANCE

DEFENDING NORTHERN CALIFORNIA WATERS



April 17, 2020

Attn: Renee Rodriguez
 Department of Water Resources
 P.O. Box 942836
 Sacramento, CA 94236
DeltaConveyanceScoping@water.ca.gov

Re: Comments on Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project and the Scoping Process

Dear Ms. Rodriguez:

AquAlliance, the California Sportfishing Protect Alliance, and the California Water Impact Network submit the following comments and questions for the Notice of Preparation for a draft Environmental Impact Report (“DEIR”) for the Delta Conveyance, One Tunnel Project (“WaterFix2”) during its scoping process. A legally sufficient DEIR would present the following areas with robust analysis, so policy makers and the public may have confidence that the Department of Water Resources (“DWR”) has fully disclosed all potential impacts from the proposed WaterFix2.

Existing conditions of Sacramento Valley groundwater

The DEIR must address the consequence of declining Sacramento Valley groundwater levels. In past analysis for the Bay Delta Conservation Plan and the WaterFix, there was an absence of accurate and detailed information that describes the Sacramento Valley groundwater conditions. The 2014 DEIS/EIR quite inaccurately stated that, “A portion of this applied water, and the remaining 13.9 MAF of runoff, is potentially available to recharge the basin and replenish groundwater storage depleted by groundwater pumping. Therefore, except during drought, the Sacramento Valley groundwater basin is “full,” and groundwater levels recover to pre-irrigation season levels each spring. Historical groundwater level hydrographs suggest that even after extended droughts, groundwater levels in this basin recovered to pre-drought levels within 1 or 2 years following the return of normal rainfall quantities.” (p. 7-13)

In complete contradiction of “full” or “recovered” groundwater basins is a summary of conditions in the Durham area of Butte County that finds that while water levels may recover after dry to drought periods with intense use, wells aren’t returning to previous levels, but moving steadily in a downward trajectory.¹ Additionally, even the Yuba River area, often touted by state and federal agencies as a successful conjunctive use program, it takes 3-4 years to recover from groundwater substitution in the

¹ Buck, Christina 2014. *Groundwater Conditions in Butte County*.

south sub-basin² although the Yuba County Water Agency analysis fails to determine how much river water is sacrificed to achieve the multi-year recharge rate. We point DWR to more examples that contradict long-term predictions of “full” and “recovered” groundwater basins that are found in your own groundwater maps.³

Oil, Gas and Water Well in the path of the tunnel

The DEIR must fully disclose the quantity of wells that are within the WaterFix2 footprint and analyze the impacts to and from all wells. Detailed comments and questions include:

1. How many oil and gas wells are known to occur in the Central and Eastern Tunnel Corridors?
 - a. Estimated answer from CalGEM’s WellFinder -

Oil and Gas Wells in Central and Eastern Tunnel Corridors				
	Intake	Central	Eastern	Clifton
New	1	1	0	0
Active	1	0	1	0
Idle	1	1	4	0
Plugged	26	90	102	10
Sub-Totals	29	92	107	10
Total	238			

2. How many water wells are known to occur in the Central and Eastern Tunnel Corridors?
 - a. Answer: We had to search the well log database by township, range and section. Given this is an agricultural area, there are likely a large number of water wells.
3. How accurate are the well locations in the government’s database?
 - a. Older oil and gas wells are less likely to be where records may indicate.
 - b. Water wells are very poorly located.
 - c. What efforts will be done to actually locate wells in the pathway of the tunnel?
 - d. Who will be responsible for locating wells?
4. How will wells be located if there isn’t a surface feature that indicates a well?
 - a. Answer: may have to use geophysics – metal detectors or magnetometers to locate and/or may have to start digging.
5. How far away from the actual pathway of the tunnel will wells have to be plugged or re-plugged or altered, and what analysis will be done to determine this distance? Will the project consider a buffer for all wells outside the footprint of the project?
6. What are the requirements for plugging a well in the path of the tunnel?
 - a. To what depth will well casing have to be removed?
 - b. What type of material will backfill or plug the well bore, i.e., cement grout?
 - c. To what depth will the plugging be done?
 - d. Who will oversee the re-working of a well, DWR, BOR, CalGEM?
 - e. What are the potential problems with re-entering an old well?
 - i. See recent problems with Chevron in Kern County.
 - f. What monitoring of groundwater and surface water will be done to determine that the well plugging for the tunnel hasn’t caused water pollution?

² 2012. *The Yuba Accord, GW Substitutions and the Yuba Basin*. Presentation to the Accord Technical Committee. (pp. 21, 22).

³ <https://data.cnra.ca.gov/dataset/northern-sacramento-valley-groundwater-elevation-change-maps>

- i. Provide the minimum number and locations of surface water monitoring stations and groundwater monitoring wells needed to document background, tunneling operations and post-tunneling water quality conditions.
 - ii. What is the duration of water quality monitoring, pre-, during and post-construction?
 - iii. Who will bear the cost of this groundwater quality monitoring, pre-, during and post-tunnel construction?
- g. What are all of the environmental impacts that arise from plugging, re-plugging, or altering the oil, gas or water wells required by the construction of the tunnel?
- 7. Who bears the responsibility and costs for cleaning up any discharge of oil or gas well pollution caused by the tunneling?
 - a. What are the responsibilities of the landowners?
 - b. What are the potential environmental impacts to landowners?
 - c. What mitigation measures will be implemented to make the landowner whole from an oil/gas spill or the remediation work?
 - d. What are the responsibilities of the Lead Agency, the Bureau of Reclamation, and the WaterFix2 beneficiaries to investigate, plug, and mitigate oil, gas and water well impacts?
- 8. What analysis will be done to evaluate whether the tunnel creates a barrier to groundwater flow and what may be the impacts from that barrier on the water supply of Delta farmers?
 - a. Will the tunnel barrier alter the flow of groundwater?
 - i. If yes, which aquifers will be affected?
 - b. How will the water wells in the Delta be impacted?
 - c. Will wells have to be relocated or deepened to accommodate the tunnel impacts to groundwater flow?
 - d. Will the tunnel barrier change the chemistry of the groundwater?
 - i. In particular, will the barrier cause an increase in salinity due to restricting, or re-directing the outward flow of fresh groundwater?
- 9. What monitoring of groundwater levels, flows and quality will be done prior to beginning construction of the tunnel, during construction, and post-construction?
 - a. Who will be in charge of constructing monitoring wells and conducting the monitoring groundwater?
 - b. What water quality constituents will be monitored?
 - c. Who will bear the cost of groundwater monitoring, before, during and particularly after tunnel construction?
 - d. How long will groundwater quality and level monitoring be done following tunnel construction?
 - e. What mitigation measure will be implemented to remediate groundwater should the tunnel cause a detrimental change in groundwater quality?
 - f. What are the triggers for implementing these groundwater remediation mitigation measures?
 - g. Who will bear the cost for implementing groundwater remediation mitigations?
- 10. Will changes in the flow of groundwater caused by the tunnel change the potential for liquefaction in the Delta?
 - a. What studies will be done to evaluate the potential for liquefaction in the Delta, pre-and post-tunnel construction?
 - b. What mitigation measures will be implemented if the tunnel has the potential for increasing liquefaction?

- c. What are the environmental impacts of implementing these liquefaction mitigations?
- d. Who will bear the cost of implementing and maintaining any liquefaction mitigation measures?

Groundwater depletion and subsidence in the San Joaquin Valley

The DEIR must disclose and analyze the mining of groundwater and the resulting subsidence in the San Joaquin Valley. The USGS exposes this form of groundwater exploitation in the San Joaquin and Santa Clara Valleys (1999) in Circular 1182 entitled Part I, "Mining Ground Water." More recent research by Michelle Sneed expands on the impacts from groundwater mining in the San Joaquin by disclosing the extent of historic and current subsidence levels⁴ as does work by Devin Galloway and Francis S. Riley.⁵

Reducing Dependence on Water Imported From the Delta

The DEIR must contain an alternative that honors California Water Code Section 85021 that requires all regions of California reduce their dependence on water imported from the Delta. "The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency. Each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts."⁶

We thank you for the opportunity to affect the CEQA document.

Sincerely,



Barbara Vlamis, Executive
Director
AquAlliance
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Chico, CA 95927
(530) 895-9420
info@aqualliance.net



Bill Jennings, Chairman
California Sportfishing
Protection Alliance
3536 Rainier Avenue
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(209) 464-5067
deltakeep@me.com



Carolee Krieger, President
California Water Impact
Network
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Santa Barbara, CA 93108
(805) 969-0824
caroleekrieger@cox.net

⁴ Sneed, Michelle et al. 2013. *Land Subsidence along the Delta-Mendota Canal in the Northern Part of the San Joaquin Valley, California*. <http://pubs.usgs.gov/sir/2013/5142/>

⁵ Galloway, Devin and Francis S. Riley, unknown date. *San Joaquin Valley: Largest human alteration of the Earth's surface*.

⁶ California Water Code. DIVISION 35. SACRAMENTO-SAN JOAQUIN DELTA REFORM ACT OF 2009 [85000 - 85350] (Division 35 added by Stats. 2009, 7th Ex. Sess., Ch. 5, Sec. 39.)
https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=WAT&division=35.&title=&part=1.&chapter=2.&article=



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

January 28, 2020

Mr. Marcus Yee
California Department of Water Resources
901 P Street
Sacramento, California 95814

NOTICE OF PREPARATION FOR THE DELTA CONVEYANCE PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT – DATED JANUARY 15, 2020 (STATE CLEARINGHOUSE NUMBER: 2020010227)

Dear Mr. Yee:

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) for the Delta Conveyance Project.

The proposed project would include the construction and operation of new conveyance facilities in the Delta that would add to the existing State Water Project infrastructure. New intake facilities as points of diversion would be located on 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 on the south Delta. New facilities proposed for the project include but are not limited to, intake facilities on the Sacramento River, tunnel reaches and tunnel shafts, forebays, a pumping plant, and South Delta Conveyance Facilities.

DTSC recommends that the following issues be evaluated in the EIR, Hazards and Hazardous Materials section:

1. The EIR should acknowledge the potential for project site activities to result in the release of hazardous wastes/substances. In instances in which releases may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of

lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf).

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf).
4. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 *Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).
5. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

DTSC appreciates the opportunity to review the NOP. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP_App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,



Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Lora Jameson, Chief
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
Lora.Jameson@dtsc.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

April 15, 2020

Department of Water Resources

P.O. Box 942836

Sacramento, Ca. 94236

Att. Renee Rodriquez

Subject: Delta Conveyance Notice of Preparation (NOP) Scoping
Comments

Dear Ms. Rodriquez,

These comments are made on behalf of Reclamation District 999. RD 999 is a Reclamation District formed in 1913 and it includes nearly 25,560 acres. The Legacy Community of Clarksburg is part of RD 999.

In the Notice of Preparation issued on January 15, 2020, it states that "The CEQA process identified in this notice for the proposed Delta Conveyance Project will, as appropriate, utilize relevant information from the past environmental planning process for California WaterFix but the proposed project will undergo a new stand-alone environmental analysis to issuance of a new EIR." Although there may be relevant information from the past environmental planning process (for example, the significant volume of information submitted by Delta parties such as RD 999 and NDWA), there was an inordinate amount of inaccurate information that was not addressed satisfactorily by DWR. Most importantly was the way the EIR did not address the possibility of saltwater intrusion as a result of the new diversions being located near Clarksburg, Hood, and Courtland. These potential diversions are less

than a mile away from RD 999. We have siphons and pumps diverting water from the Sacramento River, Elk Slough, and Sutter Slough, Minor Slough, and the Sacramento Deep Water Ship Channel. All our diversions would be greatly impacted from saltwater intrusion and the previous EIR did not adequately address this likely occurrence.

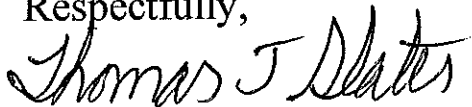
Common sense tells us that when you remove fresh water before it enters the Delta, it will impact how much saltwater will intrude, and will lower river levels below their respective diversion points. That is why it is important that accurate modeling be used to analyze data to determine the severity of saltwater intrusion. Saltwater intrusion has ramifications that would prohibit existing siphons and pumps from diverting clean water to our fields, as well as be devastating to fish populations and more damaging to the environment. Relocation of these pumps and siphons is not a realistic solution. Hurting fish populations and damaging the environment should not be part of The Conveyance Project. The Notice of Preparation states it is intended to be operated in coordination with the existing south Delta pumping facilities, resulting in a system also known as “dual conveyance” because there would be two complementary methods to divert and convey water. This Dual Conveyance system approach needs more scientific review in the EIR than in the previous California Water Fix EIR.

In the Water Resilience Portfolio, it says on Pg. 12 that California’s world-renowned biodiversity relies on healthy river systems. Our rivers naturally provide habitat for abundant fish and wildlife and have sustained human populations for thousands of years. Over the last 200 years, human engineering to capture and divert flows has altered the natural functions of most major rivers in the state. It goes on to say that these changes have impaired our overall resilience as a state and impacted fish and wildlife, threatening the existence of several native fish species including distinct runs of salmon and steelhead. The new Conveyance System is clearly another case of human engineering that will continue to capture and divert flows from natural flows. This also

work. This project is anticipated to take over 14 years to complete. With the coffer dams scheduled to help construct the diversions and barges staged at each location, the potential to block winter flows is something that should be studied. It is not acceptable to just say that possible flows being restricted will be mitigated. Mitigation needs to be sufficiently described and certain to be enforceable. This is something that was conspicuously absent in the first EIR. It is unimaginable to think that a barge or barges sitting in the Sacramento River during a large flood event will not adversely obstruct flow that is critical to flood protection. Flood protection in the Delta should be analyzed in the EIR to the satisfaction of all the local LMA's and the Central Valley Flood Protection Board.

Reclamation District 999 looks forward to participating in the development of the EIR so that all the comments we have made today can be discussed and addressed with a common goal. Thank you for the opportunity to comment.

Respectfully,

A handwritten signature in cursive script that reads "Thomas J Slater".

Thomas J Slater

President Board of Trustees

Reclamation District 999



2400 E. Katella Avenue, Suite 570 Anaheim, CA 92806 | (562) 483-2044 | Fax: (562) 321-9737

www.socalworks.org ♦ info@socalworks.org

April 17, 2020

*Associated General
Contractors of California*



*Southern California
Contractors Association*



*Engineering Contractor's
Association*



*Building Industry Association
of Southern California, Inc.*



*International Union of
Operating Engineers*



*Southern California District
Council of Laborers*



*Associated General
Contractors
San Diego Chapter*



*Southwest Regional Council of
Carpenters*



United Contractors

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

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

Dear Ms. Rodriguez:

On behalf of Southern California Partnership for Jobs (SCPFJ), we are pleased to provide comments for the scoping process of the single-tunnel Delta Conveyance Project being reviewed by the Department of Water Resources.

SCPFJ represents 2,750 construction firms who employ more than 90,000 union workers in the 12 counties of Southern California.

We advocate for responsible infrastructure funding that will create thousands of career construction jobs in our communities. Our mission is to educate the public and public officials throughout Southern California.

SCPFJ supports an "all-the-above" approach on our water needs and has been highly supportive of the Delta Conveyance since the beginning, and we will continue to be supportive through the entire process.

It goes without saying that California's outdated water delivery system, that was built mid-century, is in critical condition, and will not be able to carry us into the future. Without the insurance of imported water, particularly during dry years, we cannot provide the stability and reliability that our economy does/will require. We strongly support building a tunnel that will provide a reliable flow of water to our area, which will in turn allow us to continue to build local and reliable supplies.



2400 E. Katella Avenue, Suite 570 Anaheim, CA 92806 | (562) 483-2044 | Fax: (562) 321-9737

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Contractors of California*



*Southern California
Contractors Association*



*Engineering Contractor's
Association*



*Building Industry Association
of Southern California, Inc.*



*International Union of
Operating Engineers*



*Southern California District
Council of Laborers*



*Associated General
Contractors
San Diego Chapter*



*Southwest Regional Council of
Carpenters*



United Contractors

Let's not wait for an earthquake or another natural disaster to occur before we decide that something should have been done. We highly support modernizing and upgrading our states aging infrastructure with a single tunnel that allows for 6,000 cfs (or more) to efficiently move water, restore the Delta ecosystem and manage our water supply through climate change.

We strongly support Governor Newsom's administration's work to move forward with the planning process for this much needed project. SCPFJ looks forward to working with the Department of Water Resources to see this through to completion.

Sincerely,

John Hakel
Executive Director

Clyde B. Thorington
6064 Foothill Glen Court
San Jose, CA 95123
408-225-5484

March 16, 2020

Delta Conveyance Scoping Comments

Attn: Renee Rodriguez

Department of Water Resources

PO Box 942836

Sacramento, CA 94236

Dear Ms. Rodriguez:

As a California boater, I am very concerned about the significant
Negative impact that the closure of navigable waterways and
tributaries will have on recreational boating for more then a dozen
Years.

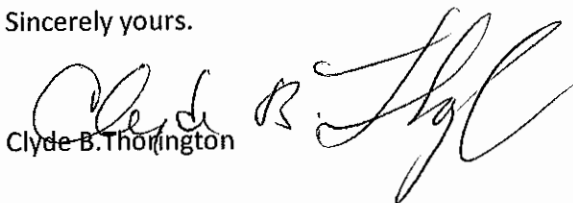
There must be a plan to ensure the Delta infrastructure will not
Only be preserved but improved.

The plan must address the threat that climate change and increased
Water transfer pose to the amount and quality of the water in the
Delta.

Thank you for the opportunity to offer my comments.

Sincerely yours.

Clyde B. Thorington

A handwritten signature in black ink, appearing to read "Clyde B. Thorington", is written over the printed name.

Delta Conveyance Project

Scoping Comment Card



The public scoping period is January 15, 2020 through March 20, 2020

Please provide comments on the scope of issues to be considered in the Delta Conveyance Project environmental analysis. Please print.

Name Clark Tut Hill Date 3/15/2020

Organization Poker Bar Anglers Email cltats@att.net

Address 10150 Tilton Mine Rd.

City Redding State CA Zip 96001

After listening to DWR's opening statement in the March 7, 2020 Redding CA presentation it was very apparent that water taken from the Trinity River to support the Single Tunnel Project was entirely omitted. That is just wrong!! The water has to come from some place. The Tunnel Project will take an additional 6,000 CFS of water. That is an entire river! The Trinity runs at 480 CFS in the summer and the releases drop to 300 CFS in the winter. There is no way this project can be built without taking additional water from the Trinity River. Not only the Trinity system but the entire water systems connected to the LVP.

This project is being driven by large corporate entities. They call themselves farmers. They are far from that. The major force behind this is Westland Water District. We all know this. Bottom

Line, the westside of the San Joaquin Valley is very poor farmland. Adding water to this area has created serious environmental problems over the years. Hecterson being an obvious example of what can happen when this type soil is misused. If more water is added to additional land it will only be a matter of time.

Taking additional water out of an already stressed system will not only create additional environmental problems to the south, but will also place most all fish species under circumstances that could easily lead to extinction. With some, we are near the point of no return. For the sake of all, do not build this project! There are alternatives.

Clarksburg, Yolo County, California

Date: April 13, 2020

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

Re: NOP Scoping Comments and Review
Property Address: 36560 Riverview Drive, Clarksburg, CA 95612
Community: Clarksburg

Dear Water Resources:

This letter is written to provide scoping comments to and review of the Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project ("**NOP**"), dated January 15, 2020. These comments are submitted by Karen Coffee, property owner at 36560 Riverview Drive, Clarksburg, CA 95612, located in the heart of Clarksburg. I am an interested party (CEQA Guidelines, § 15086).

Located on the Sacramento River, immediately across from the furthest upriver intake identified in the NOP, the Gothic Victorian house built at this address, my home and permanent residence, is one of only two examples of this type of architecture in a several county area. Originally built in 1873 for Civil War veteran, Cornelius Hugaboom, my home served the Clarksburg community, the wider Delta, and residents of and visitors to California at the turn of the century as a hotel, resting and stopping point for recreational and other travelers, fishermen, trappers, visitors and temporary residents. My home is now the oldest remaining house in Clarksburg. Due to its original close proximity to the River Road, the house has been physically moved back twice -- each move precipitated by an increase in the height of the levee or the widening of the road on the crown of the levee.

My home is an historical structure and property.

Years of promised but always delayed levee repairs have resulted in anxious winters watching numerous levee boils, and settling soils that create cracked walls, sidewalks and patios, and constant property erosion have required constant attention. Today this iconic and historic house relies upon these ancient, crumbling, and regularly watched levees for its continued survival.

Because of its location on the main channel of the Sacramento River and reliance on the levee for my home's survival, 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 on this home.

Department of Water Resources

Page 2

The historically significant house is a fragile structure, vulnerable to the effects of heavy construction pounding and other consequences anticipated to be employed to construct the Project. As an example of direct impact, it can be anticipated from the NOP that the heavy construction methods required for the construction of the Project will cause accelerated deterioration of the west bank levees, thus further endangering the lives of individuals living around or near the project, including this house, and greatly increasing the damage to the structure. Significant movement of large amounts of already unstable soils may also have unanticipated negative consequences. Construction methods must be analyzed, and construction methods must be utilized, as mitigation, which will not damage this or any local property.

Increased traffic on the west (Clarksburg) side of the river will further damage levees as we saw with the west side of the River Road north of the Freeport Bridge after the opening of Cosumnes River Blvd. Increased noise, disruption in well water operations and availability, septic and wastewater operations and availability, and access to vital services can also be anticipated.

Finally, as a resident of Clarksburg, it is unclear to me why you would site an intake pump for the Project at one of the few populated areas along the river. There are miles and miles of sparsely inhabited shoreline available for this purpose. A site decision that prioritizes potential harm to the local population over strict engineering criteria clearly seems to be in the best interest of all concerned.

In connection with the comments above, the following, 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 my home in any significant way.
- The impact on the zoning authorized by law on my parcel..
- The impacts on the continued and future growth and well-being of the Residents including me, and including the impacts of any de-population in the Clarksburg Community and the North Delta, which could impact the economy of this area, as a result of the construction, operations, and management of the Project.
- Whether, and how or how-not, the Project will benefit me personally.
- 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 my house.
- Whether, and how or how-not, alternative locations for the proposed intakes, and all other proposed components of the Project, would lessen impacts on my house than 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 my house.
- Show how visual and noise disturbance, as well as construction-related impacts to me and my house will be minimized.
- Whether, and how or how-not, traffic patterns and changes caused by the Project will impact me and my house.
- 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 and North Delta.
- Whether the Project will invest in public facilities and infrastructure throughout the Clarksburg Community and North Delta to mitigate the impacts of the Project.

Department of Water Resources

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- Whether, and how or how-not, the Project will enhance and protect my house (Public Resource Code § 85054).
- State and analyze the socioeconomic impacts of the Project on me and the future value of my house.

The Delta is a very special unique place in California worthy of protection and preservation. To drain the water, ruin the landscape, and destroy the lives of people and structures with over a hundred years of occupancy to support the greed of agri-businesses, that choose to enlarge farm production in an area devoid of water and dams, and most of whom are large companies not even based in California is the worst example of government overreach. Please, think this through. Find an equitable solution that does not sacrifice the Delta.

Please feel free to contact me if you have any questions.

Karen Coffee



P. O. Box 568

Clarksburg, CA 95612

kcoffee1@frontiernet.net

(916) 715-7751

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

To Renee;

We California residents should have the right to vote on major project proposals along with operating parameters. Collecting opinions should be the starting process.

DWR Must carefully research what effects taking water away from a region will affect the region's climate.

The DWR "assures" us that no new water contracts will be awarded today or the near future. This declaration can change over time. If we allow the delta bypass tunnel, pipes, and valve system to be built, then this opens up new opportunities for exploiting California water resources, in the future.

Greed is part of human nature. Companies with deep pockets, and distant from their target will absolutely exploit this new "Gold".

Christine Ellis



13922 Sandisle Dr.
Redding, CA 96003



March 20, 2020

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

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

Dear Ms. Renee Rodriguez:

Moulton Niguel Water District (District) would like to thank you for the opportunity to comment on the Notice of Preparation of Environmental Impact Report for the Delta Conveyance Project. As an urban retail water provider which is dependent on imported supplies, including from the California State Water Project, the District has a vested interest in California's water supply reliability and implementation of a long-term solution in the Sacramento-San Joaquin Delta (Delta).

The District provides high-quality drinking water, recycled water and wastewater services to more than 170,000 residents in South Orange County, California since 1960. Our service area encompasses approximately 37 square miles which includes the Cities of Laguna Niguel and Aliso Viejo and portions of the Cities of Laguna Hills, Dana Point, Mission Viejo, and San Juan Capistrano. The District ultimately imports approximately 75 percent of water supplies from the Metropolitan Water District of Southern California (MWD). On average, the District receives approximately 41 percent of water supplies from the State Water Project (SWP) and 34 percent from the Colorado River Aqueduct (CRA) from MWD. The District has been a leader in recycled water use since 1968 and meets the remaining 25 percent of water demands with recycled water.

Over the last decade, the District has been working with our customers to reduce imported water demands by implementing several demand management programs, expanding our recycled water system and exploring local reuse and supply options. Since 2008, District customers have reduced imported water demands by over 13,000 acre-feet (AF) per year. The District has made and continues to make significant investments in water use efficiency and water recycling because the District recognizes the tremendous value of water. The District provides our customers with the resources to continue using water wisely. For example, our turf replacement program has resulted in nearly 6 million square feet of turf grass converted to California Friendly vegetation saving over 250 million gallons of water annually. The District's water efficiency programs past successes are a strong indication of our ability to realize new and higher levels of water efficiency in the future. And one of our most helpful initiatives at reducing water waste was our budget-based rate structure put in place in 2011 that provides an incentive to use water efficiently. However, despite these great efforts, the District remains dependent on imported water from the Delta.

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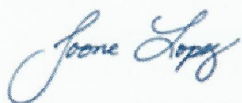


Reliability of the SWP has decreased over time for several reasons, including from threats of earthquakes, levee failure, land subsidence, ecosystem decline, sea level rise, and restricted pumping schedules. The Delta water supplies have already been reduced due to concerns about impacts to the Delta ecosystem which supports numerous threatened and endangered species of fish. A catastrophic earthquake in the region could potentially cause widespread failure of many levees potentially disrupting export water pumping for an extended period, which would impact the District's ability to reliably serve our customers. The District considers the Delta Conveyance Project necessary in order to implement a long-term solution in the Delta which will result in significant benefits to the District's water supply reliability. The District is supportive of a solution that results in increased water supply reliability to State Water Project Contractors; enhanced Delta ecosystem habitat with fewer conflicts between fisheries and water conveyance; reduced seismic failure risks; increased climate change resiliency; and equitable cost sharing.

The District has supported DWR's previous efforts to develop and implement a solution in the Delta, first with the Bay Delta Conservation Plan and then with the California WaterFix. The District continues to support DWR's efforts on the Delta Conveyance Project to achieve the goals of providing water supply reliability and ecosystem restoration. Ensuring the sustainability of the Delta supplies is an important component of the District's overall water reliability plan. Local resource development, water use efficiency and an improved Delta water delivery system are all necessary efforts and critical to future reliability for the District's water supply.

The District appreciates the opportunity to provide input on this important project and we remain committed to doing our part to use water wisely to help ensure water reliability. If you have any questions regarding these comments, please contact Drew Atwater, Director of Finance and Water Resources at (949) 448-4027 or datwater@MNWD.com.

Sincerely,



Joone Lopez
General Manager
Moulton Niguel Water District





NDWA

NORTH DELTA WATER AGENCY

Chairman

Vice-Chairman

Secretary/Treasurer

Director

Director

Manager

DCS826

Steve Mello

Jack Kuechler

Tom Slater

Justin van Loben Sels

Mark van Loben Sels

Melinda Terry

April 16, 2020

Department of Water Resources

P.O. Box 942836

Sacramento, CA 94236

Delta Conveyance Scoping Comments

Attn: Renee Rodriguez

Delivered via Email: DeltaConveyanceScoping@water.ca.gov

SUBJECT: Scoping Comments on NOP for the Delta Conveyance Project

Dear Ms. Rodriguez,

In accordance with the North Delta Water Agency's (NDWA/Agency) statutory mandate assure the lands within the agency a dependable supply of water of suitable quality sufficient to meet present and future needs,¹ the Agency submits these scoping comments on the Notice of Preparation of Environmental Impact Report (EIR) for the Delta Conveyance Project (DCP/Proposed Project). The Agency's specific interest is assuring that construction activities and conveyance operations proposed by the Proposed Project shall avoid interference with local water supply infrastructure and not impair the water availability for agricultural and municipal water users.

Comments herein are intended to facilitate DWR's compliance with the 1981 Contract and to ensure that any significant adverse impacts to water users and Delta channels associated with the Proposed Project are properly described, analyzed, and mitigated in accordance with applicable law. The DCP EIR must acknowledge the potential for construction activities and conveyance operations to have adverse impacts on surface and groundwater diversions facilities and should consider whether the damage to water users from Project activities is a violation of standards in CEQA and NEPA governing disclosure, weighting of impacts, and cumulative effects on environmental and human resources. Adverse impacts within the project area to existing water quality, water surface levels, local diversions, and flood flow velocities that can erode levees should specifically be identified and addressed in the EIR.

¹ North Delta Water Agency Act, Chapter 283, Special Statutes of 1973.

NDWA BACKGROUND

The Agency was formed in 1973 by a special act of the Legislature to represent northern Delta water users in negotiating a water supply and quality contract with both the United States Bureau of Reclamation and California Department of Water Resources in order to mitigate the water rights impacts of the Central Valley Project and the State Water Project.

NDWA has an ongoing statutory mandate under California law to assure that the lands within the North Delta have a dependable supply of water of suitable quality sufficient to meet present and future beneficial uses.² Representing nearly one-half of the legal Delta, the Agency's boundaries encompass approximately 300,000 acres. This includes all of that portion of the Sacramento-San Joaquin Delta, as defined in Water Code Section 12220, situated within Sacramento, Yolo and Solano Counties, including New Hope Tract, Canal Ranch and Staten Island in northeastern San Joaquin County.

In 1981 the NDWA and the Department of Water Resources (DWR/Department) executed the *Contract for the Assurance of a Dependable Water Supply of Suitable Quality* (1981 Contract). The 1981 Contract requires DWR to meet certain water quality criteria that vary from month to month, and from year to year, based on the Four River Basin Index; with the criteria at seven water quality monitoring locations based on the 14-day running average of mean daily electrical conductivity (salinity levels). The 1981 Contract also contains provisions pertaining to physical changes that obligate DWR to avoid or repair damages from hydrodynamic changes, and if necessary, require limitations on the operations of the SWP pumps and reservoirs in order to maintain water quality compliance.

PROJECT ALTERNATIVES

When developing alternatives and mitigation measures in the EIR, we encourage DWR to consider how the size, location, and operation of new SWP conveyance facilities can be designed to improve, rather than degrade, water quality in the Delta.

The alternative analysis in the EIR should not be limited to tunnel projects with only variations in tunnel and intake sizing, and only east side conveyance alignments. Consistent with existing law in the 2009 Delta Reform Act to "reduce reliance on the Delta in meeting California's future water supply needs" (Water Code Section 85057.5), the EIR should include analysis of alternatives that incorporate actions to reduce the demand for water exports from the Delta, e.g., water use efficiency actions, desalination, and other local self-reliance projects in export areas.

IN-DELTA WATER SUPPLY AND QUALITY IMPACTS

Before government reservoirs began withholding much of the Sacramento River system's high winter flows, the Delta channels stored sufficient fresh water to sustain water quality in the northern Delta throughout and often beyond the irrigation season.

² North Delta Water Agency Act, Chapter 283, California Statutes of 1973.

Primary factors influencing water quality in the Cache Slough Complex are freshwater flows from the Sacramento River that are conveyed through Steamboat and Miner Sloughs and tidal action. In general, the river flow in Steamboat and Miner Sloughs is higher when the Delta Cross Channel (DCC) is closed, so tidal exchange varies with both Sacramento River flow and DCC operation. The installation of multiple 3,000 cfs diversion intakes on the Sacramento River will alter the hydrodynamics in the Delta both upstream and downstream of the intakes, including freshwater flows to the Cache Slough Complex.

The primary source of domestic water for homes and businesses located in the Delta is groundwater from individual wells. Counties require permits for these wells and therefore have a database of their location. Irrigation of farmland in the Delta relies on both diversion of surface water and pumping of groundwater. Surface water diversions within NDWA occur by two principal methods: siphons and electric pumps. The siphon systems within NDWA were designed with historic landside and water surface elevations in north Delta channels as a base line. If the elevation differential between these two elevations (referred to as "head") is not sufficient, the siphon will not work. When water surface elevations in Delta channels are lowered, longer durations are necessary to apply the same amount of water under existing conditions.

If an electric pump is needed to replace a siphon, the costs are quite substantial. On many islands, power lines are not present at the land side base of the levee and there is not enough voltage to supply the power needed for new power draws on the existing utility company system. For example, the cost of stringing new wires and poles are approximately \$50,000 per quarter mile. In addition, a new pump column, impellor and motor of sufficient size to replace a 12-inch siphon's water flow costs an additional \$25,000. The labor to install the pumping facility is an additional \$8,000. Permit costs and timelines need to be factored in as well.

There are thousands of individual diversion pipes, primarily agricultural siphons located in the Delta channels, and many municipal and agricultural groundwater wells that will need to be protected from construction and operation of the Proposed Project. The EIR should provide an adequate analysis of the project's impacts to water supply and quality, water diversion infrastructure, and to the water channels and embankments. DWR should commit to immediately repair any damage to existing water supply infrastructure, including underground wells, caused by the Proposed Project construction and operation; and be required to provide alternative water source (temporary or permanent) to impacted water users, if necessary. In addition, the water quality of these agricultural and municipal water supplies must not be impaired by dewatering and discharge activities during Proposed Project construction or by the operation of three new proposed intakes on the Sacramento River.

The Water Supply Chapter in prior BDCP and WaterFix EIRs failed to include a section describing the impacts to local water supplies (groundwater wells and surface diversions) within the project area as a result of construction and operation of new water conveyance and export facilities.

Specific components NDWA requests are addressed in the EIR for the DCP are:

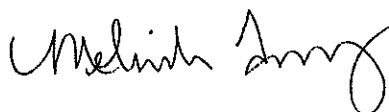
- In the Water Supply Chapter of the EIR, include a section describing impacts to the hundreds of municipal and agricultural underground wells and diversion intakes in the rivers and channels located in the Project Area: changes in water surface levels affecting performance of individual diversion intakes, particularly gravity-fed siphons and increased pumping costs;
- Avoid or mitigate interference with operation and performance of local underground wells and surface water diversion infrastructure.
- Avoid or mitigate impairment of the water quality of agricultural and municipal water supplies.
- Analyze how requirements imposed on operation of the project, such as spring outflow criteria, will be met when DCP Project facilities are operational and whether water stored in upstream reservoirs for use to maintain 1981 Contract's salinity criteria will be impacted.
- Effects Analysis should include modeling of changes in salinity levels at all seven water quality monitoring stations identified in the 1981 Contract.
- Effects Analysis should include modeling of changes in water surface levels and hydrodynamics (water velocities and reverse flows).
- Consider providing an alternative water source to mitigate adverse impacts to existing water supply infrastructure and water quality in the north Delta.
- Conduct cumulative effects analysis on water quality in the Cache Slough Complex from the operation of three 3,000 cfs intakes on the Sacramento River when combined with restoration of fish habitat in Cache Slough Complex, including the Yolo Bypass.

CONCLUSION

The Proposed Project is extremely large, with a long-term construction timeline, and hundreds of potential adverse impacts during construction and operation of the new conveyance facilities. We encourage DWR to organize the EIR in a way to allow the true nature, extent, and scope of these environmental impacts to be discernible to the general public and permit decision-makers.

Thank you for considering our comments regarding water quality and supply impacts in the Project Area when developing the EIR for the Delta Conveyance Project.

Sincerely,



Melinda Terry,
Manager

From: [Sherri Norris](#)
To: [DWR Delta Conveyance Scoping](#)
Subject: Conveyance Scoping Comments - confirmation request
Date: Friday, April 17, 2020 5:04:54 PM
Attachments: [Delta Conveyance letter DWR - CIEA.pdf](#)

Good afternoon Rene,

Please confirm your receipt of our comments. I recognize that the attached comments were sent to you twice. We having a problem withour server and tech support is down because of Convid-19.

For this reason, I'm resending and also requesting that you confirm your receipt of our comments.

Thank you!

Respectfully,

Sherri Norris
CIEA
510 334-4408

From: Sherri Norris [<mailto:sherri@cieaweb.org>]
Sent: Friday, April 17, 2020 5:00 PM
To: 'DeltaConveyanceScoping@water.ca.gov'
Subject: Conveyance Scoping Comments

Conveyance Scoping Comments
Attn: Renee Rodriguez
Department of Water Resources
P.O. Box 942836, Sacramento, CA 94236
DeltaConveyanceScoping@water.ca.gov



April 16, 2020

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

Karla Nemeth, Director
 California Department of Water Resources
 1416 Ninth Street, 11th Floor
 Sacramento, CA 95814
karla.Nemeth@water.ca.gov

RE: Delta Conveyance Project Public Scoping Comments for DWRs preparation of an EIR the Delta Conveyance Project in the Sacramento-San Joaquin Delta, California

Dear Karla Nemeth,

The following are our comments to the California Department of Water Resources (DWR) in preparation for the agency to prepare an Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin Delta, California.

The Public Will and Tribal Consultation

The Delta Conveyance Project is not supported by the ill of impacted tribes or the public

Repeatedly, over multiple decades, Tribes and communities have stated that we do not want this project. Those sentiments in opposition have been voiced from those who live adjacent to the source rivers and tributaries that feed the Sacramento River, those in the footprint areas of the numerous associated project sites, and from those in the receiving waters areas of the Sacramento River, through into the San Francisco Bay. We stand with those in opposition to the project and feel that our voices have been ignored. It is our understanding that during the scoping period for the Water Resiliency Plan and for the Delta Conveyance Project that the state and DWR did not receive support for this project from communities or Tribes. Also, we understand that the public and Tribal meetings have been informational, providing only options for the Project to proceed without including an option of to discuss a 'no Action Alternative' or solutions that are more innovative than are diversions, conveyance and storage.

We can see language embedded in staff statements, preparatory documents and meeting minutes that indicate that the decision to move forward on the Delta Conveyance Project or some version of

it was already been made before comments had been received from the public and from Tribes who will be impacted by the construction and then by the operation of the conveyance system. It is alarming that the state has decided that this Project must move forward regardless of the public will and regardless of what Tribes in the Source, receiving and footprint area preparation of an Environmental Impact Report (EIR) for the Delta Conveyance Project in the Sacramento-San Joaquin Delta, California

If the goal of this project is to benefit the citizens of the state of California, why is the state ignoring the voices of those communities and the California Tribes who will be impacted? This is contrary to public trust doctrine and is indifferent to the Will of the People. We understand that the state is operating with the goal of securing the delivery of water to Santa Clarita, San Bernardino, San Geronimo and other counties outside of our region, however there are likely other ways to arrive at the same outcome and the public deserves to have those options researched and considered thoroughly.

Tribes have yet to be afforded the option of meaningful consultation

Tribal consultation to date has not been meaningful. As this process has unfolded it is clear that Tribes are being denied their right to free and prior informed consent, and as such this project is contrary to the Governor's stated goals to work in support of Tribal health and resiliency. According to AB52, the state is required to consult with Tribes Whenever Tribal cultural resources may be impacted. While we understand that Tribes have been invited to consult with state agencies on this project, it is our observation that these information meetings included informing Tribes that this project is going to move forward and that all decisions given to Tribes only included the same goal of removing more water from an already overdrafted and impaired river system, and of how Tribes wish to document cultural site, remove cultural objects and to move the remains of Tribal ancestors. Removal of cultural objects and remains, while paramount, is not the only intended item that should be discussed and afforded to Tribes when a project is being planned or implemented.

Moving forward on a project without consent from Tribes is not in accordance with the spirit of tribes exercising tenants of "free and prior informed consent," AB52, Governor Brown's Executive Order B-60-18, federal Executive Order B-10-11, and it does not align with Governor Newsom's apology, Executive Order N-15-19, or with the creation of the Truth and Healing Council. Tribal healing is intrinsically connected to tribal members having access to their homelands, and that the environment and cultural resources of these sources of spiritual health and physical well-being are restored, or at minimum that there is no further impairment. Tribes are struggling to restore the aquatic systems that so that their members can access traditional foods, and cultural and ceremonial resources. In addition, it is worth highlighting that outreach and consultation with Tribes outside of the Project foot print area: in the source waters, through to the receiving waters of the San Francisco Bay has been largely absent.

**The Delta Conveyance Project is not the only option to meet California water needs
Alternative Solutions that restore environmental functions are better aligned with food security,
climate change mitigation and beneficial uses**

The office of the governor, state agencies and commissions have disseminated statements that support the repeated assumption that the Delta Conveyance project is essential and as such that it must proceed. The current proposed Project is the latest reiteration of a long-standing effort by water purveyors, agricultural interests and state governors to remove water from Northern California rivers to solve the state's need for water. However, there have been no efforts to find out if the Conveyance Project damaging our fragile ecosystem and the fishing industry of California is the only option. We have not received sufficient evidence that this is the only solution that the state should be pursuing. CIEA previously provided this information as part of our expert on the Water Fix Project testimony to the State Water Resources Control Board (SWRCB), in our comments on multiple reiterations of Water Fix EIS/EIR reports, and in more recent comments to the Water Resiliency Plan, we have repeatedly raised the issue of the lack of effort by the state in fully exploring alternatives. There are alternatives that have not been explored that were previously utilized by California Tribes when Tribes managed the lands and water in California. These solutions would also provide water for California's population, would address climate change and provide support the proper function of the watershed to be restored.

The Delta Conveyance Project points to the Water Resiliency Plan, and further ignores the statewide possibility for surface and groundwater to be enhanced by restoration and enhancement of natural aquatic systems. The Water Resiliency Portfolio states that "use of surface water is limited by how much rain and snow falls each year and how much water can be safely diverted from rivers," but environmentally balanced alternatives have not yet been fully explored. The Plan and the Conveyance Project largely focus on how much water can be stored and diverted instead of focusing on how upland meadows, slowly meandering streams and rivers supported by wide riparian zones, and wetlands could greatly enhance groundwater sequestration and the surface water flows. Where snow would hold back water and release it slowly, upland meadows and non-channelized streams and rivers could offer similar results. Add to this the reintroduction of species such as beaver and other traditionally and culturally important species in strategic areas, this would assist us in naturally slowing water after seasonal rains, providing water in wildlands for fire protections and cooling water for fish habitat. Instead of removing water from the Sacramento River Tribes have a long-sighted goal where local waters are restored to provide clean water, aquatic foods, resiliency from fire and carbon restoration. Instead we should be exploring alternative sources and technologies to provide urban and agricultural water such as desalination, conservation, water reuse, agricultural shifts that focus on crops that use less water and that use water in a more sustainable way, and to provide water to urban populations. The combination of widely restoring natural systems and instituting innovative water reuse solutions would better provide freshwater and fish for all Californians, and cultural resources for Tribes. Such treatments would naturally recharge our aquifers providing water during dry years, and slow the movement of storm events to protect levees and other infrastructure down river.

We are currently allowing the benefits of Traditional Ecological Knowledge, Tribal management strategies, innovation and solution development to remain bound. We submit these comments in hopes that state agencies will partner with California Tribes and the public to see beyond the paradigm of water redistribution and storage. California water projects have already resulted in the dewatering of several water basins of California in Southern and Central California, and in the South Bay Delta. It is easy to see what these delivery systems have created by taking a tour of any of the following regions, watersheds, river or lakes: Southland, San Joaquin River Valley, Tulare Lake, Buena Vista Lake, Los Angeles River, Owens River and Colorado River. These are only a few of the waterbodies decimated by poor planning. In each of those decimated regions there are Tribes who wish to restore the ecosystem to arrive at a truly co-equal goal of providing water for humanity and for the environment for the good of all of our communities.

The public and the Tribes in the North Sacramento River region do not want to see our river basin fall victim to such an unsustainable vision. Our rivers need water in them. For example, we increasingly see blue-green algae in our waterways and land subsidence due to dewatering and climate change. The best way to protect rivers for human beneficial uses and to support endangered species and food security is to allow rivers and streams to flush during flood events while slowing the water through a wider river system for our use through healthy wetlands. On the coast the best way to protect the Sacramento River from salt-water intrusion and storm events is by restoring and strengthening coastal and bay delta wetlands, aquatic plants like tule and kelp forests.

The Conveyance Project is stated to be a solution to protect the public from threats to surface water supply from flood, subsidence, earthquake, and climate change. There is inconsistency between the asserted need for the Project due to fault line and systemic activity along the current Delta Conveyance infrastructure. However, in the Delta Conveyance Design and Construction Authority's Internal Technical Review Panel Memorandum distributed on February 20, 2020 the existing infrastructure is not threatened because "The precast lining is sufficient to support the anticipated loads including seismic events...There are no active fault crossings along the [existing] Delta Conveyance alignment and the current seismic demands are not extreme compared to other projects." Therefore, the proposed project is unnecessary because the current system is sufficient if not better than the proposed project is. Regarding existing infrastructure instead of creating a new Project, why are we not working to update and protect our current levee-supported conveyance infrastructure in the Delta?

The Water Resiliency Plan does acknowledge the careful balance between beneficial uses. We recommended that the short list included in the Plan and any subsequent Projects such as the Delta Conveyance Project also take the state's two new tribal Beneficial Uses into consideration. These definitions adopted by the State Water Resources Control Board (SWRCB) in 2017, include "Tribal Subsistence Fish Consumption," and "Tribal Cultural Uses." The Water Resiliency Plan and the Delta Conveyance Project should also take into consideration "commercial and sports fishing," "subsistence fishing" for the general public, and the "human right to water." These specific uses are really important to any local, regional or statewide planning document, and should be included in the document every place where beneficial uses are mentioned.

We do see in the Notice of Preparation that DWR states that under CEQA Guidelines that the EIS will explore significant environmental issues, reasonable alternatives and mitigation measures. The notice qualifies this stating that an “EIR need not consider every conceivable alternative to a project.” We disagree this project is massive, costly and will result in unmitigatable environmental impacts. We assert that the EIR should not be developed until the state has not definitively made the case that the project is required to meet state needs, that there are no alternatives, and that environmental and cultural impacts can be avoided to the satisfaction of impacted Tribes and the public in the sources, footprint area and receiving waters of the Sacramento/Northern Sierra-Nevada watershed.

The scope and scale of the Project to the Central Valley and to Northern California have not been fully disclosed for evaluation by the public and by Tribes

Upon review of the proposed Project it is clear that the scope of this project is much larger than how it was portrayed as merely one tunnel. Per the Notice of Preparation and in the Delta Conveyance Design and Construction Authority Board of Directors materials from the April 13, 2020 meeting there will be in fact two main intakes, that join into one tunnels and hundreds of supporting sites and features. The massive scale of this project and the hundreds of acres of lands that will be impacted seems excessive and we have not heard that the public is aware of the size and scale of this project. There are no protections that the infrastructure will be operated in a way that does not remove more water than the system can handle. Experiences resulting in fish kills during the Bush Administration, and threats from our current administration exemplify that this concern is real. Future administrations can require water diversions, choosing between stakeholders. While there are not protections it is irresponsible to create an infrastructure that could destroy the Bay Delta and Sacramento River aquatic system. The public and California Tribes should be made aware of what this project truly entails and what risks this system may create. We assert that this has not been sufficiently disclosed to stakeholders in the region.

The amount of land required to complete this project is much larger than previously understood publically. For example, the maintenance shafts are some of the smaller features of the Project infrastructure, and the Plan states that each will require 10 acres of construction area, and these will be placed every five miles along the path of the Project infrastructure. It does not seem that the risk is worth the outcome when we balance the amount of land and aquatic resources that will be sacrificed to bring water unsustainably to an area already de-watered. This is especially true when we consider again that all alternatives will not be reviewed under the EIS that DWR plans to prepare.

Development of EIR Project & Environmental Mitigation reports

During the Water Fix, state agencies and their contractors did not share environmental mitigation plans with the public or with tribes as part of the EIR process. Instead they chose to bifurcate these processes on separate tracks with non-aligned timelines. This resulted in an inability to properly review whether or not the plan was feasible or desired by the public. As a general recommendation to the Delta Conveyance Project or any other project that the state embarks upon, we strongly

recommend that these two documents be created and deliberated on in tandem. We cannot evaluate that the goals of a project will meet multiple needs if we are unable to review to potential effects and solutions simultaneously.

In the DCA April 2020 Report the program schedule stated that the engineering team will speeding up their work. It is our understanding the engineering studies are moving forward and that per the Executive Summary that the DCA April 2020 Monthly Board Report, “team has ramped up staff and anticipates continuing to gain time back in the coming two months.” The list of upcoming task schedule in this report is extensive, and by reviewing this list we cannot see how environmental mitigation plans will align with this schedule.

Project development, implementation, Timing and Covid-19

As stated above it is unclear if this project is the best solution for California since all alternatives have not been fully explored and because we are in the beginning of a the Covid-19 pandemic. Families, including experts that should have the time to review the Delta Conveyance Project plan are struggling to protect the health of their loved ones. We have not hit the peak of this pandemic and we do not know how long it will be with us. This is not the time to expend tax payer’s money on a Delta Conveyance Project. While we are being impacted by the COVID – 19 pandemics the public review process and Tribal consultation cannot continue meaningfully.

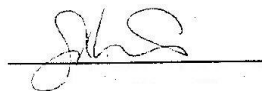
We are in a resulting fiscal crises that will require a re-evaluation of our annual budget for the state and this should also include an evaluation of the budget for the Delta Conveyance Project. We do not yet know the scope of how this pandemic will affect the economy of the state and because of this it is premature to assume that our state will have the funding available to continue to embark on such a costly and ambitious infrastructure project. The cost of this project is enormous. For example, in the recent DCA Board of Directors materials it was the financial report provided that the Delta Conveyance Design and Construction Joint Powers Authority has expended \$23,018,268 since July 19, 2020 and from that “certain expenses through September 2019 were reclassified to construction in progress,” so the amount of funds expended and to be expended is even higher than that amount. Why we are expending such large amounts of funds before public scoping has been completed, and before we know our financial situation.

We respectfully recommend that DWR does not embark on the development of the EIS report at this time.

We ask that you take these above items into consideration, that this project and related spending cease until the need for the project is evaluated, until Tribes and the public can weigh in on the alternatives, and until we re-evaluate the current budget in light of the covid-19 crises, and that the state work more closely with Tribes throughout the watershed to create a sustainable plan for California that has less of a detrimental impact on both the environment and on the California Tribes and Native American people.

Thank you.

Respectfully,



Sherri Norris

Executive Director

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From: [Michelle Berditshevsky](#)
To: [DWR Delta Conveyance Scoping](#)
Cc: [Janie Painter-MLC](#); [Michelle Berditshevsky](#)
Subject: CORRECTED Comments for Delta Tunnel Conveyance EIR Scoping
Date: Friday, April 17, 2020 5:26:23 PM
Attachments: [DeltaTunnelConveyance NOPcmnts\(Corrected\)4.17.20MountShastaBioregionalEcologyCenter.pdf](#)

If possible, kindly use the attached **CORRECTED Comments for Delta Tunnel Conveyance EIR Scoping**.

Many thanks for your consideration.

Michelle Berditshevsky, Founder/Senior Conservation Consultant
MOUNT SHASTA BIOREGIONAL ECOLOGY CENTER

Janie Painter, Director
MEDICINE LAKE CITIZENS FOR QUALITY ENVIRONMENT



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Medicine Lake Citizens for Quality Environment

MLCFQE

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Electronically submitted via: DeltaConveyanceScoping@water.ca.gov

April 16, 2020

Karla Nemeth, Director
Department of Water Resources

Attn: Renée Rodriguez

Re: Comments for Delta Tunnel Conveyance EIR Scoping

Dear Director Nemeth and Ms Rodriguez:

We appreciate this opportunity to comment on the scope and content for the EIR on the proposed single tunnel conveyance project.

Our area of concern comprises Mount Shasta and the surrounding bioregion, which includes the Upper Sacramento Watershed. For the past 22+ years, we have been intensively involved in the protection of the Medicine Lake Highlands, the upper reaches of Medicine Lake Volcano, and its underlying aquifer, which is the main source of the Fall River Springs, the largest spring system in California.

California's volcanic Cascades, including Medicine Lake Volcano, Mount Shasta and Mount Lassen are sources of immense unprotected and unrecognized groundwater recharge. These snow-capped mountains recharge extensive underlying volcanic aquifers, which store and release vast quantities of groundwater to spring-fed rivers that supply multiple human, wildlife and aquatic needs while providing drought resilience. These volcanoes are estimated to provide 25% of the State's water supply, or about 20% of the summer flow in the Sacramento River. In addition, the underlying volcanic aquifers discharge as spring fed rivers that generate up to 40% of the state's hydroelectric power, which plays an important role in fulfilling California's renewable energy needs.

The Upper Sacramento Watershed provides water to the Sacramento River where the proposed tunnel intake would be located. The water available at the water intake near Elk Grove would depend, in part, on the availability of water in Shasta Lake Reservoir and subsequently on the water coming into the reservoir.

California's volcanic Cascades, including Medicine Lake Volcano, Mount Shasta and Mount Lassen are sources of immense unprotected and unrecognized groundwater recharge. These snow-capped mountains recharge extensive underlying volcanic aquifers, which store and release vast quantities of groundwater to spring-fed rivers that supply multiple human, wildlife and aquatic needs while providing drought resilience. These volcanoes are estimated to provide 25% of the State's water supply, or about 20% of the summer flow in the Sacramento River. In addition, the underlying volcanic aquifers discharge as spring fed rivers that generate up to 40% of the state's hydroelectric power, which plays an important role in fulfilling California's renewable energy needs. Even though these volcanic aquifers are located in less populated areas, they nonetheless face threats from industrial development and land use changes.

THE EIR MUST ANALYZE AND EVALUATE INPUTS FROM AND IMPACTS ON THE UPPER SACRAMENTO WATERSHED

The original twin tunnels could have dewatered the Sacramento River in some years and seasons prior to meeting the delta. Without inclusion of the entire Sacramento watershed in the analysis the state will be essentially leaving out critical information on downstream flows. Ultimately this would overestimate the available water for conveyance in the tunnel and could lead to increased interest in raising Shasta Dam, which would further impact the communities in our region.

For these reasons, the Delta Conveyance project EIR should evaluate the impacts of the proposed single tunnel project in the following areas of concern:

GROUNDWATER CONTRIBUTION TO SHASTA LAKE RESERVOIR AND DOWNSTREAM

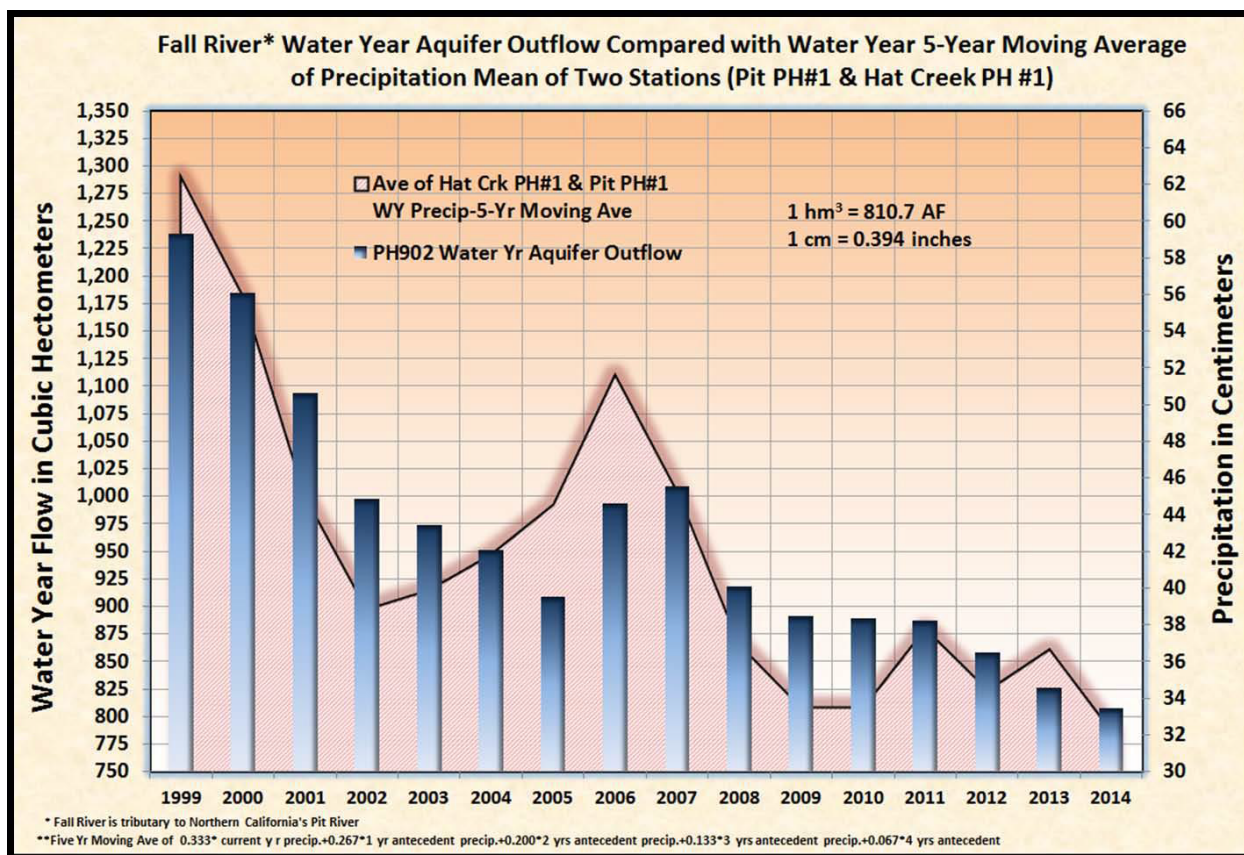
Please note that while our comments emphasize the Medicine Lake Highlands aquifer due to our intensive involvement in this watershed, these issues and concerns apply to all three Southern Cascade Volcanoes — Mount Shasta, Mount Lassen, and Medicine Lake Volcano.

- According to SGMA, a water budget requires “an accounting and assessment of the total annual volume of groundwater and surface water entering and leaving the basin, including historical, current and projected water budget conditions, and the change in the volume of water stored.”
- The Delta Conveyance project should include a full water budget to understand inputs into the Shasta Reservoir, which would include the Medicine Lake Highlands.

- Volcanic aquifers in northeastern California supply spring-fed rivers that contribute significantly to California's water supply and are resilient to drought. Despite their importance, these volcanic aquifers have never been systematically studied, and are not officially recognized as aquifers.
- The springs in northern California are the primary source of the Pit, McCloud, and Upper Sacramento rivers. The most significant water storage in the Upper Sacramento River is in the groundwater systems, including Medicine Lake Highlands. The total volume of water stored in the underlying aquifer of the Medicine Lake Volcano is thought to be 20 to 40 million acre-feet, which is the same order of magnitude as California's top 200 reservoirs (42 million acre-feet).
- The Fall River Springs, which are fed by the Medicine Lake Highlands, are some of the largest first order springs in the United States. The Fall River Springs system is an extremely valuable water resource for California's agriculture and hydropower industries, as well as ecologically and for downstream communities. The water from the Fall River Springs, and nearby hydrologically similar springs provide as much as half the storage capacity of the Shasta Lake Reservoir.
- The MLH surface runoff contributes to the Upper Sacramento River, but that area is also a significant recharge area for the Fall River Springs, which have an estimated output of approximately 869,000 to 1.4 million acre-feet per year. The Medicine Lake Highlands' surface flow contributes to the Upper Sacramento River via the Fall River Springs, up to 1.1 million acre feet of water. As much as 85% of the summer base flows in the Pit River actually originates in the Fall River. The Fall River can supply as much as 22% of the storage capacity of Shasta Lake Reservoir.
- As noted in the Upper Sacramento IRWM Plan, "Water security in the USR is directly related to the vast underground storage capacity of Mount Shasta and the Medicine Lake Highlands and reinforced by a historically abundant snowpack."
- Moving downstream, Shasta Lake Reservoir provides about 41% of the water supplied by the U.S. Bureau of Reclamation's Central Valley Project (CVP).

CLIMATE CHANGE ANALYSIS SHOULD ACCOUNT FOR THE FULL RANGE OF POTENTIAL IMPACTS, INCLUDING THE NORTHERNMOST PART OF THE UPPER SACRAMENTO WATERSHEDS

- The availability of water downstream and from Shasta Reservoir depends greatly on the water from the Medicine Lake Highlands Aquifer. This aquifer is highly sensitive to changes in climate, especially droughts and declining snowpack. As climate changes, this water source will be impacted, greatly affecting water availability downstream. DWR needs to account for these dry periods as a new normal, something that has been repeatedly stated by multiple state agencies. Avoiding a full assessment of climate change impacts is inconsistent with a range of California regulations.
- Water availability can change with warmer temperatures. One climate change model for the region found that the decrease in total annual precipitation is highest by 2100 in upper elevations (as much as 0.15 inch/yr decline) and decreases towards lower elevations (0.07 inch/yr decline). This study found that with climate change, significantly more water is leaving the watershed as evapotranspiration rather than groundwater recharge. This study found that by 2100 precipitation would decrease by 5%, recharge would decrease by 12% and April 1st snowpack would decrease by 62%. The amount of average total groundwater recharge at the basin scale then decreases from the historic to projected time period from 17.4 inches/yr to 15.4 inches/yr.
- Sustained drought is likely the Medicine Lake Highlands' primary vulnerability. The 2014 drought and lowered precipitation before that period caused volcanic aquifer storage to decline from high mid-1990s.
- As reflected in late summer base flow river discharge, up to 50% decrease in spring output in Hat Creek Valley was observed in the 1987-1992 drought
- Even though impacted, compared to other surface and groundwater systems in California, the volcanic aquifers protected downstream fisheries and agricultural producers from what could have been much worse conditions.
- Although storage levels in Shasta Lake Reservoir fell well below their historical averages during 2014 drought, inflows from the Upper Sacramento, McCloud, and Pit Rivers were sufficient and supplied about 10% percent of total year's storage behind Shasta Dam. During the 1987-1993 drought spring discharge supplied a similar proportion of Shasta's storage during that period, whereas in the 1976-1977 drought spring flow accounted for up to 30% of the needed supply in Shasta.
- The system also responds quickly to a break in drought. The period from 1965 through 2006 produced a nine percent increase in precipitation, and a 19 percent increase in Fall River's base flow. Protecting the Medicine Lake Highlands will likely need to be a solution the State takes on to prepare the water supply system for future climate are rising populations in the south that depend on this water.
- However, as noted by Gary Freeman, Principal Hydrologist for PG&E, aquifer outflows to the Fall and Pit Rivers from volcanic aquifers such as the MLH have declined significantly²²¹, indicating an impact to the groundwater system that warrants attention from the state and other land use agencies. From 1999 to 2014, the flow was reduced by a total of 2.4 million acre-feet or 782 billion gallons.



THE EIR SHOULD INCLUDE CULTURAL AND COMMUNITY VALUES AND NEEDS FOR NORTHERN CALIFORNIANS. ENGAGEMENT OF TRIBES AND DISADVANTAGED COMMUNITIES IN NORTHERN CALIFORNIA HAS BEEN INSUFFICIENT

- The State of California, through law, legislation and funding sources has prioritized tribal and disadvantaged communities throughout the state. According to the Upper Sacramento IRWM Plan, the entire region qualifies as a disadvantaged community (DAC) under DWR guidelines.
- However, the communities and cultural resources in the MLH have continued to struggle for protection of sacred waters. The State has a responsibility to partner with tribal communities. California tribes and tribal communities, whether federally recognized or not, have distinct cultural, spiritual, environmental, economic, and public health interests and valuable traditional cultural knowledge about California resources. According to your own policy, "DWR is committed to open, inclusive, and regular communication with tribal governments and communities to recognize and understand their needs and interests."

- The Medicine Lake Highlands have also been identified as being sacred to the Pit River, Klamath, Modoc, Shasta, Karuk and Wintu tribes. By not taking action to support the need to fill critical groundwater data gaps and to protect the sacred waters in the Medicine Lake Highlands, the state is doing the tribal communities and state-designated DACs a disservice.
- DWR recognizes that California tribes and tribal communities, whether federally recognized or not, have distinct cultural, spiritual, environmental, economic, and public health interests and valuable traditional cultural knowledge about California resources. Through their tribal policy, DWR aims to support collaboration and informed decision-making with tribal communities, with a specific focus on:
 - Working to restore, protect, and manage the State's natural resources for current and future generations;
 - Using creative approaches and solutions based on science and tribal ecological knowledge;
 - Developing strategies for preserving California Native American tribes' water rights and providing for the sustainable management of California's sacred waters;
 - Demonstrating a respect for all communities, resources, and interests and an open and free exchange of information.
- Lastly, DWR should include northern California tribal and DAC representation on the Delta Conveyance Design and Construction Authority

OTHER STATE AGENCIES REQUIRE INCLUSION OF MEDICINE LAKE VOLCANO IN LARGE SCALE, WATERSHED STUDIES THAT INCLUDE THE SACRAMENTO RIVER.

- A recently passed bill, AB 2528 identifies climate resilient habitat areas that offer the best opportunity to remain ecologically productive and amends the Climate Adaptation Strategy to include definitions of four watershed zones: salmon and steelhead strongholds, spring-fed source watersheds, mountain meadows, and estuaries. Source waters are defined as any system in the Cascade Mountains, Modoc Plateau, and Feather River headwaters that provides groundwater recharge to extensive volcanic aquifers that store and release large quantities of groundwater to spring-fed rivers. By adding these zones, the bill requires the Natural Resources Agency to research the importance of these resilient watershed areas in its next Climate Adaptation Strategy. These stronghold source watersheds include groundwater in the Medicine Lake Highlands, within the Modoc Plateau that acts as source water for downstream fisheries systems. The State has developed the justification below as rationale for supporting the Modoc Plateau stronghold.
- In the 2018 IRWM update, Medicine Lake Highlands were included in the Upper Sacramento River (USR) boundaries because of the surface water flow contributions to Shasta Lake. The Plan notes that most of the water storage in USR is in the groundwater basins, including Medicine Lake Highlands. According to the USR IRWM plan, "It is hoped that the IRWM implementation process will result in further gathering of baseline hydrologic data on the Medicine Lake Volcano and the Fall River Springs. Because the recharge area is located in the USR and the discharge is in the Upper Pit IRWM Region,

projects would be inter-regional in their implementation and results.” Unfortunately, the UPR IRWM plan, while referenced above, provides little detail or guidance regarding groundwater from the MLH. Regardless, the USR watershed includes the Medicine Lake Highlands and thus should be part of the Delta Conveyance study.

Thank you for your consideration of our input. We speak for many in our region who have made their views known to us, for the communities downstream who benefit from our immense pristine water sources, for the wildlife and aquatic species to whom we lend our voice, and for future generations that will benefit from the drought resilience our region provides.

Respectfully,

Michelle Berditschevsky

Michelle Berditschevsky
Founder / Senior Conservation Consultant, MOUNT SHASTA BIOREGIONAL ECOLOGY CENTER

Janie Painter

Janie Painter
Director, MEDICINE LAKE CITIZENS FOR QUALITY ENVIRONMENT

cc: Stanford Environmental Law Clinic
Pit River Tribe
Native Coalition for Medicine Lake Highlands Defense