

1 **APPENDIX I: COPIES OF TRANSCRIPTS OF 2008 PRELIMINARY**  
2 **SCOPING MEETINGS**

**BUREAU OF RECLAMATION**

**WATER EDUCATION FOUNDATION**

**717 H Street, Suite 317  
Sacramento, CA 95814**

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**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**BAKERSFIELD**

**Bakersfield:**

Chair: I have a number of speaker cards here. If you didn't fill out a speaker card and you'd like to make a comment, you can grab one from the folks in the back and they'll bring it up to me. Otherwise, I'm just got a few here and we'll go ahead and get started. So the first one I have here is Jim Beck. I have a little timer here, too, for you to watch.

Mr. Beck: (indiscernible)

Chair: That's right. I'll even let you say your name first, too.

Mr. Beck: Thank you for visiting Bakersfield. This is the tenth stop on your world tour, and it's definitely going to be the most important place you visit. I'm Jim Beck. I'm the General Manager of the Kern County Water Agency, and Brent (indiscernible) been on the representatives from our agency that's been participating as part of the (indiscernible). And I just want to take the opportunity to express how important completion of the BDCP is to Kern County, and especially our agency. We're the second largest agricultural contractor on the State Water Project. We're the third largest urban contractor. And so the livelihood, the way of life of Kern County really relies on the Delta. And so the mission that you all have been

charged with is very important to us, and really the fate of our county is in some ways in your hands. So you have a very weighty responsibility and it's very important to us that the take permits that are part of the outcome of this be received. I think you're familiar with some of the significant impacts that we've received this year as a result of the lack of those permits and the decision under Judge Wanger, which is costing us at least 400,000 acre feet of water. That's a huge hit for Kern County, and it indicates the necessity for a long-term solution to the Delta issues. We believe that construction of an isolated facility, the operation of dual conveyance, is the most reasonable approach, and we expect that the BDCP process will lead to that conclusion. I think the important challenge for you, and for us as water users, is to make sure that process doesn't get derailed. We can't afford to wait. Next year's going to be a really tough year in our neck of the woods. You ought to visit us next year at this time, if we face some even more critical situations. And I think that that's a message, too, that as you complete the BDCP, remember the co-equal role of protecting species and protecting water supplies. Again, in this portion of the state, it seems that often the importance of protecting species at any cost seems to be the way business is

trying to get done in California. And often we see water users, and especially agricultural water users, unfairly targeted as the solution to all the species problems in the Delta. Again, we would hope that you continue to take up the message that we've bringing to Sacramento. And as part of this process you've got to take a fair look at all the stressors that are affecting the health of the Delta, that's invasive species, that's toxics, that's other pumpers besides the federal and state export facilities. And again, we think that that's an important part, that you maintain a scientific objectivity that looks at all of the stressors that have been identified. Again, I want to say thank you for coming and for giving us a chance to express some of Kern's concerns, and also some of the support that we have for the BDCP process. And finally, good luck.

Chair: Thank you. Robert Cundie?

Mr. Cundie: My name is Robert Cundie. I'm the Assistant Engineer Manager for Wheeler Ridge Maricopa Water Storage District. The district is a public agency formed in 1959, and we provide irrigation water service directly to 140 square miles of farmland at the southern end of the San Joaquin Valley, and an additional 30 square miles of lands in our district that rely on ground water also benefit from the project.

That project relies essentially on State Water Project supplies. Our agency takes water from the Kern County Water Agency. We comprise about 20% of their contracts, which makes us about 5% of the State Water Project. We also participate in ranges of 15-25% in various local groundwater banking projects, for which the State Water Project deliveries are essential components. Our farmers over the past 20 years have taken a number of activities consistent with state and environmental organization priorities. These has been to switch from low value crops to high value crops, to install high water use efficiency on farm irrigation systems, and to invest in groundwater banking facilities. All of these activities have the affect in some sense of making us more reliant on the State Water Project supplies and their delivery. And as we all know, those have been impacted. I will provide specific comments on some of the scoping that you are charged with doing as part of this process. My assumption is that there will be no project alternative. In some sense there will be a reduced or multiple reduced export alternatives, as well as what I understand is the preferred alternative for a dual system. Obviously, fisheries in the Delta are in a serious state, and you are urged to consider, not just the pumps themselves, but of

course, many, if not all, of the other stressors that impact those fishery species. Because a plan which primarily involves focus on the pumps can't possibly be the whole solution, because of the influence of invasive species, toxics, and waste water discharges, unscreened diversions, over 2,000 in the Delta, not just the screened diversions that occur at the state pumps. So all of these have to be factored in some fashion into the plan and in the analysis, so that the proper mitigation measures, and appropriate to the level of impact, are properly analyzed. In Kern County, there will be impacts from the Bay Delta Conservation Plan. They may be positive or negative. These impacts will include environmental impacts. For instance, in the no-project or reduced export alternatives, we would expect exports to be reduced into Kern County, and that reduction has direct affects on farmland, resulting in less farmland being in production and less food being produced. A loss of farmland under CEQA is a significant environmental affect that would need to be analyzed as part of your alternatives. In addition, the impacts on groundwater banking projects, of which Kern County has a major role in the state in supplying groundwater banking facilities, those impacts are necessary for analysis in reduced exports or no-project alternatives.

In the preferred alternatives, it's possible that these impacts may, in fact, be positive, if not only water supply reliability, but water supply itself, are improved as a result. And those positive impacts should also be recognized. We would like to make many more comments, but that focuses on the scoping elements that you've asked for input on tonight. Thank you.

Chair: Thank you. Next up is George Capello.

Mr. Capello: Hello, and thank you for allowing us to speak to you. I am George Capello. I am the President of the Wheeler Ridge Maricopa Water Storage District. My straight man there has given you all the statistic, so I won't bother going back over that. I wrote something out, but as I listened to you speak in the preliminary, I thought, you know, I better just talk off the top of my head and give you a flavor of what growers in the district are going through. I was a grower in the district. [beeping sound] Already? These impacts are real to the farmers, as you well know. And they understand dealing with the Delta, and the environmental situation, and making sure the environmental side is equally balanced with the agricultural need. And we have contracts for water that comes through the Delta. And with our reliability shrinking, and Judge Wanger type rules, and

these kinds of things, it's crushing the small farmer, and it's putting a heavy burden on the larger farmers. I've transitioned from a farmer into a real estate and appraisal business, and I see it impacting these guys continually. And it won't be long when the larger farmer cannot afford the cutbacks, the costs, and some of these burdens that are put on them, not to mention the other input costs that are going through the ceiling. Yes, prices have risen somewhat, but ag prices have stayed stable for over 35 years, while costs have gone up. So it's imperative that in your analysis that you please give some heavy weight to these impacts to agriculture, the need for a reliable water supply, and hopefully some stability in that region, along with the environmental issues that have to be covered. Those are important also. The Delta doesn't work without the species and all the things that go with it. But at the same time, you have to have agriculture that helps pay the bills. And I want to thank you, and hope you're not too exhausted after all these trips. But thank you for your consideration.

Chair: Thank you. And the last card I have is Ernest Connant.

Mr. Connant: Just a couple of brief comments. My name is Ernest Connant. I'm with the Young, Woolridge Law Firm, and we represent a number of

different districts in the San Joaquin Valley, principally in Kern County. And just to kind of put this in further perspective, and to kind of elaborate on a little bit of what Jim said, all of the imported supplies to Kern County are dependent on the Delta. Of course, the State Water Project is, as you all know, the Cross-Valley Canal contractors are dependent on the Delta and contract with DWR and the Bureau, and last, but not least, the Friant system is dependent on the Delta. There would be no Friant system but for the 1939 contract between the exchange contractors, which have to be supplied from the Delta in exchange for San Joaquin River water. So all of the imported supplies in Kern County are dependent on the Delta. There probably is no other area of the state that's more dependent on the Delta than this area. And so this is very important to us. In terms of kind of scoping comments, and very general, and I'm sure that we'll be providing more specific comments by the deadline, but I think it's very important that the right no-project alternative and baseline be identified. And it's important that you keep in mind what has occurred in developing that, and the failure of the federal government, through the Bureau and DWR, to meet the contractual expectations of the contracts that were entered into in

reliance of the water supplies that were expected these many years ago. So as we move forward and you commence the process to prepare the EIR and EIS, I think it's extremely important that the no-project alternative and baseline be properly framed. Again, we thank you for coming to Kern County and providing the opportunity for us to interact with you a bit. And we all know that Brent is very much involved in this process and will be providing information to us as this process moves forward. And again, thank you for providing this opportunity. Thank you.

Chair: Thank you. Anyone else like to make a comment? Okay, I'm not seeing any takers. So with that, we'll adjourn this part of the meeting. I want to thank you all very much for coming. And I'll see you next time. Thanks.

**-- MEETING ADJOURNED --**

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**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**CHICO**

**Chico:**

Mr. Anderson: And, we have a lot of members who have some strong, strong perceptions about what the BDCP will be doing. My name is Charles Anderson. I'm with the Association of the California Water Agencies. Written comments were provided yesterday by our president Glen Peterson in Sacramento and so this is (unintelligible) some oral comments that will be from (unintelligible). The Association of the California Water Agency represents more than 450 complete water agencies throughout the state, ranging from small irrigation districts to larger urban water agencies and aqua members collectively deliver 90 percent of the water in California to homes, businesses, farms and increasingly for the environment. Aqua members view the BDCP process as a critical step towards fixing the troubled delta and the larger goal of securing a more sustainable system for California. Briefly, I just have a few comments. The need for a more sustainable water system has never been more urgent. Species are in decline and communities are losing jobs and income because of a failing water system. The system we have today was conceived of in a different era, one that did not include consideration of the environment. We have to invest

in a sustainable delta and as part of that we need a comprehensive solution that includes the co-equal objectives of protecting the aquatic environment and providing for a reliable high quality drinking water that our economy needs. We also have to invest in the environmental restoration and fish passage improvements expand watering sufficiency and groundwater management, and increase of surface and ground water storage capacity. And, my final comment is that while the crisis in the delta is clearly a time urgent problem, we must insure that solutions there work for all of California. As solutions take shape, we have to make sure that we do not solve water supply problems south of the delta at the expense of upstream regions. Solutions must respect existing water rights in areas of origin interests. This is of particular interest to our members in the North Sac Valley and demands consideration. Thank you.

Chair: Thank you, others?

Ms. Strong: My name is Susan Strong and thank you for coming to Chico. We do appreciate not having to drive to Sacramento. First of all I'd like to say that I think it's inappropriate to hold a scoping meeting for an environmental document when there is not a plan. I spent about two hours on the Web site for the conservation plan, and it was really

difficult to even determine exactly what is being considered. But, based on that research it looks as if there are two categories of potential impacts that would be of concern in our region. One is the conveyance issue. In doing conveyance improvements by installing the peripheral canal what sort of capacity changes will occur, and the ability to convey water if we increase the ability to convey water, where is that water gonna come from, and what would be the impacts of those changes? What would be the growth inducing impacts of those increases in water supply? If more state ground waters become a portion of this statewide water supply then either three increased conveyance capacity or as a substitute for un-devoted surface water, then we need to look at what would be the impacts on the ground water systems up here. Those will include impacts to public services because we have increased pumping costs, and deepening of loans. It would possibly include increased emissions if we have to pump more to draw ground water for agricultural, municipal and industrial supply. But, most important and for the fisherman's agencies, there is an aqua-form, formation called the lower Tuscan which surfaces along the eastern edge of the Sacramento Valley. And, that is crossed by five (unintelligible)

salmon streams. Butte Creek, Big Chico Creek, Deer (unintelligible) and bridal creek, and that particular aqua first system right now has wells funded to extract 30 thousand acre feet of water between June 1, and October 1, and that was intended for the Sacramento (unintelligible) agreement. So, as a basis of comparison the city of Chico from June 1 to October 1(unintelligible) in '06 extracted about 18 (unintelligible) acre of water (unintelligible) water. We currently are experiencing about 10 feet of ground water to climb every 10 years. We've lost 20 feet since the middle 1980's. We have growing ground water depressions under the city of Chico and under Durham in 2006 they noticed for the first time. So this is a stressed community system, and if this ground water source which is going to affect spring run salmon streams is intended to be used as a substitute for service water that can no longer be devoted, that's really inputting impact. Finally the alternative analysis should look at whether regulation of water party impacts could be doing and not by disallowing surface diversions but, by managing of the toxic inputs at the source.

Chair: Thank you very much. Next?

Female: I just have a few brief questions and then to call the (unintelligible) Groundwater Protection Association and, I'm in the (unintelligible) predominately independently on groundwater.

Chair: I'm sorry if I didn't make myself clear before sort of Q & A, there's this comment.

Female: Oh.

Chair: So, we're just doing comments now, and if you have any questions.

Female: (Unintelligible)

Chair: Then, hopefully to some answers.

Female: Okay, great.

Chair: Okay.

Female: Thank you. One comment is I was under the impression that major projects had a real project alternative workup first. I haven't heard any comment about that. The reason why that comes to mind for me is because I read more and more about the exotic species in the delta, things like the mussel, they have no treatment that may help collapse into things that may, in and of themselves make certain (unintelligible) recovery goes, impact going along one, and the, that brings to mind what kind of risks are you going to impose in the source areas that might provide you alternative solutions for your

adaptive management projects, especially because we have unknowns up here with our aquifer, with our water supplies, with the potential direction of our economy up here and, you know, what kind of our sources we're going to need to respond to our future demands. How would you fund or (unintelligible) this project fund, the research that will be needed to assure us that more solutions aren't coming at the risk of our (unintelligible), thank you.

Ms. Vlamis: My name is Barbara Vlamis. I represent 850 members of Butte Environmental Council. I'm going to start out by saying I really object to your moving protocol. It's terribly unfortunate that you have interested parties here, and not only will you not answer questions for the group, you are telling people that they can't even ask questions (unintelligible). And, I think that's --

Chair: You know, I want to make that clear because I'm not saying don't ask questions, I just wanted to make sure that you knew that these folks are here to listen and if there are Q & A, we'll get into it later. So, I just wanted to make sure that I wasn't miss-representing it.

Ms. Vlamis: -- I think that with in here, and especially with a small audience we should be able to obtain answers, thank you that we can ask questions, that that's clear, but I think we should be able to ask

people questions in a group in here, and group answers, and I find that objectionable. I find no project description, and I don't know what, and I agree with Susan. There's nothing to scope. You know, you have nebulous, down the road HCP and NCCP. There is no project, so I don't know how you can proceed with Sequa and NEPA at this point. I think, you know, you have your priorities eschewed and I have never yet encountered an HCP and NCCP that started the environmental review before they've even got to the purpose and need, and what are you doing? And, there's no initial study provided, at least that's acknowledged that that isn't provided to the public which would have at least given us a little more, I hope to balance off of. And, I really think that if you ever get to a project description so that the public would want something to analyze and comment on, I hope you'll come back because I think this should all be repeated. Because, it's terribly pre-mature, but I would hope that as you look at creating a project description that you will consider the terrestrial and aquatic species and, habitat that is outside of your study area. Clearly the tributaries are crucial to what happens in the delta and so, I don't think that you can only consider a project area that was at least good to read that you may consider that. But, I

think you absolutely must consider it, and that's all for now. Thank you.

Chair: Thank you. Is there anyone else?

Ms. King Moon: I'm Laura King Moon with the State Water Contractors and I represent 27 agencies, water agencies up and down the state that byline from the state water project. And, I'd just like to observe that this year due to restrictions under the Endangered Species Act we've had to give up 600 thousand acre feet of water already, about a 20 percent (unintelligible) on our average water supply for the year. And that's just, you know, (unintelligible). As a result of that, and that those restrictions are in place because of the way the water is moved through the delta. And so, we're very much supporting this conservation plan which we hope will lead to a much more (unintelligible) water and a conservation plan that will address a lot of the other problems that are affecting those species so that we aren't doing the knob to turn in response to their problems. I think that land that this plan will do; it will put a lot less pressure on the water resources here in the north if we're able to move the water that's in the reservoirs and that won't be ratcheted down so severely as we are right now. So, I'm very happy to see, interested to hear

the comments that this is too soon from the (unintelligible), usually it seems to me that you want to (unintelligible) anyway so people will have a chance to provide input, and I certainly learned a lot from three of you tonight. So, I appreciate you coming up here and doing this, thank you.

Chair: Is there anyone else? It looks like we have another one.

Ms. Dunlap: I just have a quick comment. My name is Marty Dunlap and I just want to dovetail a little bit on, in the part of the project as it goes forward that it has to do with establishing a water reliability and the movement of water, you know, south. That the growth inducing impact creating environments or communities that are going to be dependent on this water is going to create a never dependent need. And I really want to make sure that that's taken into account because that available water might not always be possible, and then there's, we've created this expectancy that this is going to be moving down there and not necessarily gonna be feasible.

Chair: Okay, are there any others? Okay, so hearing that I think we'll adjourn this part of the meeting but please feel free to stay. We have plenty of time; go take a look at the stations again. All of the staff members will stay and answer your questions.

Female: (Unintelligible)

Chair: Okay, sure. Thank you all very much.

**-- MEETING ADJOURNED --**

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**PUBLIC COMMENTS ONLY**

**FOR:**

**CLARKSBURG**

**Clarksburg:**

Ms. Vick: I am Jan Vick. I am a member of the Rio Vista City Council. I also filled out a Speaker Card so you can ignore it when you come to it.

Um -- we -- the City Council is very concerned and interested in all of the processes that are going on in the discussions of the Delta. In my investigations into the BDCP and when I have read your options document -- um -- and looked at the steering committee, and I would like to know where on the steering committee and involved in this process are the Delta stakeholders. There are no residents, farmers, cities or towns, recreation owners, sportsmen, or the Delta Protection Commission. They are -- we in the Delta are not represented on something that is going to impact every single one of us, and our livelihoods. And I really want an answer to that because I think there needs to be someone on the steering committee representing the Delta. Um -- the options that have come out of this -- um -- and also the DRMS is there's a lot of talk about an alternative conveyance, otherwise known as the Peripheral Canal. Um -- I want to know what studies will be done to determine the impact of the moving of significant amounts of water from the -- um -- from the Upper River near Hood. What will the extent of the salinity

intrusion into the Suisun Marsh, the Sacramento, and San Joaquin Rivers. This will impact our agricultural resources and every user of Delta water. Um -- what is the impact on the cross Delta transportation, the gas lines and the electrical lines of any action that is done. And I think you answered partly how will this interface with the Delta Vision Strategic Plan. Um -- it needs to basically be a part of that. There really should only be one plan. Thank you.

Mr. McGowan: Good evening. My name is Mike McGowan, the Yolo County Supervisor representing District 1, which includes the City of West Sacramento and the Community of Clarksburg and welcome to Clarksburg. We hope we provide you with a warm and lively welcome here. I think you'll get that today. My observation representing this area is that you will get very good, very intelligent, and very informed comments that you are looking for. We are frustrated at this point that -- and then in some ways we don't feel that there was really sufficient -- has been sufficient opportunity to participate and certainly to prepare for this meeting, although this large crowd seems to belie that -- that assertion. But nevertheless, we worked hard to get as many folks here to make comments as possible. But it does -- um -- what my observation is, and taking on

from the last speaker -- uh -- there is not a adequate opportunity as I see it, in the process for the -- both the local communities and the local jurisdictions to be directly involved. And whether that's actually at the steering committee level, or in some more formalized work group setting, it is imperative that you create a better opportunity to engage the varied jurisdictions that would be most directly affected and impacted by this. Uh -- one of the frustrations is what we see -- or what we perceive to be -- or perhaps fear is an attitude that there is some many other values that we're concerned about that -- that trump significantly the values of community that we -- that we represent here tonight, and the very important parts of our lives and lifestyles and economies, and the industries down here in the Delta. Clarksburg district is a thriving agricultural community. And Yolo County is working very hard to enhance the opportunities down here for our agricultural -- for the farmers and for the folks who live down here and who support that. What we are afraid of, and I think some of the preliminary suspicions or concerns that we have is that again, there will not be an adequate opportunity to really represent those concerns and help shape this project. I think that's the big -- the biggest function we have. Yolo County has a

general plan underway; much of what I am concerned about would run in direct conflict with our plans to revitalize, enhance, and support and nurture this part of the county. And primarily in an agricultural context. Seeing it become somebody else's water farm, or environmental habitat project at our considerable expense is unacceptable to us here in Clarksburg. I could go on. There are a number of concerns, specific concerns and questions we have. I've put -- I for one am concerned about the impact of additional flows from around -- more flows for a longer period of time along the -- uh -- in the bypass, down the deep water channel, and what those impacts would have in the surrounding jurisdictions, especially here in this particular area. But also for West Sacramento as well. West Sacramento is in the process of an extensive flood control project, and we're very concerned and curious about what other activities would be. Certainly we have concerns about the compatibility or lack thereof of a habitat plan that you all are working on or the one that Yolo County has been working on for a long time. And I think we have different goals in those plans. Certainly we would believe and expect that this particular project -- uh -- this plan would be collaborative work and harmonious with the work that's being done

by Yolo County. And -- uh -- I have someone else here this evening, Maria Wong, from -- uh -- in here to speak to you about that. So actually, in closing, I don't want to take much more time than I should -- I want to urge you to open the dialogue, to actually create a formalized place for places like Solano County, Yolo County, Sacramento County to be at the table. To be formally and legitimately represented in your conversations and your meetings. Um -- whether it's actually a member of the steering committee, which probably should have happened, with all -- and with all -- with all due respect, I look at the list of who we have on your steering committee, there's not one local jurisdiction. It's somewhat of an affront to me to see that it's places like Contra Costa, the Kern County Water District, and not any of the local jurisdictions that are more directly and immediately impacted by -- by what's going on here. So with that -- I thank you for coming. Hang onto your hats. It's going to be a good ride, but it's going to be an interesting one. And you'll learn a lot from the folks here in Clarksburg. So thanks again for taking your time to come down here and be our neighbors.

Chair: Thank you, Supervisor.

(Applause)

District Rep.: I'm at the microphone primarily to identify myself as being present. I'm District Representative for Congressman Mike Thompson who represents Clarksburg and large portions of Yolo County, and as many of you in the room probably know, he is a great champion on resources issues and received a very prestigious award from the Sierra Club just a few months ago. And is concerned both about the resource issues here, but also about the -- um -- the failure so far to engage our local jurisdictions. The process needs to be not just about the fish and the water, but about the land and the people who live here and who have farmed it through generations. So the sooner that the planning effort can become proactive and collaborative, I think that would be a win-win for all concerned. So thank you for allowing me this brief opportunity to speak.

Chair: Thank you very much. Okay, I'm going to go ahead and call names from the speaker cards that I have here. I have Maria Wong, Russell Van Logansells, and Ken Wilson. If you would come up.

Ms. Wong: Good evening. My name is Maria Wong. I'm the Executive Director of the Yolo Natural Heritage Program. And as Supervisor McGowan indicated just a few minutes ago, we're running a parallel process, another HCP and NCCP in Yolo County that the county has

been working on for many, many years, and I just wanted to remind some of the folks in the panel and the folks that are working in the BDCP that we are here, that we are interested in the same footprint that you all are working on, and that we look forward to collaborating and cooperating in the future on both of those efforts. I also wanted to comment very briefly on the content of some of the outreach materials that are coming forward. Um -- as I look at the BDCP Agenda, it's sometimes difficult to tell -- you know -- what the content of the meeting is going to be and where I need to pay attention. So I think the BDCP could do a little better job of indicating what's going to be discussed at the meetings going forward. Thank you very much.

Chair: Thank you.

Male: If I may just briefly. Uh -- he's not going to speak this evening, but I wanted to make sure that folks knew that -- uh -- the City of West Sacramento Mayor Christopher Cabaldo was here. He's also a member of the Delta Protection Commission, and many of my comments he shares. And so I wanted to make sure that you knew he was here.

Chair: Thank you for that. Thank you very much.

Mr. van Lobensels: My name is Russ van Lobensels. I'm a long time Delta resident all my life. And I jotted down just a few concerns that I have as you go forward with this conservation plan. You need to understand that when you put water in the Delta it doesn't stay where you put it. You can put it behind the levee and it pops up on the next island. So as you change -- as you plan to change the hydrology of the area, you need to be very careful about where you put water. You need to look at where -- what uses are on the property now. If it's intense farming, I would -- you know -- I think you should go some place else. There are opportunities in the North Delta to do what you want to do and to put together a good plan without making it very difficult for the intensive farming that occurs. I would encourage you to use boundaries that are known. Boundaries that exist today. And not cut across reclamation districts and create new boundaries. New boundaries bring all kinds of very unusual impacts. We have reclamation districts that operate for flood control and drainage that operate as a unit and they may not operate very well all split up. When you introduce species or create habitat that moves species around in the Delta you -- all you're doing is moving the impacts around from different people. If you move species away from the

water purveyors and you move them up into the Northern or the Western Delta, you create the same impacts for people who are using that water. You need to prepare and provide for mitigation for those impacts that you create for them. There are -- I believe -- opportunities in the Western Delta. You have a large area of public ownership in the bypass. You have an area that has flood easements already. It has water. And I think those are the areas that you should concentrate in the North Delta as your plan is developed. Finally, as you develop this plan, understand that we have many, many -- um -- many, many special districts that are dependent upon tax revenue. Yolo County -- if you make this a dedicated towards public ownership, you will destroy tax base for reclamation districts, mosquito districts, North Delta Water Agency, and Yolo County. So provide for that. Thank you very much.

Chair: Thank you.

(Applause)

Mr. Wilson: My name is Ken Wilson. I'm the president of Wilson Farms. I'm a third generation farmer. Um -- some of our guests here talked about the BDCP and some of the things that they are doing and I'm going to try not to sound too redundant, but -- uh -- what I had -- uh --

already written out beforehand was a little bit about what is the plan to mitigate threatening the endangered species. We have a host of wildlife species here in the Delta. Many animals I've seen -- um -- many animals I've never seen before 20 years ago are all of a sudden kind of showing up and in increasing but small numbers. Now these aren't all endangered, but I'm kind of putting in some other critters out there that are pretty well known as well. Maybe one or two that could be endangered, I'm not sure. But what looks to me like some mink I see trotting across the road once in a while. Otters, tree squirrels, Swainson's Hawks, Cottontail rabbits that disappeared for years, and have now come back. Now 1,000's of animals that live under the ground like snakes and many -- much of their prey. And I find it interesting listening at -- you know -- there are some species that are endangered that are worth taking, and some that aren't worth taking and it just kind of seems like -- uh -- God is among us here in the flesh sometimes. You must have a very extensive EIR on every single species that's out here that might be affected. We need to know of any and all endangered species. I would suspect that it would be -- it would take many years before you have enough data, and factual information being that you'll have

to cover 10's of 1,000's of acres just around our backyard here, and 100,000's of acres throughout the Delta if you're considering flooding. You'll also need to study adjacent lands to this project, because this project will have an enormous impact on these lands as well. We want to see a very detailed report before any of this begins. Thank you.

Chair: Thank you.

(Applause)

Chair: So next up I have Jeff Merwyn, Jane Alshorn -- I'm sorry if I mispronounce your names -- and Tim Waites.

Mr. Merman: Good evening. My name is Jeff Merwyn. I'm a 5<sup>th</sup> generation California farmer, 3<sup>rd</sup> generation here in the Delta. Thank you very much for the opportunity to speak tonight. Um -- I found out about this meeting yesterday, and I concur with what was said earlier about -- uh -- no stakeholders being part of the steering committee. Um -- I think that's unconscionable, frankly. Um -- but -- I'm going to go on. Um -- most of what my comments address have to do with -- uh -- four different options that we saw that actually appear to have been taken out of the Senate. A presentation to the Senate Natural Resources and Water Committee Hearing on the Governor's Delta

Actions by Lester Snow, Director of Department of Water Resources, March 11, 2008. And my understanding, and I'm also a Farm Bureau Director for Yolo County, I should have known about this through that, because they're part of the CFBF. I'm also a Yolo County Planning Commissioner. So I understand the EIR process. Okay, my understanding of the scoping is that we're here to scope the EIR, which is what you talked about. If you're doing an EIR, you already have a rough outline of what you're going to do. The fact that Lester Snow would address the Senate with documents with maps that include our area, scares me. Okay? Here we go. I urge you to cut -- and I'm very serious about this. This is going to sound kind of funny. I read it out loud and it sounded kind of funny, but I urge you to include at the top of your Protected Species List, the California Delta Farmer. Agriculture has co-existed --

(Applause and cheers)

Mr. Merwyn: -- agriculture has co-existed within the Delta environment since the Gold Rush. And all four options proposed as a conservation strategy appear to significantly threaten, if not completely exterminate, this vital species. I was under the impression that the Delta Protection Act was created in large measure to protect Delta agriculture. What

happened to that? I farm about 2100 acres in the Clarksburg area. I'm a -- just a typical farmer, okay? One of the primary crops that I grow is alfalfa for dairy hay. My 1,000 acres of alfalfa enables dairies to produce enough milk to supply 61,000 people their per capita consumption of milk per year. Don't let that 150 people fed by a farmer fool you. My neighbor grows 1,000 acres of processing tomatoes. We supply about 1.5 million people their per capita consumption of tomatoes per year. Clarksburg produces virtually the entire world supply of dichondra seed. In the hood of it, you're not alone. We are the tip of the iceberg. Yolo County is the 5<sup>th</sup> largest agricultural community and the leading agricultural state in the nation. Even though just 5% of Yolo County farming lies in the Delta, it generates more than 20% of this community's agricultural revenue. Not only are we helping to feed people, but we also pay property taxes in assessments on our farm land. So as tax and inputs in personal and corporate income taxes, too. We hire services and buy supplies from companies that help us fertilize, protect, harvest, and haul our crops. The people that help us grow our crops live on our farms. Many with their families. These farms are what make the Delta communities function. And when they hurt us, then

the communities wither. We are environmental stewards of our land and water. We'd be foolish not to be. The land provides our livelihood, and the water is our life blood. We are extremely careful about how we use our water, and we participate in the watershed coalition which monitors and helps improve our use of water. In my lifetime, I have seen a tremendous increase in the diversity of wildlife on my farm. One day last Fall -- last Fall I counted more than 150 Swainson's Hawks in one harvested wheat field that we were discing. We were all hunting. It was the most incredible site I've ever seen in my life. The Delta -- and -- and I didn't see them when I was a kid. They are here now. And I would agree with what Ken Wilson said, the Delta is a vital and an economic engine in a beautiful region to have in Northern California. All of the distinct and unique communities that exist in the Delta continue to exist to support agriculture. Eliminate agriculture to restore native habitat, and you will create the following problems adjacent to and up wind from metropolitan areas like Sacramento. No property tax revenue. No economic production. Increased mosquito pressure, what is now Bird Flu, and virulent encephalitis, malaria, and other insect pressures. The last couple of years out where I live, the minute

pirate bug has become particularly obnoxious to our quality of life. Spore a grain of rice and it fills every nook and cranny when it flies. Putrid odors born on the cooling Delta breeze would arise from lowlands since they dry out seasonally. I know exactly what you have to expect and look forward to. I live 200 yards from the Yolo Bypass, and I live downwind from government owned, managed wetlands.

Chair: Sir, if I could ask you to wrap up, please.

Mr. Merwyn: I'm wrapping it up. Because I love fishing, because of our location I benefit from relatively inexpensive and readily available water. I find it inconceivable that it would be more beneficial to the state to convert my ranch to tully's in order to allow a farm 100 miles from here to exist with much more expensive imported water. Or to even allow even 100 more houses to be built somewhere. Thank you very much.

Chair: Thank you.

(Applause)

Chair: Sir, I'm going to let -- uh -- Ms. Alshorn go. She's right here.

Mr. Waites: Oh.

Chair: Yeah, sorry. You need that.

Ms. Alshorn: Yes, I do, thank you. Good evening. My name is Jane Alshorn and it's perfectly obvious I am physically challenged. I am physically challenged and I want to speak to you tonight about the public health issue of more and extensive wetlands. I am in this wheelchair and have been since 2005 because of one mosquito bite. I contracted West Nile Virus. I will be paralyzed partially for the rest of my life. I can deal with that. What I can't deal with is having other people suffer the same fate. I spoke today with Vector Control. They have absolutely no idea of this entire project. I -- I have been their spokesman for the last three or one of their spokespersons for the last three years. And I cannot -- and there's no way that I can impress upon you the terrible, terrible danger of mosquitoes. It's -- it's far reaching. Your life can literally change overnight. Literally. One day I could walk, the next day I couldn't stand. And it's terribly, terribly important that we get all of the agencies involved that can help us in this sort of a situation. Yes, this is my personal ax to grind, but it's also my obligation to tell you that it could happen to you.

Female: (Whisper) Speak right into the mike because they can't hear you.

Ms. Alshorn: That's it.

(Applause)

Chair: Thank you very much. And Mr. Waites, okay.

Mr. Waite: My name is Tim Waites. I'm -- uh -- representing myself as a local landowner, and also the -- uh -- Clarksburg Association for Wine and Grape Growers and Vendors. Um -- first I want to talk about -- um -- private property. Um -- this area has a lot of large ranches on it, a lot of them farming grapes and alfalfa, and other things like that. And what that allows us to do is to work as a community to do some things that are very important for the area, but also very important for the Delta. I happen to live on a large lake in the area. Lake Winchester. And I selected that as my permanent home site. In fact, I have a foundation for a home going up there now. We work very closely with the people that are managing the water through a rec district. The landowners chip in. We have recreational activity that goes on in that lake through a water ski club. They chip in and maintain the banks on that. We work to keep the reeds and the other problems down jointly. And we get a lot of good things done. And we follow all of the regulations, too, which are becoming quite burdensome, very expensive for permits, and all of those sort of things. I'm sure you'll hear a little bit more about that from some of

the others. Um -- the other thing I want to switch gears to is -- uh -- the wine economy. Un -- our area has recently been named one of the best areas -- uh -- to develop and -- and farm wine grapes. It's -- it's got a lot of the resources that are lacking in other areas. We're not as well known as many of the others, but -- uh -- we produce a very, very fine product. We have about 10,000 acres currently in production, and we have another -- uh -- 2 or 3,000 coming on through long term contracts. Um -- so we have quite an uncommon hill to protect. We have homes. We have farms. We've got people spaced out far enough to where there is breathing room between. We don't want to become a subdivision. And we certainly don't want to become a flood pond. And, believe me, we have the resolve to fight. Whoever would -- would want us to go that way.

Chair: Thank you very much.

(Applause)

Chair: Okay, I have Katherine Merwyn, Andy Wallace, and Bill Worrell.  
Is that right? Okay.

Mr. Worrell: Yes.

Chair: Okay.

Mr. Wallace: I think Kathy Merwyn had to leave, so I'm going to jump in here.

My name is Andy Wallace. I live -- uh -- here in Clarksburg. I'm 3<sup>rd</sup> generation. My -- uh -- kid is right over here -- a 4<sup>th</sup> generation of Wallace's here in this town, and I have 12 acres of apples that are farmed by a local farmer here that -- that I own. So, I have a few procedural comments here. Number one, it is important to the people of Clarksburg and the people who are interested in the project from around the state to keep our comments in the record in their entirety. And not reduce our individual comments into general or combined comments. Number two, the documented and undocumented impacts of this plan directly and indirectly affect the people of Clarksburg. Yet, the people of Clarksburg carry the burdens but get none of the benefits of this project. Number three, this admirable goal for quote, "fixing the Delta" is meaningless if at the end of the day it ends up creating just enough smoke to keep transferring more water to Southern California. There is nothing co-equal --

(Applause)

Mr. Wallace: -- there is nothing co-equal in California water politics. The Delta and its people are always going to come last. Number four, the nature and character of the Delta today is recognized as valuable in

this document, yet our redevelopment interests are specifically rejected by this document, replaced with the unbridled growth of Southern California. This is an arbitrary and capricious attempt to shift the burden of development on the very people who are themselves not able to develop. I'll assess some technical issues. Number one, tidal marsh wetlands have significant odor problems as anyone who has driven by one knows. Thus create objectionable and nuisance odors for the community. How will these be mitigated? With regards to the restoration of these tidal marsh wetlands, Clarksburg has never had this type of wetland. We are too far north, so it would be impossible to restore what we have never had. Number two, by improving habitat for Delta smelt, other listed species could begin using the area, and potentially be creating new legal issues for the community further reducing our ability to exercise our property rights. How will the community be protected from the consequences of this likely impact? Consider this a request for a Clarksburg safe harbor agreement. Number three, if West Nile Virus increases in this area, it is expected to have significant impacts on native birds. How were these impacts analyzed and mitigated for? Number four, water transfer should be deleted from this

process and the health of the water shed should be the primary focus of these efforts. If it could be proven that the species that use the Delta can be managed sustainably over droughts, then you'd begin discussing water transfer. Number five, converting fresh water habitat to brackish water habitat will have negative influences on the ecosystems that have adapted to the upper Delta, leaving this area as one of the last reservoirs of species such as listed turtles and birds. Now the state wants to reduce their habitat for a fish that is largely limited by Southern California's water intakes. The sole purpose of this document is an attempt to comingle the issues of habitat restoration and water supply. Finally, loss of farmland in the Delta will have ripple effects with ag equipment suppliers, truck dealers, seed suppliers, etcetera, where good paying stable jobs will be directly impacted and lost. How will this plan mitigate the losses of those jobs? Thank you.

Chair: Thank you.

(Applause and cheers)

Mr. Worrell: Thank you for -- uh -- letting me speak today. I'm definitely not a public speaker. My name is Bill Worrell. I'm a native of Antioch, California. We're probably like the striped bass, I'm not a real

native, because I've only -- my family has only been here one generation. I'm a fat, disabled old man, probably not safe to drive the Delta roads after dark. I'm representing the Sportsmen's Yacht Club in Antioch, and mainly myself. The reason we're here today is public trust. You folks are -- are trusted or entrusted with the public trust. It's not to do about water. It's not to do about money. It's public trust. You are public officials, public employees, you owe us the trust. Alternative conveyance, Peripheral Canal, or Love Canal, it's wrong. California voters approved a \$4 billion dollar bond issue to repair and improve the levees. This is what the public warrants. Not a cement lined canal. Who cares about the Delta smelt? It's a small ugly fish. It's a barometer for the ecosystem though. Today there's no salmon fishing in California. Folks care about that. It's been forecasted that little guy, the Delta smelt has forecasted it. No salmon fishing in California. This follows no or limited what they call bottom fish in the ocean. Use to be you could catch a gunny sack full of bottom fish. Now you could catch 10, now it's limited. We blame pollution. Blame farming pollution. We even blame the striped bass. We've lost Riparian Water rights in Antioch. Go back to the Gold Rush. The water is not fit to pump. Canal will make

Contra Costa water unable to drink -- unsuitable to drink. We can't take more water. It's public trust. Thank you.

Chair: Thank you.

(Applause)

Chair: Jerry Spain -- is that right? Mark Wilson, and Mary McTaggart.

Mr. Wilson: Mark Wilson, with Wilson Farms and Vineyards in Clarksburg. And as far as the scoping issues, I have some questions. Is the BCDC Plan consistent, or will it be consistent with the Delta Protection Act legislation and management plan in all respects? How much water will this plan consume month by month on an annual basis? How will public health and nuisances from increased insect populations be dealt with, especially considering prevailing wind patterns and proximity to small and large population centers. How will invasive species be reliably excluded from new tidal wetlands and shallow water habitat? What mitigation measures will be taken for each of the known invasive species that already inhabit the Delta if they become established in any new tidal wetlands or shallow water habitat? Considering the increase in the amount of habitat recommended, and the desired current activity of the various habitat types, how will invasive species be reliably excluded from

the tributaries to the Delta? What mitigation measures will be taken for each of the known invasive species that already inhabit the Delta if they become established in any of the tributaries of the Delta? How will the increase in number and concentration of tunneling and burrowing animal species that will derive from the increased available habitat affect infrastructure in and around the edges of the Delta? What are the projected labor requirements and projected costs with and without overhead costs included for the management of the new habitat that is proposed? What formulas and assumptions will be used in calculating these costs? And I'd like to see these -- uh -- these costs -- uh -- going out to 2050, so we can get a better view of -- uh -- the total cost of the proposed actions. What is the financing structure going to be for all phases of the proposed physical and management changes from the BDCP Plan? From its execution onward through the 2050 and out 100 years. Thank you.

(Applause)

Chair: Thank you.

Mr. Wilson: And we turn in questions to who? I've written documents to turn in.

Chair: Yeah -- written comments and questions at the back table where Ms. Wong is.

Mr. Spain: Good evening. My name is Jerry Spain, resident of Clarksburg, Chair of the Clarksburg General Plan Advisory Committee. A couple of things about your -- as I'm watching and listening to this. First comment is, if it wasn't for one of our local citizens hearing about this meeting tonight, you wouldn't have anybody here.

(Applause)

Mr. Spain: That doesn't get us all off to the most trusting starts. Secondly, as we're going through this, even your own information -- uh -- it all points to diversional water. It's almost like this whole -- everything is about diversion. Protect the fish, get a judge off your back, and convey water. Secondly, the model assumptions. Are these the same model assumptions that they're using elsewhere throughout the state? There's several of them. Which one is the right one? DWR has about a 16-inch model assumption if the earth continues to warm. And even that model is suspect. There's a lot of folks that say that it's not warming. So here we are fixing to create a policy that is going to go and stretch out 50 years beyond, out to 100 years? When I was in high school, I remember one of my teachers telling us that the best thing we could do for mankind is figure out how to stop global cooling.

(Laughter)

Mr. Spain: Also, as I'm looking through here, one thing I don't see or in any of this literature, is the human habitants of the Delta. No mention whatsoever.

(Applause)

Mr. Spain: I find that to be a critical oversight, because human beings that have grown up in this Delta and created this Delta have been the stewards of this Delta for 100's of years. It's not the Delta Vision nor is it the BDCP. We have to be very concerned about the direction that you want to take us. Especially when the stakeholders themselves -- there is not an elected official on any of these. They are authorities. They are water agencies and districts. And who are these folks beholding to? It's not the voters. That has a lot of us very concerned when as we read through this stuff, and try to figure out when as the direction of this is ironed out, who answers to who, and who is going to answer if this whole thing turns out to be a huge problem for all of us. You've heard a lot of concerns about vector control, about potential taking of species, I'm concerned about the taking of land, the taking of water, and the taking of a way of life.

Thanks.

Chair: Thank you.

(Applause)

Ms. McTaggart: My name is Mary McTaggart. I'm a resident of Reclamation District 307, which is just north of here. I grew up here. My 96-year-old father and my 90-year-old mother live next door, and my grandparents came here in the 20's. I've just come back recently. I just found out about this meeting, so I can't be quite as articulate as the people who have already spoken, but one thing has been on my mind recently. I was reading in the beginning of the Delta Vision document where it says -- it's talking about the history of the Delta and how it was formed or let's say how the levees were formed, and it says to quote, "when levees were built, most celebrated the new farmland and few thought of what might be lost." And I'm worried about that. Because I see now that there's a new interest in the Delta. It sounds like we want to go back to the way things were, and yet, I don't think people are thinking much about what might be lost, namely the farming land that was produced in the beginning. Um -- today's paper, there's an article in here about a scientist questioning whether so much land should be diverted to raising ethanol. Now it's growers and farmland that are doing that, and yet, the scientists

who are -- um -- they're saying we need to feed our stomach before we feed our cars. Nations need to rethink programs that divert food such as corn and soy beans into fuel, given the burgeoning worldwide food crisis. Um -- you can't grow -- you can grow ethanol on farmland, but you can't grow food on anything else. And so, I'm just worried about the loss of the farmland we have here. Some of the richest farmland in the world. You know -- I think that I read recently that the United States became a net importer of food sometime in the last two years for the first time in its history. Now that's kind of scary. The other thing that I see relative to this is the fact that there's a lot of plans going around, or thoughts going around about turning farmland into habitat, or wildlife friendly farming. I think that's the term that I've seen all the time. And I even understand that the governments are preparing to pay farmers so that they will farm in this way. Okay? But you know -- it bothers me a little bit, and it worries me, because governments can't react to needs like private enterprise. For example, if you drive around this area this year -- right now -- you will see acres, and acres, and acres of wheat. Two years ago you didn't see hardly any. Now how did that happen? Well, there's a need for wheat. But if the government

was involved in deciding whether to farm wheat this year, it might even take 10 years before they could come to that decision. And you know what? I just -- I just can't -- you know -- and as soon as you have an ag conservation easement or wildlife habitat easement on your land, then you have a silent partner that isn't going to be so silent. And I think that the farming industry will be affected by that. Um -- I think that's all I have to say at this point. Thank you.

Chair: Thank you very much.

(Applause)

Chair: Sue Stevenson, Martin Hill, Peter Stone.

Ms. Stevenson: Good evening. Thank you for holding this meeting. My name is Sue Stevenson. I live in Livermore, California. It's a little under 100 miles away from here, so I drove a long way to come and talk to you tonight. I work at Dublin/San Ramon Services District. We're a water, waste water, recycled water, retailer. So I'm very concerned about the State of California's infrastructure water system throughout the entire state on several different levels. Um -- I feel like it's struggling to meet the needs not only of the aquatic life forms, but also the people who want to drink the water that's supposed to pass through this Delta, and the farmlands that need it

for irrigation purposes. So we need a sustainable water system for the entire State of California, and I think a critical part of that sustainable water system is a sustainable Delta. And so we need to improve the Delta. And what that means -- the Delta affects all the other ways that the California water system functions. We recycle water in the Valley. That's a big part of how we're able to maintain our Valley and to have a green valley by recycling water for irrigation purposes. And that's a critical tool, but without a sustainable Delta, that's going to impact things like recycled water and local storage of water, and all other elements that are part of the entire infrastructure. So, in essence, no action is not an option. You need to act -- I always am amazed how long it takes to make things happen with the government. Echoing a little bit of what the previous speaker said. So I encourage you to act and in a thoughtful way. And I also would like to say, at the risk of upsetting most of the people in this room, I think of the Delta as the heart and soul of the entire California water system, and maybe bypass surgery -- maybe a canal, a pipeline, an alternative water conveyance system would be a good thing. And it would make it a sustainable Delta, which would make a sustainable water system. Thank you very

much.

Chair: Thank you.

Mr. Hill: Hi, my name is Martin Hill. I'm a resident here in Clarksburg. I have a few questions. I believe here in the Sacramento Region that - - that the gopher snake and the Swainson's Hawk are both on the highest part of the endangered species list. I'd like to know -- I'd like to know with you folks if the endangered species list -- if one species trumps another? Um -- I don't believe that these things could survive in a marsh wetlands. Um -- the other question I understood tonight by listening, that the concerns of a seismic event were almost imperative. The fact of the matter is I don't believe there's ever been a seismic event here in the Delta, and I would like to know where that information comes from. And third, but not least, if this is just another futile way to get water to L.A., why don't we just bypass all of this and you just tell us that that's really the way it is? So -- anyhow, I'm done.

Chair: Thank you.

(Applause)

Mr. Stone: Hello, my name is Peter Stone, and I'm a resident. I live on a farm just across the river, but consider myself a part of Clarksburg, which

is a town that has one of the distinctions of one of the longest running Boy Scout Troops in America, 80 years with 100 Eagle Scouts, two of which are mine. And I consider it a privilege to be a part of this community.

(Applause)

Mr. Stone: Unfortunately as a number of speakers have mentioned, I've only had about 40 minutes before the meeting started to even find out. I had plans tonight. I had to cancel those plans to come here. And so I apologize in advance for the fact that unlike some speakers, my comments won't focus on EIR's and EIS's and BC's and HC's and PC's and things. But actually, the one thing that really got my attention in the -- in the presentation where out of all those letters that I couldn't understand, was the chart that showed the two circles. Conservation of Species, and Water Sources -- equal and one won't trump the other. But I didn't see anything about levees, which sort of tie into preserving the farmland and the people's homes, and sort of what goes on around here. And -- and I'm concerned, because I live on the levee, and I really appreciate the efforts of those folks from State Water Resources Board to drive around trying to take care of our levees. I really appreciate what they do. Have a chance

to talk to a lot of them. Because I'm around. I work at -- at my home. So I'm there all the time. And when they come by, I go out to see them. And I appreciate what they do, but I'm frustrated. Because when I talk to them, just the regular workers, not the guys with any fancy titles, they talk to me about the things that they know should be done to protect the levees, but the other group that's on the other side of the levee won't let them touch -- the Fish and Game won't -- you know -- they're totally on the opposite side of things. So I'm concerned as I hear about all this new planning that's going on. How do we make sure that conflicting assumptions at various federal and state agencies will in fact not just be perpetuating things that don't work, by their own admission. You know -- I'm just concerned, sort of with the notion of, well, it's all about global warming, or is it global cooling, or -- you know -- what's the flavor of the decade. Okay, and with just a couple of other things -- you know -- when I was looking at one of the charts over on the side there, it sounds like -- you know -- there's a big focus on the diversion of water for Southern California. And it sounded like it's - - you know -- the system is broken and so we must fix it. Okay, that's great. But are we gonna fix it where all the fix is required to

come out of reducing the water rights and everything of folks here, versus saying that the Southern California water is inviolate? They get every ounce of whatever it is that they're supposed to get, but it all comes out of the hides of the folks here in the Delta, which means a lack of farming. Another thing I just thought was very interesting - - you know -- and this is just an observation. A lot of these -- these species of animals -- Canadian Geese, Swainson's Hawks, pheasants, Sandhill Cranes, we just love seeing them fly over and they don't read the signs. They stop on our farm. You know -- they just love it. I mean -- huge, huge flocks of these birds, that don't know they're supposed to go over to the Stonelake's Wildlife Preserve. They stop at our farm. We love to see them, and they love it there for some reason. So I think we've got to realize that just what comes up in a text book or a neat study doesn't necessarily mean that that's the way it works.

Chair: Thank you.

(Applause)

Chair: Julia McKiver, D.J. Anderson, and Steve Harringer.

Ms. McKiver: Good evening. My name is Julia McKiver. I'm actually here representing Yolo County. Um -- I wanted to thank you for making

this effort to involve the public in this state and federal planning effort. And I would certainly echo the comments of Supervisor McGowan earlier and add one more point, perhaps. Um -- the county would like it to be very clear to the state and federal agencies and all of the other folks that are involved in creating BDCP that heretofore, local government has been excluded from the process, and that needs to change. You are hearing a lot of -- I think -- very interesting, valid and smart concerns from the folks that are here tonight. Yolo County is involved in the process of a general plan update, and part of that update includes specific proposals to protect the viability of agriculture in this area and enhance the vitality -- the economic vitality of this region. We'll be sending you a letter describing this in a lot more detail for the written record, and we're counting on you to restructure the BDCP development process to make it possible for us to work with you as we move forward.

Thank you.

Chair: Thank you.

(Applause)

Ms. Andreson: Hello. Thank you for listening to me tonight. My name is D.J. Andreson. I've been a resident here for 20 years, and I'm a lucky

survivor of West Nile Virus. Um -- although I still suffer some of the symptoms, I consider myself fortunate because I lived. I understand one in four don't. Uh -- Charles McDowell from Grand Island was not so lucky and he passed away due to a long illness caused by West Nile Virus. It's a devastating disease, and we don't have a handle on it. We still have birds dying out here. We have chickens contracting the disease. And people are getting sick. Building a shallow water refuge here is paramount to creating an incubator for West Nile Virus. And that would infect the entire Sacramento Valley, not just little Clarksburg. Um -- if the proposal is to eradicate the mosquitoes that will come with that water, using the -- uh -- what is it the Evergreen 60-C that we're using now, that will also kill all the other insects, beneficial and otherwise. And the fish that we're trying to save, will die with no food. I urge you to reconsider using our area. Thank you.

Chair: Thank you.

(Applause)

Mr. Harringer: Good evening Committee Members. I'm Steve Harringer, 5<sup>th</sup> of 6 generations of Harringer family to farm Clarksburg soils. Many families in the Delta have farmed multiple generations. And over

the years have grown a large variety of row and field crops. We have had to evolve and adapt our operations in order to maintain economic viability to ensure the sustainability of the family farm for future generations. During the last four decades the growers have planted over 17,000 acres of our Upper Delta Region in premium wine grapes. Our crops have proliferated in quality and yield, and the Clarksburg Delta has earned the reputation of being the Banana Belt for premium wine grapes among California wineries. We have invested heavily in vineyards which have a life expectancy of 25 to 30 years. And can stay economically viable for up to a century. In 2005, the UC Cooperative Extension published cost to establish and produce wine grapes in our region. The study documents the requirement of in excess of \$16,000 per acre to develop a good vineyard. During the past 3 years of dramatically increasing steel, vine, labor, and fuel costs, that investment will easily be in excess of \$20,000 per acre today. That equates to a total investment in vineyards and infrastructure alone exceeding \$340 million dollars in District 17, the Upper Delta Region. The California Association of Wine Grape Growers completed an economic impact study last year of California wine and grape growers contribution to the state and

U.S. economy. Extrapolating those economic impacts to just our 17,000 acres of wine grapes, we create in excess of 11,000 full time equivalent jobs in California, and an additional 13,500 jobs nationwide. This generates \$357 million dollars in California wages and almost \$900 million dollars in wages throughout the U.S.A. Taxes generated from our wine grape acreage exceed \$107 million dollars to the State of California, and an additional \$64 million dollars nationally. In excess of 700,000 visitors with tourism expenditures exceeding \$71 million dollars are attributable to our 17,000 acres of grapes. Our Yolo County Supervisors have partnered with us to keep our unique Upper Delta area agricultural. We adopted sustainability generations ago to ensure the farming and enjoyment of our Delta region for the benefit of all of the people of our great state. We will not now stand by idly as the objects of an environmental experiment based on presumptions. We will, however, stand with you to fully utilize existing flood control infrastructure such as Yolo Bypass to ensure better flood protection for the Sacramento Area. Thank you.

Chair: Thank you.

(Applause and cheers)

Chair: Let's see, I have Peggy -- I'm sorry, I can't read the last name, Peggy. Boehl? Okay. Great, sorry. Uh -- Bob Webber, and Hal Shiplet -- Shipley, thank you.

Ms. Boehl: Good evening. My name is Peggy Boehl. I am not a farmer -- do I -  
- nor do I make any pretenses to know anything about farming.  
However, I was quite concerned when I received that email yesterday stating that Clarksburg and our rich farmland was going to be turned into a tidal marsh. It almost drew me to a flashback when I was shopping in Costco a week ago and I saw rice being rationed. Rice being rationed in the United States of America? It was almost inconceivable. But news reports followed where the same might happen with wheat. There is a world crisis before us in agriculture. For example, in Northern China, wheat production has ceased because of a lack of water. Everyone in this room knows about the human suffering that occurs in Darfur and Somalia because of starvation. So what do we have here in Clarksburg? Under state law, Clarksburg is an agriculturally protected area. The Delta Protection Act of 1992 fathers the Agricultural Uses. The farms in Clarksburg grow so many varied crops, grapes, walnuts, pears, that I probably would use up my 3 minutes in talking about them all. The

yields here are incredibly high due to the rich farming and climactic conditions. These conditions are relatively unknown in other parts of the world in agricultural areas. And it's amazing but Clarksburg represents only 5% of the land area in Yolo County and produces 22% of Yolo's rich production. To deny that production would be devastating to not only the county, but to our farmers. And in conclusion, the question that I ask you to answer when you do your EIR, are you planning to do a cost benefit analysis of these 30 to 40,000 acres taken out of food production for world markets and human consumption if a tidal marsh should be implemented here. I really cannot believe that a tidal marsh concept will ever come to fruition here in Clarksburg with its rich agricultural tradition. There is a place for tidal marsh, but not here. To do it here would be shameful. The Yolo Bypass can be expanded. Liberty Island, and other islands to the south of the Delta are perfect candidates. There is a world food crisis. Humans will surely become an endangered species if we continue to violate our agricultural areas and take rich farmland out of production. Thank you very much.

Chair: Thank you.

(Applause)

Mr. Webber: Good evening. I am Bob Webber. I'm the manager of Reclamation District 999.

Chair: Could you move the microphone up? Yeah -- thank you.

Mr. Webber: So welcome to Reclamation District 999. We have a couple of people that -- uh -- with a one day's notice can provide a little entertainment for you. The Clarksburg District 999 was formed in August 10<sup>th</sup> of 1913. It was formed under the Reclamation Act of 1868. We are very concerned that to convert this area to wetlands would eliminate our district, eliminate flood control as we maintain and operate 33 miles of federal project levees. We maintain and deliver irrigation water to 25,000 acres. And we maintain 260 miles of ditches, which are filled with invasive weeds which just raise heck with us. And if you create any kind of wetlands, and you don't have a solution to the invasive weeds that are coming from Asia and all around the world, you won't get what you think you're going to get. You're going to get a mess. The district is very proactive and environmental friendly. Erosion control projects on our levees. We do brush boxes. We plant tully's along the water's edge. We plant willow trees, and we're really able to let the rivers and byways generate riparian areas along the edge of the water. We've put in a

fish screen this last year that screens for Delta smelt and for salmon. So we divert the water off the Sacramento River, and we are currently screened and we are currently participating in protecting the species that you choose to protect as well. We would ask when you do your EIR process, and your -- as you do your plan, that you carefully consider that you're in compliance with all the federal and state reclamation law. And that you also when you use water for a wetlands, you're gonna be using water, and we ask that you carefully evaluate the current water rights law, and how your plan effects water rights of the people in the Delta. Thank you.

Chair: Thank you.

(Applause)

Mr. Shipley: I'm Hal Shipley I'm a director of the Clarksburg Fire Protection District, and I'm sort of surprised that folks are talking about the lack of time. Our firefighters have a turnaround time of six minutes. So a full day seems very appropriate. I've had an opportunity to review the draft of the Conservation Strategy and the four options that it encompasses. And I have some major concerns. First , I would just like to say that any flooding that would prevent access to our emergency vehicles anywhere in the Clarksburg District would

be very detrimental to the folks who live here. We need access and we can't allow in any way flooding of the farmlands around that area. We have 331 farm units in the Clarksburg District. 243 of those are small farms, 50 acres or less, and quite a few of them are 20 acre farms. We owe these folks -- these farmers a duty of protection, and that's the Fire Protection District's job -- is to provide emergency access to medical care and fire prevention. We have on average 52 medical aid calls a year. About 26 vehicle related calls that's either accidents or fires of vehicles. These numbers seem sort of small, but when you consider that it may be your parents, your sons, daughters, or yourself who has the emergency, then I think you'd consider this probably the most important moment of your life just to have someone respond. And that's what our district is about. Our district has a great need -- a tremendous need for a new firehouse. And we're working on that. But we're looking for a location to build it, and we need funds to build it. Funds have been a major obstacle for our Fire Protection District for many years. We cover an area of approximately 53 miles -- square miles. The Dunn and Bradstreet's Zap Database shows Clarksburg with 70 businesses, 29 of which are agricultural.

These businesses provide employment for 540 employees, which represents about 41% of our population of his district, and about 44% of the income to the Fire Protection District. To provide health, welfare services and the necessary coverages for the district, we cannot allow the district to be flooded. We just can't. Thank you.

Chair: Thank you.

(Applause)

Chair: I'm going to try this one, Don Kenochio? Is that right? Or close?  
And Topper-van Logansels.

Mr. Fenochio: Good evening. Thank you for being here, even though it was short notice. My name is Don Fenochio. I've lived in Clarksburg for over 55 years. My mother's family came to Clarksburg long before that. She was born in our area over 100 years ago. A little history here. Her family farmed, fished, and hunted in this area. My wife and her family have also an equally long history here. I came back to work in the Clarksburg system -- in the school system because I felt I had a dedication to the Delta. A dedication to the small towns, and to the people who inhabit them. I served as an educator for almost 40 years, right here in the Delta, in this very room, from Clarksburg to Rio Vista. The Delta is more than a water shed. It's more than a

delivery system to areas south of us. It's home to a large number of people who have made their homes here. Have made their living here. Have raised their children here. And who have worked hard to make the Delta a wonderful place to live. A wonderful place to raise their children. Incidentally, as I look at all the posters, I don't see any of the most endangered species to which Mr. Merwyn alluded. And that's people.

(Applause)

Mr. Fenochio: The Delta -- the Delta is a location of a number of small historical towns that have survived the difficulties of being in a flood plain. All of the citizens of the Delta have contributed to the preservation of a way of life that has developed into a strong society. Any plan to change these historic places -- these historic towns just appall me. And when I speak of the towns, I'm also speaking of the surrounding farm areas. Those people who farm out there around the little towns are also members of the town. This kind of plan that I see here actually stops any kind of growth and progress that is necessary to maintain the character of these small towns. The plan that I see being presented will destroy the character of the Delta towns. You should, and you must, study plans to protect these existing

communities. The EIR must study the impacts of a myriad of community issues, including but not limited to such issues as declining population, the effect of such plan on schools. The existing community habitats. Health, the existing environment. Social activities including churches, scouting, fire services, libraries, police protection, as well as regular community social activities. These existing Delta communities cannot be discounted. They are an important part of the State of California. Your EIR must address these and other community concerns. How will you protect the people of our important communities? How do you protect -- plan to protect the way of life that has endured for more than 100 years? Please, in your EIR tell us how you will do that. Thank you.

Chair: Thank you.

(Applause)

Mr. Fenochio: Incidentally -- incidentally, I encourage each member of this panel to read this book, *The Great Thirst*, written by Norris Dudley, Jr. And it has to do with all the water wars that occurred in Southern California. The main character here is named Molholland. I hope we don't have someone by that name around here.

Chair: Thank you.

Mr. Fenochio: Thank you.

(Applause)

Mr. van Lobensels: Good evening. As Steve Harringer was up in front of you telling you how many generations of his family -- I began counting on my fingers. Steve, you've got me beat by one generation. My name is Topper van Lobensels, Delta landowner and member of the Delta Protection Commission. There are several commissioners here this evening, and we take our job very, very seriously. And we're charged with many, many things, but some of our key responsibilities are number one, preserve and protect ag lands. Number two, preserve and protect those reclamation districts that allow those ag lands to flourish. Number three, protect tax base, tax base for the county, tax base for the schools, tax base for those districts. And number four, to attempt to minimize flooding in any way we can of Delta lands. And when I got here this evening, I walked over and I looked at Station #4, and that would have tremendous draft negative impacts on all four. And so -- it's one of those things that if you're not familiar with this area, and you live someplace else and you get out a map and you start drawing lines on the map and you don't know what's there, it would be easy to make

the mistake that you've -- you've made. Several in the room here were at an all day Delta Vision Meeting. At the end of the meeting I walked up to the moderator and I said, do you know anything about BDCP? What's this all about? And he said, he wanted me to enter into the public testimony that BDCP and Delta Vision are not related. They are two entirely separate processes at this point. But being realistic, here's my fear, if this gets traction, and it gets a name, and it starts moving forward, this may be merged at some point with Delta Vision. So I think we have to be very, very careful as we -- uh -- as we move forward that we don't give something a name that may never, ever have any traction. So what I -- what I would like to do is recommend to you exactly what the Delta as a place is recommending to Phil Isenberg. Is number one, I don't know and you don't know -- the scientists don't know if what you're proposing here is going to work. So number one, it has to be reversible. It has to be an experiment or a test spot that's reversible. When you remove pear trees, you remove wineries, and you remove trees, that's not reversible. So, I'm going to say to you what I said to the Isenberg committee. Number one, has to be reversible. Number two, you're always going to go to publicly owned property first with

an experiment. And that's federal or state owned property. If you can't find federally or state owned property, you go to where property has a cloud on the title. The cloud is already there via some sort of easement or a flood easement is the perfect example. If that map number four, if this project were moved just a few miles to the west, and if it was in the middle of the Yolo Bypass, you'd have a handful of people in this room. So, maybe somebody is not really familiar with the lay of the land. The other issue that I want to point out to you, the State of California bought 12,000 acres a few miles west of us. The Glide Ranch, owned by the Department of Fish and Game. So I would like to direct you to that parcel to do your experimentation and just remember that we're all concerned about flood control. And so you can do your experimentation there, the way the Vic Fazio Refuge -- if you go and look at that refuge, there's water moving through that refuge, but you have to conduct anything in the bypass so that it's flood neutral. So those are recommendations I'd like to leave you with. Thank you.

Chair: Thank you.

(Applause)

Chair: I don't have any other speaker cards. But I just want to see if there

are any other folks that would like to make a comment that didn't provide a speaker card. So -- um -- Paul, if you would give -- make sure that we get a speaker card.

Ms. Klotz: I really didn't come prepared to say anything tonight. I didn't really have enough time because as my friends around Clarksburg all know, I can usually talk to a post. I have only one question --

Chair: Please state your name first.

Ms. Klotz: -- I'm sorry. Jane Klotz.

Chair: Thank you.

Ms. Klotz: K-L-O-T-Z. And I have just one question to ask of the commission. Uh -- we owned a ranch in Sacramento County. And we were the recipients of eminent domain because the state wanted to put a highway through here. Am I not talking through that? So I-5 divided our ranch in Sacramento County, and naturally we thought they didn't pay us enough. But they said, oh, you're going to have a great piece of property there for commercial. And so you're going to have highway commercial, and you can make up the money that way. Well, obviously we didn't fight it. But, the very interesting thing is, that in developing that small piece of commercial property, it cost \$3,000.00 to relocate one burrowing owl. It took a nest of

Swainson's Hawk and they had a perimeter of 10 acres that had to be accounted for in order to protect the Swainson's Hawk. My question is, where are the burrowing owls going to go, and where are the Swainson's Hawk going to go if we flood all the area where we now have relocated the burrowing owl and the Swainson's Hawk? Thank you.

Chair: Thank you.

(Applause)

Chair: Father Madigan.

Father Madigan: My name is Father Van Madigan. I'm the pastor of the church here in the Delta. I -- sitting here tonight reminded me, I come from a generation -- generations and generations of farmers. I'd like to say something to the farmers tonight. Not to the politicians, not to the people sitting up front. But to you farmers. I came from generations and generations of farmers in a beautiful part of island. And I saw a group of people moving in here like tonight and destroying our beautiful countryside. And they did it by holding a little meeting -- in little meetings that they didn't tell anybody about. And before it really caught on there wasn't a doggone thing you could do about it. In fact, you stand upon that beautiful hill and my farmland and our

farmland and you look down, you saw what happened. I would say here tonight, I listened to all of you speaking, and listened to all the farmers, you were crystal clear in what you had to say. You spoke because you have integrity, you have indecency (sic) and you're for real. People up here, good folks, your staff members and all that, you're out here, and you're kind of -- tonight I heard you kind of almost making excuses you -- for yourself in explaining yourself to these people. You have power. Use your power.

(Applause)

Father Madigan: If you can get here tonight on almost a 12-hour notice, could you imagine what we can do down the way. You are not going to let anybody come in and railroad anything here over the community. Hang in there.

Chair: Thank you.

(Applause and cheers)

Chair: Gary Merwyn.

Mr. Merwyn: Hopefully I can read my own chicken scratch here. I'm the newcomer. I'm just a 3<sup>rd</sup> generation farmer. And I'm a trustee for Reclamation District 999. My understanding the reason we're here, and that these people exist is because the Delta is sick. Our part

where we live right here is beautiful. Especially out where you -- all these plans call for putting my house in a swamp. I love -- I love facts that I read in the paper, and -- uh -- let's look at some facts. Right now we're at 80% snowpack in the Sierras. The dams are only 50 to 60% full. Down south they're cutting back to 35% water. There's more water coming out of the dams right now today than is going in from the snowpack coming off. And we're talking about fixing what broke it. These plans all work on the symptoms like NyQuil. What broke the Delta was trying to just -- is trying to export six and a half million acre feet of water from the Delta that the water shed cannot support. Period. Those are facts.

(Applause)

Chair: Thank you. That looks like we'll wrap things up here in terms of comments with M.P. Albertini.

Ms. Albertini: It's -- people always (inaudible) my first name.

Chair: I'm sorry?

Ms. Albertini: Okay, it's -- it doesn't really matter. Okay, let's see here. I just have a couple of things to say. One is I'm hoping that -- uh -- both the Delta Commission and -- um -- the BDCP or all the other acronyms used for that today. I was waiting for ee-ii-ee-ii-oo.

There were so many of them.

(Laughter and applause)

Ms. Albertini: They don't -- they don't overstep their bounds. We have the Delta Protection Commission who on a whole does a fabulous job. When they were first brought together, one of the things some of the farmers did talking to them when putting the committee together was that they weren't going to stop progress. Weren't going to touch farmland, but they wouldn't stop progress. I know for a fact that they have building housing here in the Delta. So I'm hoping that you two don't overstep your boundaries by saying one thing and doing something else. My family have been -- uh -- farming in the Delta for three years, but I come from a farming family of 10 generations. I'm worried about our livelihood here in the Delta, about our fabulous farmers, about economic growth. Um -- we have -- uh -- Gold Medal wines that they don't even have anywhere else in the country. Those are quality. But I really want to back up again to -- I don't want to see that you overstep your bounds. I don't want to see that there's going to be eminent domain. This is fabulous farmland that if they don't have anywhere else and it needs to be protected. Thank you.

Chair : Hank you.

(Applause)

Chair: That's all I have for speaker -- oh -- we have one more? Okay.

Ms. Beck: Hi -- uh -- my name is Amanda Beck. It used to be Amanda Parr for those who knew me. Um -- I do environmental analysis, so I kind of just came down to see what's going on in my community with -- um -- with this plan. And I guess the first thing that came to mind was really about this conveyance. And about mitigation ratios associated with that conveyance. Um -- other potential alternatives for mitigation ratios. I'd like to see that analyzed. To see -- if you're going to take land, there's going to have to be a Take Permit. Where are you going to get the land? Because that's the big concern that I see -- is -- that land is there, but it's being farmed. So, I guess that's it. That's just a comment.

Chair: Thank you.

(Applause)

Chair: If you have not signed the sign in sheet, please do so, so that the next meeting we can get an email blast to you that gets to you. And I just want to say sincerely thank you all so much for coming. Thank you for taking the time to be here, and to review all the information, and

please, also take a comment card and get your comments -- further comments in by May 30<sup>th</sup>. Thank you all very much.

**-- MEETING ADJOURNED --**

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**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**FRESNO**

**Fresno:**

Chair: Would you like to just try to do the summary points and make those?

Okay, but you want to go second? Okay. So Mike Henry, if you can come up please.

Mr. Henry: Mike Henry with the California Farm Water Coalition based in Sacramento. Our membership is devoted entirely to farm water, so that's what I'm going to speak about today. The water that flows through the Delta is the focus of our attention and we believe it's very important to keep that water flowing. It doesn't matter where anybody lives in the state or where their place of business is, they're impacted by the water that flows from the Delta, even if they're in Northern California. Because the water that flows from the Delta helps to underpin the economy of California, and we all benefit from that. When we lose that supply of water that goes out, then our economy suffers. So it's important that we look through the BDCP process that to work the water that's going to flow, to be able to allow it to flow and to continue to flow. We don't need to be divisive in making decisions on this. We don't need to create winners and losers. We see that happening even right now with the court decision from last year. That court decision created winners

and losers. As a result of that action, as of May 1, we're looking at about 800,000 acre feet of water that has not flowed to users that have contracted for that water. Instead that water is going on out through the Bay, to the Pacific Ocean. That's just up to this point. How much more water are we going to lose? We're fearful of that. Already five million people have had their water supply cut. This is not voluntary restrictions, but they've experienced losses, both domestic and on farm, and on farm is my focus. We've seen hundreds of jobs on the farms have already been lost, hundreds of thousands of acres have not been planted, and these job losses are year-round employment. They don't involve the harvest season where we (indiscernible) more workers. When that arrives job losses are going to be even more staggering. We recognize the importance of the Delta and maintaining that environment. We equally recognize the importance of keeping the water flowing through the Delta to those who have contracted for that. When we stop that water flowing, then we start to see winners and losers. We believe that agriculture creates a very important part of our economy. The ripple affect to the transportation, processing, retail industry, people are losing their jobs. More importantly, families are

losing opportunities to live in a lot of these rural communities because of the economic impacts that they've encountered. The current system of moving water through the Delta isn't working. It's resulted in environmental losses, and it's also resulted in interruptible supplies. What the BDCP we encourage that process to resolve that. It's no surprise that we would encourage the BDCP to keep the water flowing, recognizing the value of the role that our farmers play. We also recognize that the Bay Delta environment must be protected. But don't sacrifice one over the other. Not bad, huh?

Chair: Come around this way, and then –

Male: I think it's important – I'm a rancher, okay, and I've been doing it for 40 years, and we grow pistachios.

Chair: (indiscernible)

Male: Okay. And I started in the business in 1968. I think there were 200 acres of pistachios planted in the State of California at that time. Today there's 150,000 acres of pistachios. And we are about to overtake Iran as the leading producer of pistachios in the world. They're falling behind because they have a water problem, which is rather ironic. They've been taking their water from the aquifer.

They have no canals from the mountains to help them out. And so the salt is continuing to rise as the aquifer falls, and the quality of their product is dropping drastically. We have captured the EU market, the European Union market, in the last two years because of Iran's water shortage, by sending top quality product over there. And that's the only way we can maintain our product throughout the world, is to provide our people with top quality product. We're very proud of what we've done., and I speak for the whole industry. And it's been a marvelous journey. Now as far as my ranch is concerned, it's just about 2,000 acres. I'm the manager and administrator. I'm a part owner. And there are six partnerships involved. And we're located right below Kettleman City on I-5. We are bracketed by the California Aqueduct on one border and I-5 on the other border. We watch that water go by every day. And I want to speak particularly to half of the ranch. It's in two parts. We originally bought 933 acres back in 1980, and that's the one I want to talk about. It's totally dependent upon the State Water Project. We have no other source of water. We could've banked some water, but in the last three or four years we haven't been able to bank any water because the shortage has caught up with us year after year. And we can't put

a well down because it's too salty. So we must depend on the SWP for our water. Now the cost of water, as everything else, is going out of sight. And I'll just give you what it costs us. In 2006, our cost of water was \$68.50 an acre foot. For this ranch, \$215,000. Okay. In 2007, with a 60% allocation, last year, the cost for our water was \$156.45. That was more than double the year before, for a total of \$492,000. This year we estimate that, if we can find some more water, it will cost us almost \$1 million, and that's going to be close to \$300 an acre foot. We haven't got that water yet, and every day that goes by the water keeps going up in price. But at any rate, we have to get this water sometime between now and June because we only have 200 acre feet of water to take care of 900 acres, and that just doesn't work. We can probably keep the trees alive, but I hate to think of what the crop's going to look like. So we're in desperate straights right now. By the way, that crop is probably worth, in the marketplace, grower prices, okay, if you will, about \$5 million. And that's about 2.5 million pounds. And the price is up this year because of the worldwide increase in food. So that's about \$2 per pound to us, which is worth \$5 million. So the best scenario is that our cost of water is going to go up again this year at a cost close to

\$1 million, that's the best scenario. The worst scenario is that we lose \$5 million. And if this happens again next year we're going to be out of business. So I want to – I've been researching this thing ever since the Wanger decision back in August. And I've been talking to people that work for the University of California, Davis. There have been over 100 essays done on the Delta smelt. And the most prominent one done took five years, and it was done by William Bennett, not the guy in Washington, D.C., that writes all those books. But he's an ecologist, and he spent five years on this report. And I want to quote you some things from his report, because this did not appear in the Wanger decision at all.

Chair: (indiscernible) comments, your written comments (indiscernible)

Male: Well this is the gist of my whole reason for being here, is to read this to you. It's too short pages, okay.

Chair: I understand, but we've been trying to stay consistent between all of our meetings, and we've asked everyone to stick to three minutes.

Male: Well there's nobody else in back of me. There's not 200 people here or anything.

Chair: (indiscernible)

Male:                   Okay, I appreciate it very much, okay. The taxpayers of California have spent over the years billions of dollars for a statewide water system, second to none in the world, I might add, that services 25 million of its citizens and millions of acres of rich farmland. More than any other occurrence, this water project has unified the citizens of the State of California. Talk of dividing the state into two entities, north and south, is no longer taken seriously. How is it then that what has been accomplished here is now being curtailed in order to save a little three-inch fish? The ensuing damage to the economy, the environment, and the lives of citizens throughout the state is going to be tragic. No one is arguing with the plight of the Delta smelt, which is native to the Delta estuary. But its demise cannot be laid solely at the feet of the pumps, which take water from the Delta and deposit in the California Aqueduct. A myriad of scientific reports reveal that 185 non-native species now occupy the Delta, several prey upon the Delta smelt itself, and also vie for zoo plankton, it's main source of food. The most destructive predator is the inland silver side – and by the way, I've never that in print anywhere, in any magazine or newspaper article, but this comes from a peer-reviewed report – which entered the estuary in 1975 and

is now found in prolific numbers throughout the Delta. It is slightly larger than the Delta smelt, and is also a plankton eater. Under laboratory conditions, these two species of tiny fish were placed together in the same tank for 60 days. The inland silver side thrived, while 30% of the Delta smelt died, and the remaining appeared to be in starvation mode. The foregoing lab experiment and the three following quotes were taken from the most comprehensive report ever compiled on this little fish. It's called The Critical Assessment of the Delta Smelt by William Bennett. It is peer reviewed. And in talking with Mr. Bennett, he told me it took him five years to do this study. There are 125 references to other, some peer reviewed, some not peer reviewed, but scientific reports. Now his quotes – and I want you to really think about this because when Judge Wanger handed down his decision he was making some rather broad assumptions here. The quote, for Delta smelt – and this is from the scientific report – from the Delta smelt it has never been established that reducing water exports at the critical times has any benefits for the population. Second quote, it is currently unclear if losses to the water projects are a major impact on their abundance. And three, numerous data gaps will need to be filled before we can understand

the impacts of water export operations on the Delta smelt population. By ignoring these truths, a federal judge ordered the pumping of water to be sharply curtailed to millions of our citizens. This order took effect in December of '07, and is in force through June 20<sup>th</sup> of this year. I'll skip over this part. At risk is drinking water to 25 million people and the bread basket of the world, over 9 million acres of rich farmland, comprising 350 different species of productive plants. The latter, by the way, is nature's greatest gift to clean air – the Clean Air Act, I love it – and the prevention of global warming through the process of photosynthesis, the conversion of dioxide to oxygen. There are 28 varieties of trees and vines in that 350 species, and three of them, almonds, walnuts, and pistachios, cover a million acres and comprise 120 million trees. Now that's only on one million acres. The other permanent crops comprise another two million acres. So you're talking about close to 400 million plants, versus that little fish. Now that to me is a little out of proportion. In the first three months of this curtailment, 600,000 acre feet of water have already been diverted to the Pacific Ocean, and now it stands at 800,000. That amount of water would meet all the water requirements for the City of San Jose, with a population of

954,000 people for five years. The hardest hit, however, are those who farm millions of acres in our central valleys. Thousands of acres of row crop land will go fallow this year or nonproductive, and believe me, people are going to pay with their lives for this, because if you recall, there was a horrible accident last year, it was a 151 car pile up in the valley. It was caused by a dust storm. And if you've ever driven into a dust storm, you can't see your hand in front of your face. It appears just immediately, and it's gone just about as fast.

Chair: (indiscernible) are you just about through?

Male: Yeah, just about through. So also there are wells that are being drilled. It's a waiting list to get a well down there. One of my neighbors is putting down four wells. He's got 6,000 acres of pistachios, and the water will be somewhat salty. And also water transfers are taking place all over the place with the Metropolitan Water District being the biggest buyer. This state is being subjected to a giant experiment that flies in the face of peer-reviewed, scientific evidence to the contrary. Likewise, the repercussions to the nation will be huge. On only 4.4% of all the land under cultivation in America, this state provides 50% of the nation's fruits,

nuts, and vegetables. Deny them their water needs, and we all suffer the consequences. One final note to our government leaders and environmental community. Our government is designed to be a republic, where the rights of the individual are sovereign and always protected. The remedies being executed under the Endangered Species Act, in an attempt to save the Delta smelt, are placing millions of people and hundreds of plant species in extreme danger. The utter disregard for their safety is beyond comprehension. The ESA must not be loosely interpreted, but man must never be subservient to lesser creatures, and 350 plant species must never be put at risk for one, or even a few, other species. The laws of nature will endure. The Delta smelt is a victim of the survival of the fittest, which is just one of nature's inconvenient rules. Thank you.

Chair: Thank you. Anyone else? Thank you all very much for coming. And remember that deadline (indiscernible) other comments you'd like to send in, that would be great. Thank you all for coming.

**-- MEETING ADJOURNED --**

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**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**LOS ANGELES**

**Los Angeles:**

Chair: Was I even close?

Ms. Gagnon: Good afternoon. My name is Katie Gagnon and I'm the Public Policy and Legislative Coordinator for the San Gabriel Valley Economic Partnership. We're a non-profit corporation representing both public and private sectors within the San Gabriel Valley. Our mission is to sustain and build the regional economy for the mutual benefit of all 31 cities and chambers, businesses and residents of the valley. The San Gabriel Valley partnership has been closely watching the water issues of our state become worse over the years past. The delta being a supplier of the water to Southern California is important to us. Its preservation and well being is of utmost importance to our region. Because of our interest in the delta the partnership commends efforts of the Department of Water Resources in coordinating the Bay Delta Conservation Plan process. A few months past I visited the delta with the NWD and on this trip I realized the extent of damage and a real threat to our state's water supply. As an individual living and working in Los Angeles County, I know the population needs and the importance of a reliable water supply. From what I saw and learned on this delta trip, this is not a

guarantee. There needs to be a reliable water system for our ever increasing California population. We need a restored delta ecosystem and a reliable conveyance system. As an economic development organization in the State of California the partnership supports ideas and projects that enhance and revive an economic viability of our region. The San Gabriel Valley has over 42 thousand businesses. Our members range from cities and universities to companies and organizations. Each of which is impacted by the state water supply. We at the partnership know the indirect repercussions of water supply levels that are not maintained. Economic impacts resulting from our water shortage would be enormous on businesses and residents of the valley. The Bay Delta Conservation Plan is an essential part of the economic health of California. Because of this the partnership supports the BDCP Conservation Plan Environmental Process and is more than happy to be part of the collaborative effort and support of the Bay Delta Plan Process. Thank you for your time.

Chair: Thank you. Our next speaker is Darcy Burk with the Municipal Water District of Orange County. You had an easy name.

Ms. Burk: Good afternoon. The Municipal Water District of Orange County, oh, I'm sorry. I'm supposed to say my name, huh? Darcy Burk, Municipal Water District of Orange County, sorry about that. The Municipal Water District of Orange County or MODOC is the third largest member agency of Metropolitan Water District of Southern California. We have about 29 client agencies making up the family of Orange County water agencies. We have a service area of over 600 square miles. We serve a population of over 2-1/2 million. Half of the water we use in Orange County is imported and that's approximately 350 thousand acre feet a year, and the southern portion of Orange County is 95% dependent on this imported water. MODOC and the family of Orange County water agencies know that reliable and good quality state water project delivery makes both ground water storage and recycling work in Orange County. We store wet year water for use in dry years. Without a reliable delivery system we can't continue to do that. If your deliveries are cut back in normal or wet years we will not be able to refill our local ground water basins to get through the dry years. In Orange County we recycle 36 thousand acre feet, and with the new ground water replenishment system GWRS we will add another 72 thousand acre

feet a year. GWRS is a state of the art project that cost over a half a billion dollars and took over 10 years to develop. There is not enough time or resources immediately available to build additional GWRS systems that would make up what we have lost from the state water project to date, or any additional losses coming in the future. MODOC supports the effort to develop a comprehensive Bay Delta conservation plan. The fragile delta levee (unintelligible) island system is vulnerable to catastrophic failure due to earthquake or flood, or other unknown disaster. This is not new information. We have been told this for several years now. We must act on this information whether than waiting for a Katrina like disaster to strike California and cripple our state, ruin our economy and jeopardize our future. It is in the best interest of California to find a way to deliver water and protect the delta eco-system. This is what the Delta Vision Task Force also concluded. Therefore, we support the efforts to find ways to reconfigure the delta and our water deliver system to promote reliable water delivers and a healthy eco-system. It's important that efforts to address the health of the delta also include measures to deal with invasive and non-native species,

unscreened and delta diversions, waste water discharges and run off from urban and agricultural sources. Thank you.

Chair: Thank you Ms. Burk. Our next speaker is Joyce Dillard.

Ms. Dillard: Yes, Joyce Dillard. I've been to a couple of events, one at UCLA and one at USC on this in the last couple of years. And what was striking was the loss of about, to the economy that region represents 30% and I think that needs to be brought out in this study.

Conservation and contamination need to be brought together at least on the urban city. We don't see what you see up there. We're a little different area and I cover Los Angeles as a citizen. There's salt water invasion that I remember seeing. Land use is king here, but everyone's forgotten that land use is part of the Health and Safety Code. And, with that they've forgotten what Fish and Game do. I look at a lot of EIR's. They'll bypass that category and not mitigate it at all, and that emphasis needs to go from land use into the housing element. There are general plans and housing elements being done right now. You don't see water mentioned other than we'll conserve water, at least in the one year in LA, and you didn't see it in the report that's going out for the last few years that they have to report to the state. It's just an element missing. That's a sustainable

element isn't it? Isn't, and I think that word needs to come to play. I would really like, here we have an emphasis on population so that when we have the demand, we control the water. I sit through meetings where there are fights over this and it's not the fact. There is definite effect here that needs to be brought out because this region just doesn't get what's going on in Northern California at least on the non-professional water people I'm talking about. I'd love to see on a water shed basis, because we're missing that element in these EIR's. But, we'll settle for eco-regions, something the public can identify with. With this climate change going on and it is an eco-region thing, it's an international eco-region, it's from forest to ocean and I think this needs to be brought into that category. There are groups that are conscious of this but on an end for this particular project was just so critical to California they're not. You need to start lumping water and energy together so I think you can get some public support in this. But I think the terminology needs to be changed; I really think it needs to be changed legally. I think it needs to be included in CQUA. So, I think besides the study, there needs to be some changes with the legislation. Thank you.

Chair: Thank you Ms. Dillard. Our next speaker with the LABC is Michelle Garakian.

Ms. Garakian: That was close enough. Good afternoon. I'm Michelle Garakian with the Los Angeles Business Council; I'm the Director of Policy. I want to begin by saying thank you for hosting this today. This is very informative. The LABC is certainly concerned with the decline of health with the delta. We can not afford the decrease and reliability of key water resources for our economy. Of our 350 plus membership a lot of these members are developers, residential housing developers. Considering the current affordability of affordable housing crisis in Los Angeles and the housing market as it stands right now, it's disconcerting to us that a multitude of current housing projects in Los Angeles County have been put on hold because there can not be a guarantee in water resources and water supply. I don't want to get into the specific numbers of this housing crisis but it is grave and coupling and compounding the water crisis on top of that is very disconcerting for us. However, this plan makes a lot of sense and we certainly commend the Bay Delta Conservation Plan and the collaborative efforts between the State and water agencies, and environmental groups brought today. It is key to

finding a solution for the preservation of the delta and for the current species that exist there. And, it is also key to a reliable, what is also key to a reliable water source is the healthy and restorative efforts for the eco-system and a re-built water conveyance system. So, therefore that we support the BDCP, EIR process today because again, we think that this plan is absolutely vital to the health of Southern California's economy as it takes in the consideration the additional, the, pardon me, indigenous multi-species and finding a solution for a sustainable water source. Thank you very much.

Chair: Thank you. Our next speaker from the Metropolitan Water District is Steve Arakawa.

Mr. Arakawa: Good afternoon. My name is Steve Arakawa and I'm the Manager for the Water Resource Management Group for the Metropolitan Water District of Southern California. The Metropolitan is a wholesaler and provides water from the delta through its state water project and from the Colorado River aqueduct to over 18 million Southern California residents in a six county service area. We've been actively involved in the Bay Delta Conservation Plan from the outset. Thank you for coming to Los Angeles and holding this scoping session today. The success of this process is absolutely

essential in order to create a sustainable eco-system in the delta and a reliable water supply system for California. I'm submitting into the record various policy documents reviewed and adopted by our Board of Directors that have guided Metropolitan's thinking in recent months about the comprehensive fix in the delta that's needed. Metropolitan requests that you embark on this analysis phase of BDCP with these various benchmarks in mind. They frame the dimensions of the challenge. The objective of the BDCP is not solely about eco-system restoration or improvements in water quality, or improvements in water supply reliability, or protections against the unique seismic risks in the delta. A successful plan has to address all of these. As for Metropolitan that is the expectations from the delta. It's important for the Federal and State agencies guiding the BDCP to understand how Met's infrastructure is an important piece of the puzzle. Met has built a network of surface storage and banking programs in order to capture water an average in wet years in order to relieve pressure in the eco-system in dry years. The strategy is to take water in nature's terms. Metropolitan needs a more flexible, adaptable water system in the delta in order to do that. New water from growth will come from water use

efficiency such as conservation, voluntary transfers and new local supplies such as recycling. However, the delta will remain a central baseline supply. While Met's storage and delivery systems provide flexibility when we draw in the delta supplies, both the overall quantity and quality of supply are vital. The BDCP has rightly placed as co-equal the objectives of restored eco-systems and a reliable water system. This effort is one of the most complex and most important tests of habitat planning in our nation's history. It must succeed. Metropolitan looks forward to remaining actively engaged in the process and commenting on various alternatives as they are analyzed in the months ahead. A healthy delta eco-system is essential for a reliable delta water system and healthy state economy. Thank you again for this meeting.

Chair: Thank you, sir. Our next speaker this afternoon is from the Building Industry of Southern California, July Center.

Ms. Center: Thank you very much, it's a long walk. I'm July Center; I'm with the Building Industry Association of Southern California. I'm their Public Affairs Director and, on behalf of the BIA of Southern California I want to thank you for the opportunity to participate in this scoping meeting today on the future of the Sacramento, San

Joaquin Delta. Established in 1923, we are a non-profit trade association representing more than 2,400 companies involved in the planning and building of Southern California's neighborhoods and communities. Our members are involved in all aspects of the building industry from architecture and green building to roofing and general contracting. The states future and economic vitality is linked to a reliable high quality water system. That would require a sustainable plan in the delta that restores the eco-system and improves the water system now and into the future. Today the Department of Water Resources Bay Delta Conservation Plan is at a critical and initial scoping stage that shapes the breadth of issues and alternatives that will undergo the exhaustive analysis that is required under the State and Federal environmental laws. With that in mind, the BIA of Southern California and its members wish to reinforce five specific needs and objectives of this process. The BDCP must stick to its stated goal of placing the needs of the future delta eco-system, and that of the water systems on equal footing. A balanced approach is the only reasonable framework for a successful solution. Both quality and quantity are important needs of the future water system. A source that is low in bromides and organic compounds

will remain necessary in order to successfully blend delta water with other supplies. Third, reliability can not be achieved without the BDCP addressing rising sea levels in the delta and the rising risk of catastrophic levee failures due to flooding or seismic events. Fourth, the strategy to restore the delta should study ways to separate the natural tide fluxuations of the eco-system from the movements of the water system. And finally, our state's economy and the delta environment do not share the same clock. A full analysis of conveyance alternatives is absolutely critical to provide a foundation of fact necessary for historic change in the delta. Time is of the essence. The Department of Water Resources Bay Delta Conservation Plan must stick to its schedules so that a comprehensive plan is in place by the end of 2010. Without it we risk the states economy and the welfare of residents throughout California. Thank you again for holding this important meeting today.

Chair: Thank you Ms. Center. Our next speaker representing the CPPR and D, Mr. Chris Campbell.

Mr. Campbell: I was not the one that filled out the speaker card so for the record and for clarification, the organization's initials are CEPRD, and it

stands for the Coalition for Environmental Protection Restoration and Development. I'm here today in my capacity as its Executive Director and I want to thank you for the opportunity to address you at this early phase of your effort. With regard to CEPRD just as a matter of background, the organization through its predecessor entities has been working for over 20 years with environmental regulatory agencies with the State, Federal, regional and local levels to establish partnership approaches in dealing with some of the challenging environmental issues which confront us all. As a matter of membership, we are a small organization comprised of some of the world's largest corporations and utilities. We are a 501 C-3. We do not lobby, we do not advocate. But, to the extent that we can serve as a resource, it is something we have found has been appreciated and has been helpful as we try collectively to ensure an economy which is both strong and environmentally sensitive. With regards to your efforts today, I would offer just a few thoughts at the outset. You've been tasked with a very aggressive schedule, in particular when it comes to matters concerning environmental document preparation. The integrity of those documents as a matter of their thoroughness and consideration of options and alternatives is

critical if you are to be able to meet those schedules without running into what appears to be the almost inevitable risk of legal challenge. To the extent that you will be developing a document it would be important for you to consider how that document is structured. One of the things that we have found most challenging over the years when it pertains to matters concerning impacts is the science that goes into determining what those potential impacts may be. To the extent that you will be considering a variety of options for obtaining your scientific analysis, we would urge you to spend as much time as possible working with your stakeholder groups and with those who you will be coming in contact with through the course of this scoping process to understand as clearly as possible, what the fundamental issues are and most importantly how those issues can best be articulated through a scientific process. I don't know if in the context of your efforts you have the ability or have made contact with, or given thought to the development of an independent 3<sup>rd</sup> party agreed upon scientific body that could work with you in the formulation of the criteria that you will be developing here. In one of the areas of our involvement over the years, that pertaining to water quality, we found here locally an organization called the

Southern California Coastal Research Project, and I see Dorothy Green out there who has been a friend for many years, who has known about SLURP and other activities as they relate to bringing in the environmental community, bringing in regulatory agencies, and bringing in impacted parties. If a body --

Chair: And sir, you've reached your three minutes. If you'd like to let the next person come up, we'll probably have time at the end for you to finish your comments if you'd like.

Mr. Campbell: -- I'll end it at that, just to say that we appreciate the opportunity to be with you today. Our address is records on file and if you wish to contact us in the future we're available. Thank you.

Chair: Thank you Mr. Campbell. Our next speaker from the Gateway and Bell Garden's Chamber of Commerce, Mr. Dennis Grizzle.

Mr. Grizzle: Good afternoon. I'm Dennis Grizzle. I'm the past President of the Gate Way Chamber's Alliance, a group of 22 Chambers of Commerce. And I'm the Executive Director of the Bell Garden's Chamber of Commerce. We are a young small city. The Bell Garden's community is a population of 45 thousand people, 40% of our residents are at the age of 19. They are solely dependent on ground and imported supplies. In the last census our average

household income was estimated at thirty thousand five hundred per year. At that time that represented as 2/3 of the state average. Our combined retail, wholesale and service sector sales total two hundred and fifty million dollars a year annually. The Bell Garden's Chamber of Commerce realizes the importance of the bay delta to be continued, to the continued economic vitality of the state and our community, and the preservation of the bay delta is utmost important to our region. The Chamber commends the efforts of the Department of Water sources in coordinating this Bay Delta Conservation Plan Environmental Review Process. We desperately need a dependable water system for our ever increasing California population. The economic future of Bell Garden's business community is heavily dependent on the imported bay delta supplies. Additional water supply shortage as a result of seismic activity, climate change, Court Order restrictions and environment needs would impose economic constraints on the already stressed businesses and residents of Bell Garden's. The Bay Delta Conservation Plan is essential to be continued, to the continued economic prosperity of all of California. With that, Bell Garden

Chamber of Commerce gladly adds its name to the support list of the Bay Delta Conservation Plan and process. Thank you very much.

Chair: Thank you Mr. Grizzle. Our next speaker is from the Valley Industry and Commerce Association, Brendon Huffman.

Mr. Huffman: Good afternoon. I'm Brendon Huffman. I'm CEO of VICA, the Valley Industry and Commerce Association. You might have one of the toughest jobs in the state before you and we applaud you for taking on this important issue. Personally the Sacramento Delta, the San Joaquin Delta is one of my favorite places in California to visit. I spend a lot of time there and I'm very sensitive to the environmental needs of protecting the delta environment. At the same time, water is the most critical need for my business organization in the San Fernando Valley. And, we want to be sure that we work with you on a reasonable solution to our water needs. I just want to make a couple of comments and make sure that, first of all we appreciate you being in Southern California today and hope we see more of you in the next two years. Many of the business groups here today already collaborate on water forums and your agencies have been represented in recent months and we hope we can continue that dialogue. And, any time you're ready to provide

some information to the Southern California business community and other stakeholders, we are a resource to help acquaint you with more folks. We would, VICA would also suggest that you consider economic impacts as we move forward. Realistic growth forecasts for population, not just in Southern California but throughout the state, cost efficiency, you know, the state's facing a twenty billion dollar budget deficit. We have passed infrastructure bonds.

Sometimes Wall Street looks kindly on our bond rating, sometimes they do not. And, above all, quality is the most important thing. I think everyone in this room and in Southern California would like to see a balance between what is right for the environment but also to maintain a safe and reliable supply of adequate water. Before I close I want to mention one thing about the San Fernando Valley. Since 1980 we have doubled our population. We are 1.8 million people, 800 thousand jobs. Since 1980 we're using the same amount of water today as we did back then. So, we're doing our part to be more sensitive about conservation issues, a lot of investment in water conservation, but also best practices in the home and the workplace to make sure that we're not wasting any water. And, last

but not least let's make sure we stay on schedules so that we can address these critical needs on time, and I thank you.

Chair: Thank you Mr. Huffman. Our next speaker from the LA Chamber, Alex Pugh.

Mr. Pugh: Good afternoon. My name is Alex Pugh with the Los Angeles Chamber of Commerce and Senior Public Policy Manager. I'll keep my comments fairly brief since most of my colleagues have already said what I planned to say. I want to thank you very much for giving us this opportunity to comment on the Bay Delta Conservation Plan. Obviously, this is a very important process, especially to Southern California because we're so dependent on water from the Sacramento, San Joaquin Delta. The Chamber represents over 16 hundred member businesses and over 700 thousand employees. Our mission is to preserve the economic prosperity, and quality of life in Southern California. And, clearly water is a key to that. Specific comments on the Plan, we want to make sure that quality and quantity of water is on equal footing for exports as well as for the environment. And, make sure that the sustainability of the delta doesn't only incorporate environmental sustainability but also economic sustainability. Water quality obviously is a very important

need for Southern California, so making sure that quality water is flowing through the delta to Southern California and other parts of California is critically important. One of the issues that we want to make sure gets addressed is the issue of seismic stability in the delta, but also rising sea levels as it's related to climate change. And, finally I just want to make sure that this process stays on schedule and on time. This is a very sensitive issue for us and everyday that we wait provides the potential for catastrophic disaster. So, we thank you very much for your time and look forward to participating further.

Chair: Thank you Mr. Pugh. Our next speaker is Dorothy Green with the California Water Impact Network.

Ms. Green: Thank you call for coming and holding this public hearing. My name is Dorothy Green. I am Secretary to the California Impact Network, an environmental group that is working for a sustainable water system for the State of California. Although I have not cleared my comments with the Board, I didn't know I was coming until too late to clear my comments. But, I'd like to start with asking a very basic, simple question. Cal Fed has been working on the same syndrome of issues for at least 10 years if not more. What is the

expectations, or what is the possibility of this group doing anything better, or more, or more effectively, or more efficiently, or coming up with any different answers than what Cal Fed was unable to do?

Chair: Ma'am this is not a question and answer --

Ms. Green: Yeah -- well --

Chair: -- so we can't answer the question.

Ms. Green: -- I understand that.

Chair: But, we will have some time afterwards.

Ms. Green: I understand that but I wanted that question to be out there and for everybody to hear it because I really question the successful outcome of what you're trying to do. What you're trying to do is fabulous if it works. It hasn't worked yet. I think it's also really important that you take a look at much more than the designated legal definition of what the delta is. You've got to look upstream. You've got to look to the water sheds and to local agencies, local governments using water much more efficiently than they are now. That is a major, major part of any kind of an efficient reliable water system for the state. Here in Southern California where we are leaders in water use efficiency, doing much better than you folks up North, we still are wasting about half of our water. Starting with the

kinds of plants that we grow, gardening in California has been, find the most exotic plants and add water, and grow them here in California. We can't afford to do that anymore. We can save an enormous amount of water if we can promote changing our, developing a landscape ethic where we use native plants and other Mediterranean plants. Conservation can still save a third of our indoor water use. Of reuse, we've just really begun to do. There's tremendous potential we should be using between 80 and 90% of all of the waste water, should be reused. We got a long way to go. And, we are beginning to look now at capturing storm water where it falls and getting it into the ground so that we can augment our drinking water supply. This is relatively new. There's no numbers yet, but we are beginning to retrofit neighborhoods to capture all storm water and get it into the ground. My time is up?

Chair: Yes, I'm sorry.

Ms. Green: Those are the main comments I wanted to make, thank you very much for hearing me.

Chair: Thank you Ms. Green. Our next speaker representing the SCWC, Joan Dym.

Ms. Dym: I'm Joan Dym. I'm the Executive Director of the Southern California Water Committee. Sorry for the initials. The Southern California Water Committee is about, is 24 years old. It involves 8 counties from Kern all the way over to Ventura, up to Imperial and the other in-counties in between. Our members include business, agriculture, City and County governments as well as water agencies. We're a non-partisan, non-profit organization. We are here today because we do believe there's an urgent need for action in the delta. And, we think the Bay Delta Conservation Plan process is one, is critical for mapping out a comprehensive plan. In fact, I'm going to use the word comprehensive again because we need a comprehensive solution. It needs to improve the sustainability of the delta by improving environmental integrity in the delta. But, as some of the other speakers have mentioned, we think we need to be able to provide reliable, high quality water for our economy here in Southern California and for the state. Your environmental review process calls for a no action alternative. In our opinion that no action alternative will not even preserve the status quo. That no action alternative will actually result in a continuation of the degradation -- degrade -- oops, will continue to degrade, excuse me,

the delta. What we're looking for instead is for you to identify a flexible alternative that will provide as we have said, the needed environmental protections as well as a reliable high quality water supply. Thank you for being here. We appreciate that, thank you.

Chair: Thank you Ms. Dym. Our next speaker is for the Orange County Taxpayers Association, Bob Mueller.

Mr. Mueller: Hi, I'm Bob Mueller. I'm actually going to read into the record a statement by the Orange County Taxpayer's Association, their President, Reed Royalty. Please add the Orange County Taxpayer's Association's list of supporters of a comprehensive environmental review process for the Bay Delta Conservation Plan. The non process we have now works to everyone's disadvantage. For example, people at both ends of the state are willing to support bond financing for new water projects. But, too often the bond initiatives are larded with expensive and regional earmarks disguised as environmental improvements. This creates a Vote No on everything mentality that threatens our ability to provide water for California's future. OC Tax thinks BDCP can be scoped to identify conservation projects and principles that are good for everyone. This could end earmarks and humanurate (sic) regional jealousies enabling the

Department of Water Resources and the other resource districts, and water districts to do their jobs based on science rather than political misconceptions. OC Tax stands ready and will gladly, will do more than its share to bring about this such a result, thank you.

Chair: Thank you Mr. Mueller. Our final speaker, or at least that has signed up on a card if from the Inland Empire Economic Partnership, Mr. Gregory Wright.

Mr. Wright: Good afternoon. Thank you for your time. I have a formal letter here that I'll present you with, so I'll keep my comments brief. I'd just like to note that the Inland Empire Economic Partnership, we fully support the Bay Delta Conservation Plan. And, applaud your efforts to balance the different competing needs that have been discussed today in terms of water supply, reliability and quality, as well as interests between environmental needs and preserving the delta and the full range of statewide needs, particularly in regards to second (unintelligible) development. When you consider just our region along, the Public Policy Institute of California recently released a study of the (unintelligible) empire looking at where our region will be in the next 7 years. We're anticipating about 25% population growth with a million new residents coming to our

region. And, we will continue to out perform the State economy as a whole, and Southern California's economy as a whole contributing quite a bit to the state in terms of tax revenues and general economic returns. And, water certainly given our climate, is a major concern to us and we look forward to your successes. Thank you.

Chair: Thank you. Okay, we've heard from everyone who has signed up. Is there anyone else who would like to provide a comment or expand on their original comments? Going once, going twice. If you'd like another moment to expand on your comment, you may. We still have a few more minutes before the meeting will be adjourned.

Ms. Green: Yes, thank you for this opportunity for adding to my comments. Again, my name is Dorothy Green with the California Water Impact Network. A major source of water that is not being seriously considered and must be considered during this process is the drainage water that is poisoning the San Francisco Bay Delta now. We can't get serious about enforcing water quality standards in the delta unless we deal with the selenium and other salts, and other Ag chemicals that are coming down the San Joaquin River and poisoning the delta and the ground water on the way. The San Joaquin River hasn't been called the colon of the state for nothing.

There is minimally 2 million acre feet of water that could come from that Ag land which is now being irrigated that should not be, should never have been and it was known before a drop of water was put on that land that it should never have been irrigated. And, we subsidized those farmers long enough. So, that is a major source of water also to help deal with the habitat and eco-system problems in the delta. Water quality must be implemented, seriously implemented. Thank you.

Chair: Thank you Ms. Green. Is there anyone else who has a final comment or a new comment? Okay, if not I'd like to remind you that the comment period ends on May 30<sup>th</sup>. There are comment forms on the back left of the room, or at least my back left or your back right that Karen's holding up right now. Feel free to take some with you. Take them back to your office, give them to other representatives or agencies who you feel would like to make a comment or your neighbors even. This will adjourn the formal portion.

**BUREAU OF RECLAMATION**

**WATER EDUCATION FOUNDATION**

**717 H Street, Suite 317  
Sacramento, CA 95814**

**--ooOoo--**

**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**SACRAMENTO**

**Sacramento:**

Chair: Go ahead.

Mr. Peterson: My name is Glen Peterson and I'm the President of the Association of California Water Agencies. I'm also the elected director of Las Virgenes Municipal Water District for 21 years, and a member of the Metropolitan Water District board of directors for 15 years. The Association Aqua represents more than 450 public water agencies up and down the state ranging from the smallest of agricultural users to the largest water companies. We serve about 90 percent of the water that is served for M & I use and agriculture use throughout the state. In 2005, Aqua's membership united behind a water policy document. It was called No Time to Waste, a Blueprint for California Water. The document identified key water challenges facing the state and called for a comprehensive suite of actions to address them. Fixing the delta is a central element of Aqua's policy blueprint. Aqua's members view the BDCP process as a critical step towards this goal and the larger goal of securing a more sustainable water system for California. Our membership will be participating throughout these hearings throughout the state because it's of paramount importance to us. We welcome the start of this

environmental review process because there's not a minute to lose. We need to get moving on a solution because everyday we wait, another day of environmental decline and the loss of water supplies throughout the state. We must address the shortcomings of a system that was built largely in the 1950's when societal values were less focused on the environment. Without a more sustainable delta, important tools such as recycling, local surface and groundwater storage can not work efficiently and effectively in other parts of the state. The significant public investment of local programs will be at risk. My agency for example, we recycle 20 percent of the water we use in our district. However, we're dependent 100 percent on Metropolitan Water District and the delta water, the water that comes through the delta. We have a well in our community, it's called Old Stinky, and it tells you something about our water quality. This environmental review process will study the impacts of four potential actions, including a no action alternative. This is simply unacceptable for the environment and for the water uses throughout the state. In our view, no action alternative carries some significant impacts including serious implications for interests outside the delta. Water pressure on other supply sources such as groundwater will

increase, and we know about the over draft groundwater in the state. These impacts must be assessed as part of the review. Aqua strongly supports the comprehensive solution that improves the sustainability of the delta for the benefit of the entire state. We must improve the delta so our water supply system can be co-equal objectives with protecting the aquatic environment and providing a reliable high quality water for our state. Thank you.

Chair: Thank you.

Mr. Minton: Good morning, I'm Jonas Minton with the Planning Conservation League. We have the interest of others in finding solutions to the delta's many problems as quickly as possible. With that in mind we have six observations for you today. The first is that recovery should be the first objective. We are somewhat disturbed in seeing initial work by BDCP starting off with attempts to in essence maximize how much water can you take from the delta, export from the delta and still have an okay environment. We think that moving to our second point, what you would need to do the same as if you were doing any other HCP, is first determine the environmental requirements of the eco system. Specifically, what flow regimens are needed in terms of water quantity, water quality, temperature,

flow direction, annually, inter-annually, intra-annually to restore those species. The third point is that as part of the NCCP process scientific input is required. And again, we urge the BDCP process, which is the basis for the EIR-EIS, to fully incorporate scientific input, not just scientific review. So, as we understand it the requirement is that scientific independent experts are asked for their views as options are being formulated, not just to review them after they are presented. The fourth point is that upstream actions should be part of the area that you look at. Not only because it's fairly obvious that anadromous fish go upstream, but that several of the potentially regulated entities, DWR and the Bureau of Reclamation have projects upstream that effect the flows going into the river and then, into the delta. Under your list of conservation activities I did not see a reference to water conservation, water recycling, storm water capture, groundwater clean up, in areas served by exports from the delta as well as upstream areas. And, we believe that those will be key to any successful restoration plan. The last plan I have to offer for you is that we again, share your interest in finding these answers as soon as possible. However, it will not serve any of us well if we try to expedite that process beyond what is feasible, by

which I mean specifically the schedules for completion of the BDCP itself and the EIR-EIS, we note coincide with some political milestones that are upcoming, changes in state administration and it would be a terrible waste if we jumped over some steps or we did not do the due diligence required and find that in two and a half years a new administration decides they have to restart. So, we hope that doesn't happen and we hope to succeed. Thank you.

Chair: Thank you.

Ms. Lorentz: Hello, Shawna Lorentz, San Juan Water District and General Manager. And, I'm making my comments in cooperation with Aqua's. Thank you for the opportunity to provide input into the Bay Delta Conservation Plan process. I support the broad goals of the Bay Delta Conservation Plan and would like to add a few comments on additional items to be considered as part of the process. I think you're hearing from all of us urgency is definitely, there's an urgent need for action. The solutions must include actions to insure the environmental sustainability of the delta, that's reached that day where even the water agencies are saying that we have to be environmentally sustained. The solutions need assurances that adequate and reliable water supplies are available for all beneficial

uses up stream and down stream of the delta. The solutions must be based on best science which is becoming rapidly available and changing consistently. Solutions that do not reflect the most recent science will result in money and time spent with ultimate failure. A one size fits all conservation target for urban agencies will not work. There's way too many diverse factors to take into consideration. That said I'm very pro water conservation. I just think a straight across the board uniform conservation reduction quantity isn't going to work. Development and operation of delta conveyance infrastructure must provide environmental protection and water supply reliability in a matter that does not affect upstream water suppliers and the same may not benefit one stakeholder at the expense of another stakeholder. Development of additional surface water storage supplies is a necessary component of any delta solution for both environmental and urban water supply and Ag supply uses. Investment is necessary in conjunctive use programs and coordination among regulatory agencies must be sufficient to allow such programs to be implemented. That said, good luck.

Chair: Thank you. Are you waiting? Go ahead.

Ms. Collins: Jackie Collins, I am a long time delta citizen and resident. My concern, one, is that the vision of circle where you have the two entities of the delta habitat restoration and the water users with an overlap is not a clear vision. It is the same circle. I mean, everything that goes on in the delta is within one sphere, and it's not an overlap that you can deal with a slice in between. My other concern is that during the process of peripheral canal process, the people of the delta fought very hard to have the delta recognized as an actual entity as it was recognized by the original Cal-Fed authorities. Ron Ott and I discuss this a lot. The delta entity as itself still exists, that people raise families, they do business, they live their lives there in the delta yet there's no mention of the impact, and it will be, I know it will be mitigated and it will be mentioned. But, there's no mention of the impact to people's lives that depend upon the delta for their businesses, their recreation, that the delta as the entity pre-described in previous Cal-Fed statements still exists. And yet, it's not part of the steering committee and it hasn't been mentioned in any of the considerations today. And, that's a big mistake. There are many, many people and many, many elements involved that just don't deserve to be ignored. Thank you.

Chair: Thank you.

Ms. Duerig: I'm gonna hold this separately, is it on?

Chair: Yeah, yeah.

Ms. Duerig: I'm Jill Duerig. I'm the General Manager of Zone 7 Water Agency. Zone 7 serves the residents, businesses and agriculture in eastern Alameda County down in the Bay Area. We're sort of a crossroads community if you will; on the eastern end of our service area is agriculture that we serve water from the state water project to. On the western we have some high tech businesses and a lot of residents. In fact, the south bay aqueduct that you see on some of the conveyance concepts drawings is really the aqueduct that takes the water down into the Silicon Valley. It serves almost, well over two million people in the Bay Area. Our population in Zone 7 is actually more closer to 200 thousand residents, but we rely on delta water, water conveyed through the delta to the tune of about 80 percent of our water supply. Our local ground water basin is not large enough to supply the water that we need. However, we do use that ground water basin to store water during wetter years and then during dryer years we can use it as an extra storage when there's reduced pumping. We are really concerned as everybody else in the

room I'm sure is, about the fish population crash. And, we understand that the current operation of the State Water Project by court order rather than using a scientific approach is not appropriate and certainly not the best way to run things. Recent water supply cuts ordered by, or under consideration by the courts impacts Zone 7's ability to provide adequate long term drought protection for its customers. We are now in a second consecutive dry year and are no longer able to make use of the ground water storage that we have to offset future dry years. We are highly supportive of, and as you heard active participants in the bay delta conservation plan because we believe it is the best opportunity to establish a plan that can stabilize both water supplies, and fish species in the delta. Neither can afford to wait. Increasingly efficient use of our water supplies is obviously critical, and we're asking our customers to conserve by 10 percent this year because of the dry conditions and the reduced pumping. In Zone 7 service area, we not only utilize ground water storage to make the most of our supplies, we also have a lot of regional recycling that is also done. However, regardless of our actions we will never be fully independent from delta conveyed water supplies in meeting the health and safety requirements of our

customers. Our participation in the BDCP is about protecting existing water supplies in terms of reliability and quality. And, embracing the most environmentally sustainable ways of doing that, the co-equal objectives of the process, thank you, and we'd like you to continue what you're doing.

Chair: Thank you. I think you can just hand that back, okay.

Ms. King Moon: Laura King Moon with the State Water Contractors. We represent 27 water agencies up and down the state, many urban districts in Southern California, agricultural districts in the valley, and five districts here in the Northern California and the Bay Area. And, you just heard from one of our five Bay Area member agencies. We are facing a crisis. Our system is in crisis today, and we have new species, new fish species crashing just about every month it seems, and our water supplies are fast being eroded by shutting off the pumps to protect the fish species. Some of our most, some of our strongest member agencies with the strongest drought supplies are gonna be out of their drought reserves in a couple of more years if we're not smart about how we're proceeding. And, this is a completely unnecessary situation. We have a comprehensive conservation plan under way. This is what we need to do to fix the

problem. We can't just keep ratcheting down the pumps; we need to find some other knobs. We need to find a comprehensive plan for making the ecosystem and the water supplies that so many people in this state depend on, have co-equal importance. I believe very much in this plan. It is a conservation plan. The benefit of a conservation plan is that there will be a sustaining funding source to carry it out so the species actually can recover. It's the way to go for a smart growth state like California. We need to do this. We need to do it on an expedited time frame, not because of any political agenda but because the state needs us to do this. Thank you very much.

Chair: Thank you.

Mr. Gallagher: Thank you, hello, and my name is Dan Gallagher. I'm the Operations Manager at Dublin-San Ramon Services District. We provide water for the city of Dublin and also portions of unincorporated Contra Costa County. Our area is almost completely reliant on the Bay Delta for our long term water supply. And, we have a very aggressive recycled water program. Last year we provided over 22 hundred acre feet of recycled water for irrigating our parks and schools, and green areas. This year we expect to expand that to about 25 hundred acre feet, so we are using that as a

way to extend our water supply in our area and it will continue to grow each and every year. We support the preparation of the conservation plan and we look forward to a more sustainable water supply for people of the state of California. Thank you.

Chair: Thank you, there you go. Okay, go ahead.

Mr. Broderick: Good morning, Ryan Broderick, Executive Director of the Northern California Water Association and represent about 900 thousand acres of irrigated agriculture in the Sacramento Valley, over 50 agricultural diverters, and I wanted to say congratulations for launching the EIS and the EIR. I look forward to get into the formal evaluation that we think will appropriately identify needs for conservation in the delta water supply for export. However, in saying that I think it's very important that you recognize baseline conditions as it relates to the environment. The Sacramento Valley is distinct from the delta, and yet I think the Sacramento Valley has established over the last 10 years that they will make contributions to the recovery of species. But, there is a concern that recovery of species has an assignment done on effective science as it relates to flows and diversions. Candidly, the delta vision process has raised a specter of beneficial and reasonable use issues that have assigned to

upstream areas without much scientific deliberation as of yet, cause and effect, and we look forward to the BDC process, looking at flows and looking at diversions, I think you should recognize that in the Sacramento Valley the vast majority of water is screened, that there have been commitments to fish passage of very significant proportion. That has been a statewide objective and implemented within the Sacramento Valley probably more aggressively than anywhere else with results that have been good but not to the end result of fixing the issues and schnooks and then in this year finally being the most effective or most recent example. I think it's really important that there be recognition of the area of origin and the water right system, assuming water rights that exist in this state and the fidel (sic) to those assignments will make it easier and actually are fundamental to even having a discussion as to how to provide restoration of delta species. The delta is critical to the Sacramento Valley from the standpoint that any conservation actions we undertake from with the aquatic species, their success is dependent upon a healthy delta. We support the evaluation that's gonna be conducted and I think it's important to recognize the distinction between the delta and the Sac Valley, the map it should be

identified, does that, but we also recognize inter-related and inter-dependent nature of water flows in the Sacramento Valley and those in the delta. However, and the analysis of it could be very important to look at the work that has been done in the conservation that currently occurs on working landscapes in the Sacramento Valley. We look forward to facilitate formal comments about once again issues with respect to the senior water rights or the issues of area erosion need to be considered as a step one in looking at those assignments. And, I think that, in fact I know that the member of my association are prepared to step up and undertake additional conservation actions where the science supports an assignment appropriate to their operations. Jonas Minton mentioned that there are upstream users, or upstream projects related to the state and federal water project, I think its integration of, and recognition that those were junior to the diversions of most of my members, it should be kept in mind and that fidelity to that relationship understood. We're gonna be partners, we're gonna solve the delta. The future in growth of the delta is fundamental to the future grow of the working landscapes in Sacramento Valley. And, I applaud you for getting started in the process.

Chair: Thank you. Is there anyone else who would like to make a comment before we wrap things up? Okay, it's not seeing any other comments; I'd like to thank you very much for coming on behalf of these agencies for taking the time to be here today. I remind you that the comment period ends May 30<sup>th</sup>. If I didn't say it before, there is an E-mail address to send you comments, BDCP Comments at [Water.CA.gov](mailto:Water.CA.gov). And, thank you all very much for coming, we're adjourned.

**-- MEETING ADJOURNED --**

**BUREAU OF RECLAMATION**

**WATER EDUCATION FOUNDATION**

**717 H Street, Suite 317  
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**--ooOoo--**

**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**SACRAMENTO**

**Sacramento:**

Chair: Go ahead.

Mr. Peterson: My name is Glen Peterson and I'm the President of the Association of California Water Agencies. I'm also the elected director of Las Virgenes Municipal Water District for 21 years, and a member of the Metropolitan Water District board of directors for 15 years. The Association Aqua represents more than 450 public water agencies up and down the state ranging from the smallest of agricultural users to the largest water companies. We serve about 90 percent of the water that is served for M & I use and agriculture use throughout the state. In 2005, Aqua's membership united behind a water policy document. It was called No Time to Waste, a Blueprint for California Water. The document identified key water challenges facing the state and called for a comprehensive suite of actions to address them. Fixing the delta is a central element of Aqua's policy blueprint. Aqua's members view the BDCP process as a critical step towards this goal and the larger goal of securing a more sustainable water system for California. Our membership will be participating throughout these hearings throughout the state because it's of paramount importance to us. We welcome the start of this

environmental review process because there's not a minute to lose. We need to get moving on a solution because everyday we wait, another day of environmental decline and the loss of water supplies throughout the state. We must address the shortcomings of a system that was built largely in the 1950's when societal values were less focused on the environment. Without a more sustainable delta, important tools such as recycling, local surface and groundwater storage can not work efficiently and effectively in other parts of the state. The significant public investment of local programs will be at risk. My agency for example, we recycle 20 percent of the water we use in our district. However, we're dependent 100 percent on Metropolitan Water District and the delta water, the water that comes through the delta. We have a well in our community, it's called Old Stinky, and it tells you something about our water quality. This environmental review process will study the impacts of four potential actions, including a no action alternative. This is simply unacceptable for the environment and for the water uses throughout the state. In our view, no action alternative carries some significant impacts including serious implications for interests outside the delta. Water pressure on other supply sources such as groundwater will

increase, and we know about the over draft groundwater in the state. These impacts must be assessed as part of the review. Aqua strongly supports the comprehensive solution that improves the sustainability of the delta for the benefit of the entire state. We must improve the delta so our water supply system can be co-equal objectives with protecting the aquatic environment and providing a reliable high quality water for our state. Thank you.

Chair: Thank you.

Mr. Minton: Good morning, I'm Jonas Minton with the Planning Conservation League. We have the interest of others in finding solutions to the delta's many problems as quickly as possible. With that in mind we have six observations for you today. The first is that recovery should be the first objective. We are somewhat disturbed in seeing initial work by BDCP starting off with attempts to in essence maximize how much water can you take from the delta, export from the delta and still have an okay environment. We think that moving to our second point, what you would need to do the same as if you were doing any other HCP, is first determine the environmental requirements of the eco system. Specifically, what flow regimens are needed in terms of water quantity, water quality, temperature,

flow direction, annually, inter-annually, intra-annually to restore those species. The third point is that as part of the NCCP process scientific input is required. And again, we urge the BDCP process, which is the basis for the EIR-EIS, to fully incorporate scientific input, not just scientific review. So, as we understand it the requirement is that scientific independent experts are asked for their views as options are being formulated, not just to review them after they are presented. The fourth point is that upstream actions should be part of the area that you look at. Not only because it's fairly obvious that anadromous fish go upstream, but that several of the potentially regulated entities, DWR and the Bureau of Reclamation have projects upstream that effect the flows going into the river and then, into the delta. Under your list of conservation activities I did not see a reference to water conservation, water recycling, storm water capture, groundwater clean up, in areas served by exports from the delta as well as upstream areas. And, we believe that those will be key to any successful restoration plan. The last plan I have to offer for you is that we again, share your interest in finding these answers as soon as possible. However, it will not serve any of us well if we try to expedite that process beyond what is feasible, by

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Mr. Broderick: Good morning, Ryan Broderick, Executive Director of the Northern California Water Association and represent about 900 thousand acres of irrigated agriculture in the Sacramento Valley, over 50 agricultural diverters, and I wanted to say congratulations for launching the EIS and the EIR. I look forward to get into the formal evaluation that we think will appropriately identify needs for conservation in the delta water supply for export. However, in saying that I think it's very important that you recognize baseline conditions as it relates to the environment. The Sacramento Valley is distinct from the delta, and yet I think the Sacramento Valley has established over the last 10 years that they will make contributions to the recovery of species. But, there is a concern that recovery of species has an assignment done on effective science as it relates to flows and diversions. Candidly, the delta vision process has raised a specter of beneficial and reasonable use issues that have assigned to

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Chair: Thank you. Is there anyone else who would like to make a comment before we wrap things up? Okay, it's not seeing any other comments; I'd like to thank you very much for coming on behalf of these agencies for taking the time to be here today. I remind you that the comment period ends May 30<sup>th</sup>. If I didn't say it before, there is an E-mail address to send you comments, BDCP Comments at [Water.CA.gov](mailto:Water.CA.gov). And, thank you all very much for coming, we're adjourned.

**-- MEETING ADJOURNED --**

**BUREAU OF RECLAMATION**

**WATER EDUCATION FOUNDATION**

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Sacramento, CA 95814**

**--ooOoo--**

**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**SAN DIEGO**

**San Diego:**

Chair: Our first speaker will be Tom Warnum from the San Diego Economic Corporation followed by Mark Weston at Helix's Water District and followed by Tim Quinn from Aqua.

Mr. Warnum: Good evening lady's and gentlemen. My name is Tom Warnum and I'm Chair of the San Diego Economic Corporation. I also have the honor of being a member of, or Director of the San Diego Water Authority, which I have the honor of serving as the Chair of the Administrative and Finance Committee. So, with all of that all of us say hello. Lady's and gentlemen, simply put the bay delta is broken. It's broken as a sustainable habitat for fish and wildlife and it's broken as a water delivery system. The age of its levees and their growing vulnerability to breaches make the entire system a statewide disaster waiting to happen. While that's a simple assessment to make, putting together a plan to address the bay delta's problem is far from simple. I applaud the considerable time and effort you and the other agencies involved are contributing to this plan. And, to its environmental review and process to make sure it gets done right. This plan is not a silver bullet that will address all of the bay delta problems and issues, nor does it intend to be. But, I strongly support

this plan because it is on the right track for addressing the most pressing and critical issues impacting the delta. And, in turn the reasons like San Diego County. Given the fact that 25 million Californians from the bay area to San Diego rely to some degree on water deliveries from the bay delta, addressing water conveyance must be a top priority. This plan realizes the equal importance of rebuilding the water conveyance system as habitats are restored. The stakes for California could not be greater. Reduced bay delta water reliability will take a toll on San Diego's economy and competitiveness. It will also take a toll on the economy and competitiveness of the entire state. If that is allowed to happen, reduced tax revenues will further strain already strapped state and local government resources and services. That could spread the pain to every man, woman and child living in this state. That clearly is not the future that any of us desire. The success of this plan is critical for all of us. Without it our water system and our economy will become increasing subject to the mercy of whether, and to regulatory and judicial restrictions. We need to take action and we need to take action now. I urge you to move this plan forward in a timely manner. Thank you again for the opportunity to speak.

Chair: Nicely done, thank you. You did good.

Mr. Warnum: And again, thank you all.

Mr. Weston: My name is Mark Weston. I'm the General Manager for Helix Water District. Helix's Water District serves 260 thousand people their drinking water everyday. We're located just east of San Diego; headquarters are in the city of La Mesa. I'm speaking today as the General Manager and I want to speak to the reliability of water that we import from the delta. We use about, 85% of our water is imported, the two sources of the Colorado River and the delta. Due to a variety of changes in hydrology, climate change, legal decisions and environmental issues Southern California has lost one million acre feet of reliable water supply. That's out of a total water supply of about three million acre feet. So, I as a General Manager who will be serving people their drinking water every day know that our reliability is greatly decreased. The delta is broken. We have, it is broken biologically and it's broken hydro-logically and, it's broken as a flood control system. We strongly support a solution in which the biology and the hydrology and the hydraulics are balanced. The State of California relies far too greatly on the delta working correctly. We as residents in Southern California rely greatly on the

water supply. The economy of California is dependent on the reliable water supply from Northern California, and we can no longer continue to believe that the delta will work in the future. Anyone who's been in the delta knows that the levees are substandard and will fail. All analysis says that the delta levees will fail in the future. That will be a disaster to us as water suppliers and it's going to be a disaster to the biology of the delta. So, we strongly support a balance approach to solving the problems in the delta. We also strongly support methods that will provide reliable water conveyance around the delta so that we in Southern California and the economy that's based in Southern California will be able to continue and serve the public. We have over 18 million people in the metropolitan service area, and I've heard anywhere from 23 to 25 million people depend on water being conveyed through the delta. We need to solve that problem. Thank you.

Mr. Weston: My name is Mark Weston, General Manager of Helix Water District. I'm speaking for Tim Quinn, Executive Director of Aqua. I'm an Aqua Board Member. I've been asked to provide these comments and an Aqua statement. Aqua is the Association of California Water Agencies. Time is not on our side. The need for a more sustainable

water system has never been more urgent. We have to invest in sustainability. We need a comprehensive solution that improves the sustainability of the system. We have to invest in the environmental integrity of the system so it can meet the co-equal objectives of protecting the aquatic environment and providing the reliable high quality water our economy needs. Comprehensive means comprehensive. We also have to invest in water use efficiency, water recycling and other strategies, and expand our surface and groundwater storage capacity. Impacts already are being felt up and down the State of California. San Diego area is already feeling the effects of reduced water deliveries through the delta. Without a comprehensive delta fix, shortages will continue to ripple through the south lands economy causing water rates to rise, and effecting jobs, agriculture, construction and other economic activity. No action doesn't mean that there will be no impacts. The environmental review process for BDCP will study the impacts of four potential actions including the no action alternative. No action carries its own set of impacts. The environmental review process must assess the ways in which the system will continue to degrade putting both species and our water supplies at risk if we simply

continue the status quo. Alternatives carry high costs and we accept that. San Diego's economy runs on water that is conveyed through the delta as well as pumped hundreds of miles from the Colorado River. Alternatives to these sources such as stepped up recycling and desalination require energy and also carry environmental impacts. We strongly urge the activities of the study to occur as quickly as possible and we need to impress upon the people performing the study that this is absolutely urgent, and we have no time to waste. We all believe we will be in some sort of mandatory water reduction as early as next year. Thank you.

Chair: Thank you. The next three speakers are, Dennis Majors from the Metropolitan Water District, followed by Fern Steiner from the San Diego County Water Authority, followed by Ruben Barrales from the San Diego Regional Chamber of Commerce.

Mr. Majors: Thank you. I am Dennis Majors. I am the Program Manager with the Metropolitan Water District of Southern California. The Metropolitan provides water from the delta through its state water contract and the Colorado River through its Colorado River aqueduct to 18 million people in Southern California in six areas. We've been actively involved in the BDC program the very beginning and I

just wanted to thank all of you for coming here today. It's a long trip down here and I appreciate it. The success of this process though, the BDCP is essential in order to create a sustainable ecosystem in the delta and a reliable water system in California. Now, the objective of the BDCP is not solely about eco-system restoration or improvements to water quality, or improvement to water reliability or, protections against unique seismic risks in the delta. A successful plan has to address all of these collectively. Metropolitan has built a network of surface reservoirs and ground water banking programs in order to capture water an average in wet years to relieve the pressure on the eco-system in dry years. The strategy is to take water on nature's terms, and Metropolitan needs a more flexible and adaptable water supply system in the delta to do that. Without having that flexibility we can not move water in the storage when we need it, we have real problems in a multi-year drought for example, and part of that was talked about here. The new water for growth will come from water use efficiency efforts such as conservation, voluntary water transfers and new local supplies such as recycling. However, the delta will remain a baseline source of supply. While Metropolitan's storage and delivery systems provide flexibility of

when we draw the delta supplies, both quantity and quality are vital. The BDCP has rightly placed as co-equal the objectives of a restored eco-system in a reliable water supply co-equal objectives. We think that's great. This effort is one of the most complex and most important tasks of habitat planning in the nation. It must succeed. Metropolitan looks forward to remaining actively engaged in the process and on commenting on the various alternatives that come forth. A healthy delta eco-system is essential for water supply reliability and for the state economy, and I want to thank you for the opportunity to speak.

Chair: Thank you.

Ms. Steiner: Good evening. I'm Fern Steiner and I'm the Chair of the San Diego County Water Authority. The Water Authority serves San Diego region as a wholesale supplier of water from the Colorado River and Northern California. The Water Authority works through its 24 member agencies to provide a safe reliable water supply to support the regions \$157 billion dollar economy and quality of life for three million residents. We all know the ecological, structural and water supply challenges that are faced in the bay delta. Developing and implementing a plan that restores habitat's and provides for the

protection and restoration of water supplies is imperative. It's imperative not only for the health of the delta which is critical, but for the well being of our entire state. When you look at the map, as you know we're way down here, the furthest end away from that water supply, actually from both water supplies and yet approximately 34% of our water is used, that's used in our area that comes from the bay delta. So, it's a critical part of our supply portfolio. The Water Authority's been very aggressive in trying to diversify its water supply here in San Diego, and we've developed a long term plan that we hope will meet our future water demands and maximize our protection from drought and other supply restrictions. We're working with our member retail agencies to develop new local water supplies and to expand conservation and recycling. We have water transfer agreements in place that will significantly increase our water deliveries from the Imperial Valley in 2021 and for generations to follow. We also have implemented a capital improvement plan to increase our emergency storage, our carryover storage and our overall water supply deliver capacity. And, while these are prudent and responsible investments by our agencies and by our Water Authority, we still are dependent on getting that water

from the bay delta. And, we still need to have that work in order for us to be able to supply water to our member agencies and to our customers. Therefore, it's critically important for the BDCP to keep water system reliability an equal priority with restoring the ecosystems as it moves forward. It's also vital that the plan moves forward expeditiously. We're already having ripple effects here in San Diego County from the pumping restrictions, and we truly believe that a potentially severe water supply shortages loom on our states horizon. So, there's no time to waste. I urge the agencies involved in this that you all, to meet that goal to have that plan approved by 2010. And, I thank you for the opportunity to speak and we look forward to working with you on this project. And, at any time that we can help you the San Diego Water Authority will do so. Thank you.

Chair: Thank you.

Mr. Barrales: Good evening. My name is Ruben Barrales. I'm the President of the San Diego Regional Chamber of Commerce. Thank you for coming to San Diego. Feel free to stay and shop, and take advantage of our many amenities here. But, we're actually very glad to have you in San Diego. I wish more San Diegan's were aware that you

were here. So, on behalf of the business community I wanted to let you know that obviously water reliability is very important to us. We also understand though that the sustainability of the bay delta is vital as well. And, we have sent our policy committees up to the bay delta to see for themselves, and want to impress upon you that we understand that balance is important that we hope that as you move forward that that balance is maintained. Obviously we need to sustain our environment. We know it's critical to addressing environmental issues, but at the same time please don't lose fact that water reliability is critical for San Diego. Not just our economy but for the people that live here. And, also reiterating what was just said, keeping on the time line if at all possible is important as well because reliability and sustainability are important. But, we need a certainty in the sense of understanding what we're facing so that we can move forward together and address the issues related to water for San Diego and the rest of the state. Thank you very much.

Chair: Thank you. Okay, the next three speakers are Eric Larson from the San Diego Farm Bureau, Faith Picking from BIOCUM, and Sue Varty the President from the Olivenhain Municipal Water District.

Mr. Larson: Hello, I'm Eric Larson, Executive Director of the San Diego County Farm Bureau and, thank you for taking the time to come here and listen to what we have to say. Outside of our community it's little known that San Diego County probably boasts the 12 largest farm economies amongst all counties in the United States. This has been accomplished by becoming a leading region in the cultivation of high valued crops. This happened through steady growth and investments since the arrival of imported water to our county. With the arrival of that imported water, farmers were able to move beyond the confines of ground water basins and local surface water to such exceptional production areas as Valley Center in Fallbrook. Today, farms are an important part of San Diego County's fabric providing 5.4 billion in economic strength, fresh local farm products, a hedge against continued urban expansion and the environmental values of open space, habitat, and tens of thousands of acres of trees and shrubs. For our farmers to continue to be a part of San Diego County, we require the continuance of a dependable source of imported water. The health of the Sacramento, San Joaquin delta will directly affect the future farming in this community. Protecting the eco-system and avoiding collapse will also protect the farmers of

San Diego County. Somewhere today in San Diego County avocado trees were stumped. In some places citrus trees were cut down and some place else nurseries cut back production in order to comply with the current mandatory 30% reduction in irrigation water use by farmers. Those will serve as short term methods for meeting the reduction in water supplies. But, if long term solutions are not found, the farmers will not be able to sustain their livelihoods. When that happens San Diego County just might lose part of its heritage and charm. We need to harvest the wet years of California and store that water above and below ground. We need to remove impediments, both natural and regulatory to moving water through the delta. We need a delta eco-system that works. We need a comprehensive environmental plan for the delta that the bay delta conservation plan can provide, thank you.

Chair: Thank you.

Ms. Picking: Good evening. My name is Faith Picking and I'm the Public Policy Manager of BIOCOM, which is the largest trade organization for Southern California Life Science Industry. BIOCOM has more than 550 member companies in Southern California. The Life Science Industry in San Diego County alone contributes 8.5 billion dollars to

the economy. Thank you for coming to San Diego tonight and giving me the time to speak to you on behalf of my organization, and on the development of the Bay Delta Conservation Plan. BIOCOM was born in the early 1990's in the midst of the devastating drought. It was born because the Live Science Industry recognized an urgent need to come together and push for actions that would enhance our regions water reliability. Today we once again see need for urgent action. But, this time it's not only for San Diego Counties' water reliability but its California's water system. The issues facing the bay delta are tough and complex, but they need to be addressed and addressed quickly. California's water system can not work without a plan that creates more stable and sustainable delta. And, if California's water systems break down, industries such as ours are at risk of breaking down as well. We support the Bay Delta Conservation Plan because it maps out a comprehensive approach for solving the deltas most critical issues. It does so in a way that puts restoring water supply reliability on equal footing with restoring habitats for fish and wildlife. It is a foundation of a long term solution for meeting the states future water needs. We recommend the Bay Delta Conservation Plan collaborate effort to date among

water agencies and environmental organizations, and State and Federal agencies, and urge your steering committee to make every effort to keep the plan on track for approval by 2010. Over the years BIOCOM has strongly advocated for sound water policies and programs. These include programs, enhanced regional water conservation efforts and expand the use of reclaimed water. Many of our member water companies have embraced conservation and use, and the use of reclaimed water for years. And, many more are taking similar steps to do so now. The Life Science community knows that finding more efficient ways to those who use of the previous resources is the right thing to do for your community and our future. In an ultra competitive industry and one of the few true growth industries in our state, and with many other states funding millions to attract our companies and research institutes, water reliability in California is essential to the survival of the Life Science community. We need your help and leadership to push forward a comprehensive bay delta plan that meets the critical water needs of our industry and our state. Thank you so much for your time.

Chair: Thank you. And, unless we don't have anybody else to sign up to speak, our last speaker for the night is Judy Roland with the Wilderness Society.

Female: She can go ahead.

Chair: Okay. Oh, Sue Varty, yes.

Ms. Varty: Yes, I'm Sue Varty; I'm with the Olievenhain Municipal Water District. We are a retail agency. I am actually an elected official. I represent the rate payers who will bear the costs of all of the things that we're talking about today. We don't, rate payers now, don't object to everything that you're doing. But, we would like to be involved in the planning. We would like to be involved in the public discourse on how much is this gonna cost. We need to know every step of the way what you're gonna expect from us. The Met service area actually has 54% of the states population. 54% of the states rate payers are going to pay for what it is that you come up with. We need to be part of this process. Thank you.

Chair: Thank you. And now Judy Roland, Wilderness Society.

Ms. Roland: I recognize that last name. I have to say that I originally was conscripted to come because my sister is speaking. But, you know, should I be a plant, what should I say, but after listening to everyone

I have several comments. I am a life long resident of San Diego. I was born and raised here actually 64 years ago today I was born here. And, while I've been away this has always been my home. And, I'm speaking not just to you, well, I'm speaking to you but I'm speaking to everyone here. Since I'm the only one that doesn't represent, they asked for some organization, I belong to all of those and what I see is, I'm real impressed that you all came. All of the people that I've been reading about in the newspaper, in the Union for what, the last 3 or 4 years a lot, and before that a good deal. There's no question, we have always had this problem. This is a desert type region and there is no question we need the water. But, I don't see anybody; I had to speak on behalf of and, the eco-system, and the preservation of the fish and the wildlife. Now, you may not, I'm not as eloquent, but, I am going to chastise everyone because I can that there are a lot of you who are around when Jerry Brown was the Governor. And, I don't know if you remember that he had either a referendum or a proposition on the ballot, something would be, you remember this? And, this was about 25 years ago, I can't remember my month. My mind is not as good at these things as it used to be. But, I remember, I hadn't thought about it until I started

getting all of the information about it, and I voted for it. It was soundly defeated. People simply weren't interested in what was going to happen now. And, for those of you who were around that had been interested in this, and I think some of you are equally equal to my age or almost, that now it's happened. And now everyone is crying emergency, and I have to say we could have avoided this and I'm sorry that we didn't. But, I am very pleased to see that you've had these hearings, you're having these hearings and that the people whose names I've heard are here. I'm not sure whose missing. The only thing I haven't heard is Sandag practically, so I guess all of you represent those parts of the cities that are involved. So, I do follow it but I truly believe that we also need to preserve the fish that use these waters and the animals who live on the land and need it to. So, I'm glad you've all voiced this. But, it will impact what we have to do here in San Diego and all of Southern California. So, that's it.

Chair: Thank you. Well, that concludes the public comment portion of the meeting. The team will continue to be here for a few more minutes to answer any questions that you have that came out of the presentation itself. So, if you want to just spend some more time in speaking with the project team you're welcome to. Otherwise, thank

you so much for coming and don't forget, the deadline for comments  
is May 30<sup>th</sup>.

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**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**SAN JOSE**

**San Jose:**

Chair: Thank you. Okay, again, I only have these four speaker cards. So I'll start with Walt Wadlow.

Mr. Wadlow: Sounds like I'm live, thank you. Good evening, I'm Walt Wadlow. I'm the Operations Manager for the Alameda County Water District. ACWD appreciates the opportunity this evening to offer comments at this EIR/EIS scoping meeting for the Bay Delta Conservation Plan effort currently underway. The reliability of water supplies conveyed through the Delta, and the health of the Delta ecosystem, are crucially important to the over 320,000 that we serve in the cities of Fremont, Newark, and Union City. Our customers depend on water from Sierra watershed, delivered through the State Water Project and the San Francisco Regional Water System for over half of our distribution system demands. We depend, as much as the Bay Area does, on water conveyed through the Delta and from tributaries to the Delta. And although the BDCP effort is focused on the statutory Delta, it's hard to believe that it will not eventually impact streams tributary to the Delta as well. ACWD believes that developing and implementing the Bay Delta Conservation Plan is a significant and important next step to improving our water supply

reliability and the health of the Delta ecosystem. The district's ratepayers have generously supported development of a diverse water supply portfolio, which includes local service water, desalinization of brackish groundwater, and banked water in semi-tropic water storage district, in addition to Sierra supplies. Ratepayers have also supported extensive water conservation efforts. Nevertheless, the district relies upon water conveyed through the Delta and from our Delta tributaries to supply our drinking water treatment facilities and to recharge our groundwater basin. As documented by numerous studies, the work presented tonight, and including the PPIC report on the Delta, the Delta is indeed broken. It can no longer support its water supply function, nor function as a healthy ecosystem for numerous wildlife species that depend on it. For these reasons, ACWD supports the Bay Delta Conservation Plan effort, and urges DWR and all the participants to dedicate the necessary resources to complete this important effort in a timely manner. As identified in the Delta Vision process, ACWD urges the BDCP effort to consider new Delta conveyance as part of the reasonable range of alternatives for the Delta. In addressing the ecosystem needs, ACWD urges that the effort look beyond the

existing pumps to evaluate the full range of impacts from other stressers affecting the Delta ecosystem. And further, that the effort consider the full range of potential mitigation strategies to address impacts associated with the covered activities. Finally, ACWD appreciates the continuing open public process being used for the BDCP and encourages the resources agency and DWR to continue what appears to be an effective approach for developing a realistic set of solutions for the problems in the Delta. Finally, on a personal note, I'm nearing the 20<sup>th</sup> year of my own involvement in Bay Delta issues, and I am optimistic for the BDCP effort in a way that I have not been for awhile, primarily for the process reasons that Carl Wilcox outlined, the fact that it is grounded in the HCP and NCC processes which provide, although complex, guidance both statutorily and from an administrative standpoint, so there's a roadmap for the participants this time. Whether you're a water agency, a resource agency, a wildlife agency, an NGO, or a private party, we have a set of guidelines and a set of rules this time to work by. So thank you.

Chair: Thank you. Scott Miller?

Mr. Miller: Good evening. My name's Scott Miller. I'm a member of the Northern California Chapter of the Federation of Fly Fishers. And I kind of represent them. I've represented them in the controversy of the San Luis Low Point Project, which has put us in conflict with the Santa Clara Valley Water District, and kind of leads to the one point I'd like to make tonight without having to get too deep into things. And that is, the problem is is that, as interested public, we don't trust you. And the reason we don't trust you is because we've been through the Cal Fed process and other plans and processes that have gone on before. The Delta didn't get broken in the last couple of years. The Delta got broken a long time ago, and people have been screaming and yelling about it for years. At the same time, the State Water Project people, the California Department of Water Resources, have been babying, kowtowing, to the large water users that I believe are the reason we're having this problem. The problem as far as I'm concerned is Westlands Irrigation District and other large irrigation districts that want water, and they want lots of water, and they want it cheap, and you guys want to give it to them. You want to stand behind the contracts that make no sense economically or morally for the people of California, but they do make sense for a

couple of thousand rich farmers. We're not happy with that. San Luis Reservoir was supposed to have a component for taking care of water usage by the public, recreation, etc., and now Westlands and some of these big districts, the State Water Project set, wants to take the last few drops out of that so that the system can be broken. That's the way the Delta feels. I mean as the Delta was being broken, you people were trying to take more than 6,500 cubic feet per second out of the Delta and raise it to 10,000. Now how can we trust this steering committee. I've got one minute left. The steering committee. Let me read who's on this steering committee. I have a real fear for this. Now I can't read it, my glasses aren't strong enough. Department of Water Resources, Bureau of Reclamation, Santa Clara Valley Water District, Kern County Water Agency, Metropolitan Water District, San Luis Delta-Mendota Water Authority, Westlands Water District, etc., etc., We don't trust these people. They're on the steering committee? They're the strongest voice on the steering committee. They've got the politics. They've got the money. They've got the greed. And we're tired of it. This had better not be Cal Fed all over again or it's a waste of time and it's a waste of money.

Chair: Thank you. Andrew Gear?

Mr. Gear: Good evening. My name is Andrew Gear, and I'm the Chief of Operations for San Jose Water Company, and I'm also the Chair of the Treated Water Subcommittee for the Santa Clara Valley Water District Retailers Association. And I'm here tonight speaking on behalf of both San Jose Water Company and the other retailers served by the district. San Jose Water Company's an (indiscernible) water utility and we're the largest retailer in Santa Clara County. We serve water to over a million people in the communities of San Jose, Los Gatos, Cupertino, Montessorino, Saratoga, and Campbell. Our mission is to provide a reliable supply of drinking water to our customers that meets the highest quality standard as well. And to that end, we're regulated by the California Public Utilities Commission, as well as the California Department of Public Health. About half the water that we supply to our customers in any given year arrives to us through the Delta, and we're keenly aware of the issues facing the Delta and the water supply reliability there, particularly as they're associated with the court rulings that are potentially restricting pumping for the protection of fish. This year, and going back to last year, the district has asked for a voluntary

10% conservation from our customers and all of the customers in the county, in part due to dry conditions, but more so because of uncertainties in the total annual allocations from the state and federal water projects, and possible supply interrupts due to Delta pumping restrictions. Under these challenging conditions, we have to rely more heavily on groundwater reserves that are maintained for drought purposes. In the absence of dependable, imported water supplies, overuse of the basins will ultimately result in basin overdraft, land subsidence, and water shortages, and some of these effects, we think, could be seen after just a few years of over pumping. Although our distribution system is built with considerable flexibility relative to source of supply, San Jose Water Company and several of our fellow retailers here in the Valley, have portions of our service areas that are directly reliant on Delta water supply provided by the district through their three treatment plants. And there's really no alternative supply for these parts of our systems if there were long-term Delta interruptions. So it's just critical that this problem is resolved for the day-to-day service of our customers. We support the water district's efforts to help find a comprehensive, cost-effective solution to Delta problems. We know

that doing nothing is not an option and that time is running out. The Delta needs a long-term, durable fix and it needs one immediately. We highly support the Bay Delta Conservation Plan because we believe it is the best opportunity to establish a plan that can stabilize both water supplies and fisheries in the Delta. Neither can afford to wait. Because the Bay Delta Conservation Plan provides benefits for all of California, it is our hope that the cost to implement the plan will be equitably shared among all the stakeholders. And thanks for the opportunity to comment tonight.

Chair: Thank you. Dale Meyers?

Mr. Meyers: Good evening. Dale Meyers, Livermore, California. In the interest of full disclosure for those of you who don't know me, I was the General Manager of Zone 7 Water Agency, which serves the cities of Pleasanton, Livermore, and Dublin from 1997 to 2007, and have sat in the past at the BDCP table. As a consequence, I'm very much aware that BDCP is not intended to solve all the problems of the Delta. There's not enough money for water agencies to do that, among other things. However, as we also know, there are a number of factors in the Delta, including among other things, wastewater disposal and agricultural drainage, that have impacts on Delta water

quality and on the Delta ecology in varying degrees these impacts, with or without their project's presence or operations. It is critical that this EIR/EIS process identify all of these other factors and assess to the greatest degree possible their individual and collective impacts in the Delta in order to be certain that an accurate assessment of the proportional impacts of the proposed alternative water conveyance and conservation actions that are being proposed will have. Thank you.

Chair: Thank you. William Garbet, did I pronounce that right?

Mr. Garbet: I'm William Garbet, speaking on behalf of the Public. We're an environmental organization. And one of the things that you're doing is, the Delta is a vast project, and you have many good ideas, and I hope that you can implement a good fair share of them. However, the biggest problem that you're going to run into is what we call exigent circumstances, not just political, but weather induced by global warming. You're going to have huge variations where you're going to have torrential droughts and, you know, a few feet away total arid areas. And these are going to change just periodically without any rhyme, reason, or pattern. And a lot of this extends from back in 1958 Project Argos, which kind of destroyed the

ionosphere on to weather modifications, such as the cloud seeding that was done in the Santa Clara Valley Water District up until the floods of 1995, in which case I think they decided the liabilities are not worth it. You have to also look at what the Santa Clara Valley Water District has done. They've been playing the peas under a pod and the shell game, just moving things around on water rights and water transfers, rather than building reservoirs or collection from time to time. And since some large reservoirs are impractical, they haven't even built small ones. You look at recharging of the aquifers. For Freeway 85, is rather than, for instance, recharging into the upper brackish water table, they actually went down in the drinking water levels and then they had to go and disinfect periodically such as they've done over at their San Tomas pumping facility. And therefore, recharging to the deep aquifers is not practical, but in the brackish areas it will filter on down and it will be clean water by the time it gets there. Also the brackish water goes and disinfects any bacteriological agents in the water. We look at what they're doing in the Coyote Valley or attempting to do here in Santa Clara Valley. What they're doing is they're roping off and making a big pond out there for "recreation" for real estate

developers with no outlet, and they're taking the brackish water that is coming from energy power plants and dumping it all in one plant. It's no wonder the Coyote Plant has not flown. And you have to look this water coming down through the Delta and adjust what is going on on the level of salinity as your progress, whether you call it a peripheral canal, or whatever, you will have stages or steps in flood control and tide basins that you're going to have to look at. But I wish you luck on your project, because it's a rather volatile political process, particularly after the legacy of the peripheral canal that's still with us. And I'm sure some of the lessons with Cal Fed you are not going to repeat. And I wish you luck. Thank you.

Chair: Thank you. Bruce Lechevski?

Mr. Lechevski: Close enough, thank you very much. Hi, I'm Bruce Lechevski. Welcome to our valley. I teach environmental studies at San Jose State. Years ago, in the 1980's, I helped set up the first citywide water conservation program for the City of San Jose. So I have some experience with urban water conservation. But urban water conservation in the big picture is really a pretty futile thing to do, because 85% of the water in the state, as I'm sure you know, is agriculture. And so I have to sympathize with the California Fly

Fishermen, even though I don't like to go fly fishing because my daughter embarrasses me because she catches the fish and I don't. And so my issue here is that, one of the problems that we have is that water quality, first of all, is so poor that we have an issue with trihelamethanes, as I'm sure you know, and so we still have to improve the quality of water so that we can reduce trihelamethanes, which are a carcinogen and may become a legal issue certainly in this area. Secondly, we have more water being consumed for alfalfa than all of Los Angeles, all of San Diego, all of San Diego County, all of San Francisco, times two, and that's just fundamentally wrong. And so the four major water using crops, alfalfa, irrigated pasture, rice, cotton, if you look at those things, if those farmers would like to use those crops I think they ought to pay for it. When you look at that agriculture consuming 85% of the water produces about 3% of the state GDP, when you're looking at this valley here that is driving the economy of the state that is the sixth largest economy in the world, there's just something wrong. And when we have this process 100 years? We're going to have an earthquake in the next, what, 30 years, 100% chance that I read in the paper? We can't wait this long. We need to move quicker. We need to get water quality.

We need to deal with these issues much quicker. And if the water districts down there want that water, then let them pay for it. Thank you.

Chair: Thank you. I don't have any other speaker cards. Is there anyone else who would like to make a comment? Oh, here we go. Thank you. Go ahead.

Mr. Long: Thank you. My name's Chuck Long. I represent myself, but I'm a property owner up in Contra Costa County. And I followed the water diversions from a few of the pumping plants and I water ski past them frequently. Carl mentioned something about preferred water conveyance approach. Are you referring to another resurgence of the peripheral canal, and could you explain how some of the newer convergence approaches are going to affect us?

Chair: I'm sorry if I didn't make it clear before. We're not really going to do Q and A here. But if this sort of wraps things up, we're going to stay and we'll be happy to answer a lot more questions. Would you have any more comments that you'd like to make?

Mr. Long: Probably (indiscernible)

Chair: Okay, okay. Okay, are there any other comments for tonight?

Okay, with that we will adjourn the comment session. I want to

thank you all very much for coming and for participating and for taking the time to become familiar with the BDCP and we hope you continue to participate. Thank you very much.

**-- MEETING ADJOURNED --**

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**BAY DELTA CONSERVATION PLAN MEETINGS**

**PUBLIC COMMENTS ONLY**

**FOR:**

**STOCKTON**

**Stockton:**

Chair: I'm sorry if I mispronounce anyone's name. Just correct me and tell me what it actually is. Mel Lidel, San Joaquin County, Donte Nomalini, Jr., and Mike Robinson. So if you three would come up first. And the microphone is right there.

Mr. Lidel: Okay, is that better? My name is Mel Lidel. I'm the Water Resource Coordinator for San Joaquin County. And I'd like to just start out by tonight thanking you for the opportunity to give a few comments. San Joaquin County I think is very much interested in this process and we'll be supplying written comments as well as my oral comments as well. Just to remind this group that the San Joaquin Board of Supervisors over the last number of years has been very much interested in the issues of a Peripheral Canal being installed and constructed in San Joaquin County. And by the process of the BDCP it looks like this alternative is one that's going to be looked at in great detail, and so we want to make sure that our position on this issue is taken in consideration as well as the alternatives that we address. Just for your review, in 1982 the Board of Supervisors passed a resolution opposing the Peripheral Canal as it was first developed. Also again during the Cal Fed Process, the

canal was again opposed in 1992, and again in 1998. Part of the resolution that was recently passed in 2007 brought forth the issue that the state water project has failed to develop the \$5 million acre feet necessary that was promised during the state water project as it was developed from north coast to watersheds. And we feel that that is a very key issue regarding the issues in the Delta primarily due to lack of supply. Conveyance of a new Peripheral Canal does nothing to provide additional supply for the State of California. We feel that that's a very strong thing that we need to look at. Peripheral Canal in San Joaquin County as the supervisors recently developed an additional resolution in 2007 where they again opposed the idea of a peripheral canal being constructed, as well as any isolated conveyance facility -- or dual conveyance facility in the Delta. The construction and operation of a peripheral canal are similar. A facility would require the taking of primary agricultural land and possibly urban areas for the construction of a itself based on its current alignments and the loss of additional acreage from seepage from the canal could cause some severage damage to additional prime agricultural land and sever the impaired utilities, local road systems, and would create significant flood dangers to agricultural

lands in urban areas within the City of Stockton and San Joaquin County, and various other communities. It would adversely affect water rights from water users in San Joaquin County and would circumvent the Delta common pool, and will seriously impair Delta water quality and adequate supply for all beneficial uses here in San Joaquin County. I've got 10 seconds left. Have I gone over 10? Oh, sorry about that.

Chair: That's all right.

Mr. Lidel: Other than that, we think there's some more viable alternatives that would allow for this sort of thing to happen. We'll supply those comments as part of our written comments to you due on May 30<sup>th</sup>.

Chair: Thank you very much. You don't have to go in order if you don't want.

Mr. Nomalini: Yeah -- Donte Nomalini, Jr., on behalf of the Central Delta Water Agency. And I'll be helping to provide a lot more detailed comments. But just at this juncture one thing that struck me is I don't know how you folks are going to come out with a preferred alternative. I know you will, and I know what it will include, but this is from the Delta Vision Report. I would caution you not to come out with a preferred alternative. Cal Fed I think came out and

just had a bunch of alternatives, then they went back and picked one, but from the Delta Vision -- you know -- it sounds like your preferred alternative is going to be a dual facility. They acknowledge -- this is on November 2007 -- perhaps an isolated facility would enhance the reliability of exports. Perhaps it would create fewer problems for selected species. Perhaps it would be less exposed to seismic risk. And perhaps it would result in higher water quality. But at this point, there's not sufficient specific information to guarantee these outcomes. Same with the dual conveyance, it might increase reliability, and it might capture more high water flows, but again, not enough information is available at this point to ensure this. So -- I mean -- I think it's -- you know -- borderline bad faith to be coming out saying we prefer -- this is our preferred approach to handle this when the information clearly doesn't appear to be there to back it up. So I would say keep your options open. And you're going to hear a lot more of that the Central Delta Water Agency absolutely 100% against any canal and we'll fight it to the end. Just another comment on the objectives, the Cal Fed EIR, there's a huge battle over what were and were not the objectives. So this go around, I would beg and ask that you folks try and be clear

on what are your projects basic objectives, so we don't have to fight over it. And of course, your objectives define what your alternatives are, so it's important that they are clear and that they are not unfairly or narrowly construed when it comes time to reject in alternative approaches. Because you're going to probably get several hundred alternative approaches and Cal Fed, we felt they narrowly interpreted their objectives and rejected alternatives which were on their face clearly consistent with the broad based objectives. Um -- just running out of time here. I would just like to say the common pool, whoever thought of that was a genius to have the projects depend on the same water quality as the Delta fisheries, the Delta farmers, the Delta commercial folks -- to have everybody draw out of the same pool was genius. You folks out there who care about the fish, us who care about the fish, as well as farming, you get that canal built and those projects no longer are going to care. That's the state and federal government with all their power and resources now do not care about the water quality. And the fishery folks, as well as us in the Delta, we're doomed. That's a bad, bad alternative. Thank you.

Chair: Thank you. On deck we have Vince Wong, Steve Moore, and Donte John Nomalini. Go ahead.

Mr. Robinson: Uh -- Mike Robinson, the organization is Restore the Delta. We understand that there are many factors that may be contributing to the declines in the Delta. But we are concerned about the quantity of exports, and to a lesser degree about the timing of those exports. No one has determined the water needs of the Delta, and already we are 5 million acre feet short of promised water from North Coast rivers that was eliminated from the supply equation. Exports in the same time frame exports have continued to increase. Supply has not. Exports were supposed to be surplus water, those waters not needed to maintain the Delta. In the big picture we feel that all diversions need to be evaluated. All diversions that -- diversions that used to flow into the Delta, back to the original. How can you improve the system of the Delta by taking fresh water -- more fresh water -- Sacramento River water away from the Delta. The Delta needs more water, not less water in the system flowing through it. We're opposed to any type of isolated facility, and there are other alternatives in our opinion that would work better. We ask that you read and understand the original contracts of water exports. They

are very specific about what water was to be used for export. Thank you.

Chair: Thank you.

Mr. Wong: My name is Vincent Wong. I'm with Zone 7 of Alameda County Flood Control and Water Conservation district. Sometimes known as the Zone 7 Water Agency. Zone 7 provides wholesale water and we manage local and ground water for 2,000 residents in Livermore, Pleasanton, and Dublin in Eastern Alameda County. We have been receiving deliveries from the State Water Project since 1962 and about 80% of our water supply now comes from the State Water Project. We depend on the State Water Project to provide a reliable high quality supply. But we recognize that in taking deliveries that that delivery must be done in a responsible manner. That is in a manner that protects and maintains the quality and habitat values of the Delta, as well as being able to convey a water supply reliably. Zone 7 has been a major player in conjunctive use and ground water banking. We know the value of stretching our water supply sources. We continue to emphasize and implement increased water use efficiency within our area. However, we know that we will never be fully independent from the Delta in meeting our water supplies. We

are highly supportive and have been participants in the Bay Delta Conservation Plan, because we believe that is our best and maybe last opportunity that we'll have for a long term solution to a sustainable Delta. The BDCP approach to environmental management is much more comprehensive than the piecemeal approach that's been used in the past with regard to Delta habitat protection, and it can stabilize both the water supply and the fish species in the Delta. In evaluating the BDCP, I want to make sure that I've recognized that the BDCP will not address all the stressors of the ecosystem in the Delta, but I think it's important to recognize that there are many stressors and that the impacts of those stressors can be significant. The BDCP will not answer all of those. The overall benefits of the BDCP for water supply reliability, water management, flexibility, Delta water quality, and Delta fishes warrant the development and implementation of the BDCP. Thank you for the opportunity to speak.

Chair: Thank you. Yeah -- uh -- right up there. Go ahead.

Mr. Moore: Good afternoon. My name is Steve Moore. I'm currently serving as the Sheriff of San Joaquin County. In looking at this presentation, one of the things that seems to be missing from our end is how this

will affect our ability to enforce the laws, not only on the waterways, which there are quite a bit here in San Joaquin County, continue to make sure that the resort type recreational things are continued in the Delta, but on top of that, we also responsible when there is levee failures. So with the projects that are looked out on this presentation, I would like to see an evaluation of possibly how law enforcement is going to be able to continue its original mission. But if you are going to add additional responsibilities to this, how are we going to be able to meet those needs. Currently funding will not be available to do that in some steads. The other would be that -- uh -- possibly a study to decide whether or not it would be better to spend the money to develop and maintain the levees as they currently are instead of putting additional monies into an alternative. Thank you.

Chair: Thank you. On deck we have John Banks, Jay Sorenson, and Dave Hurley. Go ahead.

Mr. Nomalini: Donte John Nomalini, another one. Uh -- you heard kind of a technical presentation on the SEQA and NEPA analysis. My concern is with regard to your duty as public officials to protect the public interest and the public trust which you've put up for us is an equivalent of water supply with protection and conservation of the

environmental values of the Delta. That in my opinion constitutes a violation of your public trust responsibility. The export of water from the Delta was supposed to be surplus. You've heard speakers talk about in particular the 5 million acre feet that was supposed to be brought in by the State Water Project to not only provide additional water to meet shortages within the watershed, but to make available the water for the 4-1/4 million acre feet of export. It is not clear under any of the scenarios that we've experienced so far that it's possible to protect the Delta, the fish and wildlife environment, and the uses with the prospect of level of exports. We have been strongly advocating for years that people who evaluate the environmental impact of facilities on the Delta must look at the level of exports. We may very well have to reduce exports to zero except in surplus water years. And of course, if you're not paying attention to the courts that have chastised your fish and wildlife protective responsibilities as being inadequate, then you're not really paying attention to your job. This looks to me like an organized effort to try and circumvent the SEQA and NEPA process for a peripheral canal by setting a narrow focus on your Bay Conservation Plan which equates exports to protection. And I think that's in error, and of

course you will find this challenging that all the way through the process. So I would ask that you broaden that to make it a more comprehensive review of what is needed to protect the Delta and it would appear that it may very well be zero exports if the 5 million acre feet was supposed to come in by the year 2000. It hasn't come in. Logic would tell you State Water Project you can't take 4-1/4 million acre feet. You didn't carry out the plan. Those people that made the plan were maybe not as sensitive as we are today for environmental values but they did attempt to do their responsibility as public officials and of course, we've seen the crash of the pelagic fisheries as an indication that the management that has been shepherded by you and your predecessors has been inadequate. So thank you very much. We'll provide further written comment.

Chair: Great, thank you.

Mr. Banks: My name is John Banks. I'm a member of the California Striped Bass Association. I'd like to speak a little bit historically here, first. Water was originally diverted to support farms and communities basically in Southern California that didn't have enough water for their activities. Now so much water is being diverted that it has become another cash crop for the farmers at the south of our normal

watersheds. And this is at our expense. The only conclusion I can draw from this that if these farmers have water to sell as a cash crop, then they've got too damn much water. Okay. A couple of the reasons -- other reasons that I am against either a single isolated or dual conveyance -- whatever nomenclature you want to put on it, I am afraid that it will increase salinity in our area of the Delta, and we are continually fighting salinity right now, and we don't need more water diversions or water re-routing to lessen the flow and the flushing actions of our natural tides. There will be increased pollution because of the same reasons. There won't be enough water coming down from either direction, north or south, to wash the pollutants out to sea. Or to dilute them. And it will badly impact our natural tidal actions, which traditionally in a watershed have a cleansing and diluting action twice a day. I am therefore, my organization is therefore, solidly against any water conveyance such as the proposed peripheral canals. And we are steadfastly against any other system that will allow more water to be diverted from our Delta. Thank you.

Chair: Thank you.

Mr. Sorenson: My name is Jay Sorenson, one of the founding fathers of the California Striped Bass Association. We're approximately a 35 year old organization. And this organization was primarily formed because of things that we noticed that were taking place out on the Delta. And through the years we have seen problems arise with our fisheries, natural resources, wildlife. The beauty and splendor of the Delta has slowly eroded. What I used to call the Sistine Chapel, it was my personal Sistine Chapel because I spent two or three hundred days a year out on our Delta as a fishing guide. I have noticed a drastic decline in all of our endogenous sport fish. One that hasn't been mentioned is the American Chad on the San Joaquin River side of the Delta. Nobody talks about that species. Most of us used to go out and what we called bump Chad out here in the South Delta. That doesn't take place anymore. We've seen salinity levels in the Delta rise. In 1986 it got up to 3200 parts per million out here on the Delta. The No Zone into the Delta was primarily in the Bay. It moved up to Chain Island, and heavens knows where that No Zone now from the lack of downstream flows that need to flush this system out. And most of you are aware of what's happened to our salmon fishery off the Coast of California and Oregon. Talk about a

loss in the economy. Over 3,000 jobs lost. 300 million dollars taken out of the economy. And a good portion of those salmon ply the Sacramento River, and that's the species that we're talking about now that's having the problems. So whatever you decide to do, I want you to make sure that there's a high priority on our fisheries and natural resources out here in the Delta. Because I'm really -- pardon the expression -- damn sick and tired of seeing what I've seen out here take place over the last 40 years. My first experience out on the Delta was in the 19 -- early 1940's. And if you'd seen the Delta then and compare it now, the thing is almost dead. So please, in your considerations and deliberations, I want you to take a high priority on what has been a great part of my life. And not only mine, but a lot of other people that live around the Delta, take care of it. It is only one Delta and we've got to take care of it. Thank you very much.

Chair: Thank you. And just on deck Alex Hildebrand, Randy Fiereni, and Bill Jennings.

Mr. Hurley: Good evening. My name is Dave Hurley. I'm Secretary of the California Striped Bass Association, Stockton Chapter. I also write for two Internet based fishing on a weekly basis as well as a Fresno

Bee fishing report, so I have a good handle on what's going on, what our state water levels are, and trends throughout the year. And throughout the years. This is a hard choice. No one is going to deny that our Delta is in tremendous trouble. In three generations, and I am very astutely aware of this because my great grandfather was a commercial fisherman on the Delta. My grandfather had the opportunity to work as a commercial fisherman on the Delta until 1958, and then there's me. But we've in three generations we transformed the Delta from the largest estuary on the West Coast, to our current crisis where salmon season has been closed for the first time since 1848 in history, and we have a pelagic fish decline. But this isn't -- what you are proposing is not a hard choice. It's really an easy choice. There are some hard choices that have to be looked at and I would really encourage -- I'm encouraged that you're -- all the agencies are working together. At least there is the veneer of you guys working together. But what underneath it may be the story that you can't tell tonight. But there are some very hard choices that I would encourage you to look at. And I -- we've been transferring water south for over 100 years with disastrous results. And we're requesting to be transferring water south again just a different

method. We all know something has to be done, but there are too many issues. But I kind of compare what you're proposing to placing a bandage on an infected cut. Except this cut is down to the bone. Without addressing these hard choices of what's gone against what I consider to be the American Way, and what I mean by that is we the general public subsidized large businesses to great profits and the sad part is most of us don't even know it. But subsidized water going to agribusiness in the south area is an issue that has to be addressed. I think it has to be looked at how important that water is, what the use is, where it's going, what it's being used for, what good that water is doing for society, and then the other issue that really needs to be addressed, is in terms of municipal use. Conservation. I don't hear any part of this particular plan -- of course it was a short overview -- but without addressing those two issues, all you're doing is this same story just a different way of getting the water down to where it is. So I would encourage you as an agency, you do have our public trust. Unfortunately some of the actions that have been taking place recently haven't provided much trust for the public. We are in a situation of crisis, and it would be my hope that the next couple of generations are going to be able to enjoy the Delta as my

predecessors have. So thank -- please take a look at those hard choices.

Chair: Thank you.

Mr. Hildebrand: My name is Alex Hildebrand. I'm a farmer on the South Delta. I am very active on the San Joaquin Farm Bureau, and then on the South Delta Water Agency. Let me begin by endorsing but not taking the time to repeat much of what you've heard from those organizations and others who oppose the canal. And it takes a few minutes to explain it, but a dual facility is just a fraud. It would not work. Let me go back to March 21<sup>st</sup> when DWR held a meeting to kick off this EIR scoping process. The material handed out at that time, and the remarks of Deputy Director Jerry Johns, made it very clear that this is not really a democratic process that's intended here. They prejudged that the preferred alternative would be whatever comes out of the BDCP. Now that body is an unelected body, unaccountable, and it's steering committee includes nobody from the Delta. It -- and it was all -- and it goes through some motions of any indicating -- it will indicate -- look at something else but it was clear that there was no intention in any alternative to what comes out of the BDCP would be given any serious consideration at all. And I

have an example of that. It said people from within the Delta led by Tom Zuckerman, and by the South and Central Delta Water agencies have proposed specific alternatives which would solve any problems without the canal and all of the havoc that a canal would cost including increased longer stages during floods. The -- also are plunging ahead with this prematurely. The -- it is clear that the -- there has been no analysis -- independent analysis obtained and made public of the increase in salinity in the Delta that would necessarily happen if you build a canal in the Delta. Consequently there is no understanding of the fact that the increase in salinity that the canal would cost would clearly put most of agriculture in the Delta out of business. If the Delta -- if Delta agriculture goes out of business, and the primary maintainers of Delta levees, and that would have to cease then and the levees would become abandoned. In fact, some of the people that are very vocal in this activity, actually proposed that we should abandon the levees and convert the Delta from a channel system to a - an open bay. And I'm not a fishing expert, but I notice that there are no endangered fish that are in the San Francisco Bay. And if you turn the Delta into equivalent

kind of a thing, the same thing would happen to the fish here. Thank you.

Chair: Thank you.

Mr. Theorini: Good evening. I'm Randy Theorini, a peach grower from Turlock, a member of the Turlock Irrigation District Board of Directors, and I'm the immediate, past president of the Association of California Water Agencies. ACWA is very supportive of the Bay Delta Conservation Plan process. ACWA has been a leader promoting a comprehensive solution to California's water supply reliability and ecosystem health challenges. Improving the sustainability of the Delta is the key policy priority for ACWA's 448 member throughout the State. We recognize that California cannot hope to achieve a comprehensive water solution without a plan to reverse the Delta's ecosystem decline. Although emphasis is often placed on what we don't know about the Delta, there is a wealth of knowledge already evident from 50 years of experience, and that knowledge is compelling. We know that the 18 Delta levees are becoming increasingly vulnerable to the catastrophic failure due to flood or a moderate earthquake. We know that we are expecting the Delta to meet the needs of the aquatic environment and provide water for the

economy, but it was never designed to do both. We know the key native fish species are in decline. We know that communities are losing jobs and income because their water system is in crisis. We know that the Delta is unsustainable in its current configuration. And we know that the Delta's deteriorating condition imperils species and waster deliveries to 25 million Californians and 2-1/2 million acres of farmland. Given these facts, we must conclude that the Delta is in ecological crisis that threatens people as well as the environment. If the State doesn't take action to restore and protect the Delta, the repercussions on the environment and the economy will be disastrous. ACWA represents public water agencies in the Delta and above and below the Delta. Solutions must work for local Delta users, and the entire state. As Delta's solutions take shape, we have to make sure that we protect the interest of those who currently use water in the Delta. That means impacts stemming from solutions -- and there will be impacts -- must be addressed and mitigated. We must also ensure that we do not solve problems at the expense of upstream regions. Local economic interests must be respected along with water rights and area of origin interests. It is imperative that the BDCP process address the key issues concerning

the Delta in an expedited manner. Time is not on our side. Thank you.

Chair: Thank you.

Mr. Jennings: Good evening. Bill Jennings representing California Sport Fishing. For text and that we will be submitting written comments, but I'll excerpt a few of them generally speaking. The proposed HCP is the most ambitious and far reaching HCP ever envisioned, coupled with the massive scheme to change the hydrology of the Central Valley. Proposed time schedule is absurdly truncated. CSPA believes the schedule was not only internally inconsistent, but also fundamentally inconsistent which the governor's Delta Vision and the basic Federal and Clean Water Endangered Species laws. The fundamental inconsistency between and HCP with the goal of protecting and restoring listed species and a conveyance plan involving a massive public works project that will change the hydrology of the estuary and its tributary waterways is indeed the plan. It is little more than a Bay Delta Conveyance Plan masquerading as an HCP. As a general principal we do not believe that any HCP should include guaranteed water delivery, and/or changes in infrastructure solutions. HCP should be focused on needed habitat improvements sufficient to

enhance the listed species to the point til they could be Group D listed. We note that consideration of increased guaranteed water delivery or new water diversion to fresh water from the Delta, that would result in increased degradation of water quality are impermissible under the Federal Clean Water Act, and that economic considerations have been found by the courts to be illegal pursuant to Section 10 of the Federal Endangered Species Act. Long term assurances and guarantees are fundamentally inconsistent with any defensible or adaptive management program. One of the reasons the recent Federal by opts were overruled was that scientific staff decisions and recommendations were routinely ignored or overwritten by the Water Operations Management Team. Specifically at a minimum the ERA, EIS must incorporate a comprehensive ecological analysis. No HCP planning should have goals beyond protecting and enhancing targeted species. Must protect tributary -- Delta and tributary waters no matter what. Regardless of cost or consequences. Must identify the areas and species that it is attempting to cover. Evaluate the impacts of meeting the existing proposed water demand to each species covered by the HCP. Identify and evaluate alternative water systems and

delivery systems and prioritize those evaluations on ecosystem water needs. B -- urban water needs and agricultural water needs. Clearly and HCP's first priority must be on ecosystem, followed by urban and agricultural needs. Analyze and quantify the Delta needs. For over a decade DWR and the Bureau have refused to undertake a quantification of how much water this ecosystem actually needs. Sufficient reductions are essential. It must discuss how much water is required for a healthy Delta and how various scenarios on export levels and patterns and timing of upstream diversions will affect targeted species are reiterated. A reduced export alternative must be included and evaluated. Explain how levee improvements, flood plain management, and changes in water circulation and quality will affect each of the targeted species of proposed structural modifications. Provide a detailed analysis of how expansion of wetland habitat and changes in hydrology will affect mercury methylation, and the bio availability and/or bio concentration of mercury, selenium, and other toxic pollutants on the food chain. And I've got one more and I'll finish. All right, so -- describe in detail how the reductions of Delta exports identified in Delta Vision will be accomplished within the California Water Rights Process and

the affects upon senior water rights or holders, junior water rights holders, repairing diverters, and the trust. And I'll just say that the elimination of a similar capacity and the increase in residence time in the Eastern Delta will have enormous and serious water quality implications and they've been pushed under the rug too long. You're going to have to bite the bullet and examine them.

Chair: Thank you. I have one more speaker card and if anyone else would like to make a comment who hasn't filled out a speaker card yet, let one of the folks know up here at the door. But this last one is Woody Alspa.

Mr. Alspa: Hello, my name is Woody Alspa. I'm not a -- uh -- diploma expert, however, when I was a kid we had a -- our first well we dug was about five feet deep. We had a hand pump, and of course things have changed. I won't go into detail on that. But the reason I'm here is I had a vision -- an idea about a day before this was published in the paper about this meeting. And it's so simple it can be complicated, but not in reality. To raise up the land in the Delta, that would benefit everything. It's got to benefit everything. The levees and so forth and so on. So, in line with this thought, I visited the scavenger recycle place in Stockton and found out what they did

with their so called recycled garbage waste or what have you.

Anything that's worth anything is barreled and shipped off to China and then a mixture of waste and biomass is barreled and then dumped out there. And I say dump -- let me emphasize that -- on -- off of Austin Road. And if you've ever seen it, it's like a war zone out there now. It used to be a beautiful place. There's a lot of pure biomass garbage such as waste from vegetables and such, and over production of certain crops that is wasted. Not to mention, and I forgot to ask about the green bins. That's the lawn clippings and such. They're all dumped out there in the same hole. Now this could be -- you could take one section or an island or whatever terminology you want to use, pump the water out if there's water. You could either mix this biomass in the soil or you could separate a certain amount of the soil, put it in the biomass and then recover it with the existing peat dirt -- peat soil or what have you. And this could be done in stages. And then there could -- that could be flooded so that everything settled down and drained just before the bad winter so we could use as possible a flood control. And have a dam so that at high tide the salt water doesn't come back in. So it would be natural flushing out of the salt water. And this would take

a lot of thought, a lot of product, probably a lot of money, and a lot of people working together. But I think it's a start. You know -- and I think it's so simple that nobody ever thought about it. All that wasted biomass is just going to waste. And we are a biomass -- soil is a biomass that's chemistry, it's carbon, hydrocarbon, very simple. Nothing complicated about it. And just perfect. My time is up.

Chair: Thank you. And John Herrick.

Mr. Herrick: Thank you. My name is John Herrick. I represent the South Delta Water Agency. I'd just like to join in the comments of both Bill Jennings and the two Donte John Nomalini's. Just to make a few brief points, it doesn't seem appropriate to have a co-equal goal and a habitat conservation plan that includes exports. The protection of any level of exports cannot be determined until you determine what it takes to protect the habitat about which the conservation plan is developed. So as soon as you put that in there you've got conflicting goals and that's what Cal Fed did, and that's what ruined fisheries. I'd also like to encourage the process to divulge its preliminary modeling results with regards to the effects of an isolated facility or a dual facility on water quality in the Delta. And to that end, I'm not trying to blind side you, but either December or January I sent the

BDCP a letter asking for the modeling they had done so far on water quality effects, and asked them a number of questions about the assumptions in that modeling. The URS representative contacted me and said, I will answer that if the steering committee directs me to. And I haven't heard anything. So again, I'm not trying to blind side the people here, but this is being sold as a public process, with public involvement and stakeholder involvement. And yet, I can't get the steering committee to answer basic questions about what modeling they've done and what the assumptions are. I hope maybe you can correct that. Anyway, that's all I have. Thank you.

Chair: Thank you. Okay, are there any other folks who would like to make comments? Okay, if not then we will go ahead and adjourn this part of the meeting but feel free to stay and talk to folks. We'll hang around for a bit and answer anymore questions you have. Thank you very much for coming.