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1 MS. PAM JONES: My name Pam Jones. And I'm the  
 2 moderator for this evening. I am not an employee of any of  
 3 the agencies who are here this evening. Some of you may  
 4 actually know that I have spent 25 years working with the  
 5 agricultural community. That's said, I would like to not  
 6 only say welcome -- we've said welcome to other communities.  
 7 But this is the 12th -- of 12 communities and certainly the  
 8 community that actually gives evidence that it does care, so  
 9 compliments to the community that cares. The purpose of  
 10 tonight is two-fold.

11 Number one, to give you an update about the status of  
 12 the Bay Delta Conservation Plan. The second one, is to give  
 13 you the opportunity to have input into the environmental  
 14 review process that once that plan is completed -- or at  
 15 least the first draft -- will be handed off to the  
 16 environmental team, which is staff and consultants of the  
 17 agencies for them to review in the context of what does the  
 18 proposed plan do to the ecosystem, to the communities, to  
 19 the agriculture, to the economy, and to the entire system,  
 20 not only in the Delta but throughout the water delivery  
 21 system that the Delta depends on.

22 Many of your comments tonight will be best utilized if  
 23 you can remember when you leave here -- and there will be  
 24 time at the end -- to speak to the folks out in the hallway  
 25 who will take your comments in writing -- and we will also

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1 have a court report -- or you can fill out a comment card  
 2 because it's the comments in writing about your concerns and  
 3 what you would like this environmental team to consider when  
 4 they're doing the environmental review that will actually  
 5 constructively guide that environmental team. So that's the  
 6 official, legal purpose of this meeting is to generate those  
 7 comments. And I think you will probably have some because  
 8 of the unique character of Clarksburg and the surrounding  
 9 area.

10 The format that we'll follow tonight is we're going to  
 11 go about half an hour with some presentations, with the  
 12 update to the plan. And then we're going to turn it over to  
 13 you for your questions and your comments. Right now I have  
 14 almost 30 comments. And my goal is to make sure that each  
 15 of these 30 people who want to speak get the opportunity to  
 16 do so, that's my primary goal. And in order to do that,  
 17 we're going to need some -- to follow some ground rules. So  
 18 as you're thinking about your comments -- and I have, you  
 19 know, 30 people here who want to make comments -- the ground  
 20 rules that we will follow is that you may ask a question and  
 21 a follow-up question. You may make a comment. We'd like  
 22 those to be limited to three minutes so that the last person  
 23 gets the same opportunity as the first person. Again, if  
 24 you can write your comments about the actual environmental  
 25 review, write them down, we'd appreciate that. Even if you

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1 express them here. And third, is kind of rules of the  
 2 ground rules here. We would like your comments to be  
 3 constructive. And we would like your behavior to be  
 4 constructive and not abusive and not illegal. The illegal  
 5 we kind of have the guidelines. Abusive is a matter of  
 6 judgment. It's kind of like pornography you know when you  
 7 see it. With that, I would like to introduce our team up  
 8 here, our speakers.

9 Starting with Lester Snow, Director of the California  
 10 Department of Water Resources. John Engbring U.S. Fish and  
 11 Wildlife Service that's one of the federal partners here.  
 12 Karla Nemeth, she's with California Natural Resources  
 13 Agency. She's the BDCP, the conservation plan liaison.  
 14 Paul Cylinder, is with SAIC, technical consultant. Chuck  
 15 Hanson, is with Hanson Environmental another environmental  
 16 consultant. Jerry Johns Deputy Director Department of Water  
 17 Resources. Who else is going to speak? Keith Coolidge  
 18 Natural Resources. And we also have some other folks here  
 19 that will be resources.

20 If you don't get all of your questions answered, these  
 21 people will be around, they will take your questions as will  
 22 the staff in the hallway there the technical staff. The  
 23 staff out there is there to listen not so much to answer the  
 24 questions because as the official part of the environmental  
 25 review process, they're trying to get your questions and

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1 concerns. These people will answer your questions. Okay.  
 2 With that I'd like to turn it over to Lester Snow.

3 MR. LESTER SNOW: Thank you, Pam. There's a couple of  
 4 things I noticed about Pam's comments. One the first  
 5 sentence was to identify herself as not part of the rest of  
 6 us, which is probably a good move. And then I also noticed  
 7 that her last sentence had before introducing me had  
 8 pornography in the sentence. I'll try not to let that  
 9 affect me. First, I want to reiterate what Pam said how  
 10 impressive the turn out this is. It speaks well of the  
 11 community, and it speaks well of your interest in your  
 12 community and wanting to understand on what's going on and  
 13 the issues that it may effect -- and also, the T-shirts I  
 14 don't know -- the person that designed them here this  
 15 evening. I mean, they're a wonderful T-shirt. And it shows  
 16 the kind of solidarity that's intended. There's a lot of  
 17 people standing. And it looks like there's still people in  
 18 the hallway. And we have looks like maybe even ten seats  
 19 still available. Yeah, four there. There's three over  
 20 here. Another one there. So maybe some of you in the back  
 21 want to move up here and more people in the hallway can come  
 22 in.

23 As Pam has already indicated, you know, we have a  
 24 number of people that can respond in detail to the issues  
 25 that are before us right now, in terms of the Bay Delta

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1 Conservation Plan on water conveyance, on habitat. What I  
 2 wanted to do is try to provide a little more broader context  
 3 of what's going on in water resources in California, not  
 4 take much time to do that. Water resources -- as many  
 5 people in this room -- I recognize a lot of colleagues and  
 6 friends that have worked on water resources issues for a  
 7 long time. And water resource issues have become more  
 8 complex. The ecosystem, despite investments that have been  
 9 made, we have fish species that have continued to decline  
 10 and have not gotten materially better. At the same time, we  
 11 have seen a a pretty steady erosion of water supply  
 12 reliability in the state. And I'm not just talking about  
 13 the Bay Delta system but on a broader basis and so that's a  
 14 problem that affects ecosystem and it affects the economy of  
 15 the state. So this issue that's here tonight isn't the only  
 16 thing that's going on.

17 And so I want to hit very quickly kind of the  
 18 four-point program that's underway to try to deal in the  
 19 long term basis with water resources in California. And the  
 20 first issue is conservation. Thank you. I'll put it on as  
 21 soon as I'm done. And I owe you 20 bucks -- or was that 50.  
 22 Anyway, the four-point program conservation, that comes up a  
 23 lot in these meetings. It's an essential part of how the  
 24 state is going to move forward and in fact it called for a  
 25 20% reduction in urban per capita use by 2020. We're

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1 seeking legislation to codify that so when we get to the  
 2 future our urban areas are using less water than they are  
 3 today on a per person basis.

4 The second piece of the strategy for the state's future  
 5 water apply is what we call integrated regional water  
 6 management. And what's that? It means that each region of  
 7 the state needs to become more self-sufficient through local  
 8 conservation through waste water recycling through ocean  
 9 desal through local ground water storage projects and ground  
 10 water development -- and we have to invest heavily in that.  
 11 The third element is storage -- statewide storage. You  
 12 probably heard the governor and members of legislation and  
 13 Senator Feinstein talk about needing more storage north of  
 14 the Delta and more storage south of the Delta to capture the  
 15 peak flows that we have and use then in drier years.

16 And then the fourth element, of course, is fix the  
 17 Delta and that means a lot of different things to a lot of  
 18 different people. But fixing the Delta means fixing  
 19 ecosystem issue in the Delta and fixing water conveyance in  
 20 the Delta. So those are the basic elements that are cued up  
 21 to deal with California's future. Now, very briefly. Some  
 22 are at a high level the kinds of issues that we're running  
 23 into. I think the first uniting theme that we hear from  
 24 people is, "You shouldn't be doing this at all." "You  
 25 haven't thought about it." "Stop doing that." "Leave us

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1 alone." Now, that I have your vote, I'm running for  
 2 assembly seat.

3 And then what tends to happen in the next level is, "If  
 4 you have to do something, we're not convinced you've thought  
 5 it through very well. In terms of where you're going to put  
 6 habitat or exactly where you're going to -- how you're going  
 7 to change conveyance." And in the third level it's kind of  
 8 a refinement of that, "If you're going to have to build a  
 9 canal, why are you doing it there?" "That's stupid." "You  
 10 need to do it in this fashion." And then at that third  
 11 level of concern -- and we'll hear that tonight. "If you  
 12 have to do this, you need to think about the impacts you're  
 13 going to have on communities." "You need to think about  
 14 what you're going to do to preserve the lifestyle in the  
 15 Delta." And we know we're going to hear all of those  
 16 levels. "Don't do it." "You're doing it wrong." And, "If  
 17 you are doing it, you need to take care of the impacts that  
 18 you're going to have." So we look forward to hearing that  
 19 from you tonight after the presentations.

20 So I'll come back right before the presentations and  
 21 try to summarize some of the more specific issues that we've  
 22 seen or heard from people. So at this point let me turn it  
 23 over to John Engbring, U.S. Fish and Wildlife Service.

24 MR. JOHN ENGBRING: Thank you, Lester. Yeah, this  
 25 indeed is an impressive turnout. I think I was at the

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1 earlier pre-scoping -- early meeting that we had. And  
 2 there's a lot more people here tonight than there were then.  
 3 And I also heard there's another meeting going on up  
 4 Sacramento. So a lot of interest aren't even represented  
 5 here tonight. So this does represent a huge display of  
 6 the -- this does represent a huge display of the interest in  
 7 the Bay Delta Conservation Plan. Again, my name is John  
 8 Engbring. I am with U.S. Fish and Wildlife Service. I do --  
 9 I spent most of my younger life baleing hay and hoeing  
 10 soybeans, so I know what it's like to make a living off the  
 11 land. I am now the Assistant Regional Director for Water  
 12 and Fisheries with the U.S. Fish and Wildlife Service here  
 13 in Sacramento. I'm going to try to explain as simply as  
 14 possible why the U.S. Fish and Wildlife Service is here,  
 15 which isn't an easy thing to do because the Endangered  
 16 Species Act and these environmental review processes are  
 17 very complex. But I think everybody knows that water is  
 18 moved from the north of the Delta to south of the Delta  
 19 through two very large water projects, the federal and state  
 20 projects. As that water is moved through and pumped out,  
 21 there are endangered species -- endangered fish in  
 22 particular winter-run chinook and Delta smelt that are  
 23 actually killed when these pumps are operating. Now, that's  
 24 not legal under the Federal Endangered Species Act. But we  
 25 do have way to permit that kind of take -- that kind of

<p style="text-align: right;">Page 10</p> <p>1 killing of endangered species. What we do is we ask an  2 applicant. In this case it's DWR Department of Water  3 Resources. And then I think I was described as a partner.  4 But I'm a partner but I'm also here -- and I'm going to be  5 asked to issue a permit to the state for taking these listed  6 species. I'm in a regulatory role here. This permit that  7 we issue -- this incidental take permit -- can be obtained  8 but the applicant has to prepare a Habitat Conservation Plan  9 that describes what DWR -- what the applicant is going to  10 do. How that action is going to affect listed species, in  11 this case Delta smelt, salmon and other covered species.  12 They are supposed to describe various alternatives that were  13 considered and ways that they are going to minimize the  14 impacts to those species, the conservation measure so to  15 speak. When we get that Habitat Conservation Plan, which in  16 this case is the Bay Delta Conservation Plan that's what is  17 being prepared. We have to look at that and make a decision  18 about whether or not the actions, the activities in there  19 actually will threaten or jeopardize the continued existence  20 of those listed species. If we feel that it does jeopardize  21 them, we can't issue the permit. And if there are enough  22 conservation actions and recovery-type actions in that plan  23 that will put those species on an upward trend instead of  24 continuing toward extinction, we can issue the permit. So  25 the end result here is, we will get this Habitat</p>	<p style="text-align: right;">Page 12</p> <p>1 my name is Karla Nemeth. I'm with the California Natural  2 Resources Agency. The Natural Resource Agency -- I'm going  3 to scoot right here so I can operate this machine.  4 The California Natural Resources Agency is convening a  5 steering committee that's helping to shape the Bay Delta  6 Conservation Plan. And that committee is made up of water  7 agencies that provide water supplies from the bay area, all  8 the way down to San Diego, farms throughout the central  9 valley, as well as environmental groups, the California Farm  10 Bureau and other folks who are interested in developing a  11 habitat conservation plan for the Delta. All folks  12 recognize that it's a major challenge to restore an  13 ecosystem in an environment such as the Delta. It's home to  14 half a million folks. Many folks who have been here for  15 generations. It supports a vibrant agricultural economy, a  16 recreational economy. And all of these needs need to be  17 balanced against water supply reliability in the ecosystem  18 restoration goals of this particular plan.  19 The secretary of resources is very interested in  20 engaging the Delta counties in this effort. He's meeting  21 with elected officials from the Delta counties to help lay  22 out a plan for them to be formally engaged in the  23 conservation plan for the purposes of keeping these counties  24 whole as we continue to move through the planning process.  25 As folks indicated, the purpose of this presentation tonight</p>
<p style="text-align: right;">Page 11</p> <p>1 Conservation Plan -- this Bay Delta Conservation Plan. We  2 will have to review it and make a decision about whether or  3 not we issue a permit. In that process, we have to complete  4 an environmental review. Now, we're here completing --  5 beginning the process of this environmental review. Part of  6 the environmental review process is listening to the public  7 to see what you have to say about how this project -- as  8 much as we know about it now and later when we get actually  9 to the draft environmental impact statement, we'll know  10 more. How that project will affect you, ideas you might  11 have about issues, ideas you might have about different  12 alternatives -- "why don't you do this instead of that."  13 Those are all the kinds of comments that we like to hear  14 from you tonight. So I think with that, welcome here again.  15 The table's are out there. They are staffed with  16 individuals that can answer specific questions. So if you  17 do have specific questions, go check out those different  18 tables and stations. There's one on biology. There's one  19 on culture resources. There's one on engineering. There's  20 one on process. So all of the different areas are covered  21 out there. And that's where you should go to provide  22 comments. So with that, again, thank you very much for  23 coming. I'll turn this over to Karla. And she'll give you  24 more information on the Bay Delta Conservation Plan itself.  25 MS. KARLA NEMETH: Thank you, John. As John indicated</p>	<p style="text-align: right;">Page 13</p> <p>1 is to really provide you an update with our current thinking  2 on the plan in the context of this environmental review  3 process. So that we can support with the most up-to-date  4 information as possible, support this scoping session. I'm  5 not going to have all the details for your tonight. But  6 I've got some great folks here.  7 Chuck Hanson, he's a fisheries biologist, who's been  8 working very closely on the plan. And Paul Cylinder over  9 there he's got a lot experience putting these conservation  10 plans. And I really want folks to take advantage of them  11 and ask questions when I finish this presentation.  12 So why are we here? What is the problem that this  13 conservation plan is attempting to solve? As Director Snow  14 mentioned, many folks are very aware that several native  15 species in the Delta have experienced record low population  16 numbers and that is threatening the water supply reliability  17 for about 25 million Californians.  18 Essentially, what the courts have said is that how we  19 convey water through the Delta that is through the  20 Sacramento River down through the heart of the Delta to the  21 state and federal pumps here creates a reverse flow  22 situation that pulls fish into the pumps and under the  23 Endangered Species Law, you cannot operate those pumps to  24 provide the reliable water supplies because of the presence  25 of those fish. So the courts have said you need to reduce</p>

<p style="text-align: right;">Page 14</p> <p>1 your pumping when fish such as smelt are in this part of the  2 Delta. So what typically happens when we have these kinds  3 of conflicts between water supply, or water for human use,  4 and water for environmental needs an entity can go ahead and  5 propose a water supply project and decide to try and offset  6 the damage to individual species one by one by one.  7 But what the Endangered Species Act in the California  8 Natural Communities Conservation planning Act allow for is a  9 different approach to endangered species regulatory  10 compliance. And that is, to put together a conservation  11 plan. And what a conservation plan does is it addresses  12 multiple species. It actually asks folk who are putting  13 them together to contribute to the recovery of species over  14 time, not just to offset damages to one species at a time  15 but to actually come up with a strategy that contributes to  16 their recovery over the long term.  17 And at the heart of conservation planning, is  18 developing a conservation strategy and that is the suite of  19 actions that you need to do the suite of measures that you  20 need that you need to take over time that will contribute to  21 the species recovery. There's a lot of other elements that  22 are critical to the success of conservation planning that  23 are included in a plan. That includes who's going to fund  24 it? And how do we make sure we have adequate funding to  25 implement the whole thing? And that is who governs? That's</p>	<p style="text-align: right;">Page 16</p> <p>1 holistic comprehensive strategy around nine fish species.  2 That includes Delta smelt, longfin smelt, Sacramento  3 splittail, chinook salmon, green and white sturgeon, Central  4 Valley steelhead. And our approach has been to use the  5 decades of science that came out of the CALFED process to  6 start identifying how we might measure the recovery of fish  7 species what are the biological goals and objective of the  8 plan? How do we know they're actually recovering?  9 There are a couple of ways that we're taking a look at  10 this. That is the distribution of these fish throughout the  11 Delta, their mortality rate, their fitness as a fish  12 species. We're also identifying all the things that stress  13 these fish species. I already showed a slide that showed  14 how the operations of the state and federal water project  15 stress fish species with those flows moving through the  16 southern part of the Delta. That's a key issue we need to  17 address in this plan. There are other things that are also  18 stressing the fish species. And that's a lack of adequate  19 habitat for spawning and rearing. It's a lack of food  20 supply for food species.  21 As I also mentioned water quality methylmercury  22 production. The presence of invasive species that compete  23 with native species. It's all of these things that we are  24 working to address collectively with the notion that any one  25 of these things addressed individually would not be as</p>
<p style="text-align: right;">Page 15</p> <p>1 a real critical question. And I know a lot of folks have a  2 lot of concerns about some of the ideas that are being  3 generated -- and that I'll explain in more detail later.  4 It's a critical issue. It has not been resolved. The  5 California legislature is working on it. A lot of folks are  6 working on that.  7 Another critical aspect of conservation planning is  8 this concept of adaptive management and how do we --  9 specially, in a system like the Delta -- how do we monitor  10 our effectiveness in incorporating new scientific  11 information as we implement the plan through time? So at  12 the end of the day this conservation plan will be a plan  13 that lays out specific actions, habitat restoration, water  14 conveyance and water flows in the , ways to manage water  15 quality and invasive species in the Delta in exchange for  16 endangered species act permits to allow the operation of the  17 state and federal water projects.  18 And in this planning process, we really have two goals  19 and that water supply reliability and a stable and healthy  20 fish population in the Delta. So what I'm going describe  21 for you tonight is really just one piece of an overall plan  22 and that is this conservation strategy. In your packets you  23 have a summary update. It's about 20 pages that will go  24 over a lot of the information in this presentation.  25 So we're building this conservation strategy, this</p>	<p style="text-align: right;">Page 17</p> <p>1 effective as if we're able to address them all together all  2 at once because our goal is to contribute to the recovery of  3 the fish species over time.  4 So I want to say a little bit more about flows and  5 water conveyance in a conceptual way before I get into some  6 of the details of things that we're considering. And that  7 is -- as I mentioned earlier -- water supplies as they're  8 conveyed through Delta now come in through the Sacramento  9 River through the Delta to the state and federal pumps. The  10 San Joaquin River also feeds the system and water is pulled  11 from the San Joaquin River into the pumps there. There are  12 a couple of areas in which we have these reverse flows that  13 affect fish as I mentioned already in this area there are  14 reverse flows. But also water that comes down the  15 Sacramento River and that would otherwise go out to the Bay  16 is also subject to the pull of pumps and comes back into the  17 system here. Also subject to the pull of these pumps are  18 fish species moving down the San Joaquin River. They get  19 pulled into the pumps through these channels here.  20 So what we're looking at to help this flow situaton  21 with the fish is a few things -- and as Director Snow  22 mentioned, we are looking at a canal as part of this  23 conservation plan and in terms of the flows and what we  24 think it will do to change the flows for the fish in this  25 system is that essentially by diverting water north -- at a</p>

<p style="text-align: right;">Page 18</p> <p>1 northern point in the Sacramento River down to the pumps, it  2 relieves the reverse flow pressure in this part of the  3 Delta. It also allows for greater outflows to the Bay  4 because the pumps aren't working so hard and allows some of  5 that water to go out into the San Francisco Bay. It also  6 allows the San Joaquin River to come in through the Delta as  7 well without the pressure of those pumps. There's a lot of  8 important details about how this kind of system would be  9 operated, some of which we have, some of which we have not  10 developed. They're absolutely essential, critical issues.  11 Everyone's concerned about that.</p> <p>12 So some of the ideas that we are thinking about that  13 make up the conservation strategy -- remember I was  14 mentioning the specific actions that we're considering -- in  15 the area of conveyance and flow, in the next five to 15  16 years we're looking at installing gates in the southern part  17 of the Delta to help manage that flow issue that I was  18 describing earlier. Gates that could be opened and closed  19 seasonally depending on the presence of fish in that area.  20 In the long term that is 15 years and out, we are looking at  21 northern diversion points off the Sacramento River and the  22 canal that connects to the pumps here. They're critical  23 aspects to how we determine how water is diverted out of  24 this diversion point or the pumps here, and there are couple  25 of things.</p>	<p style="text-align: right;">Page 20</p> <p>1 restoration could occur in a bigger area but of much smaller  2 target, which would determine how much we need to make the  3 plan successful. And that essentially gives the plan some  4 flexibility in working with public lands and working with  5 willing buyers and willing sellers to implement the habitat  6 restoration piece.</p> <p>7 But I want to point out a couple of specific areas that  8 we are considering for habitat restoration in this five to  9 15 year time frame. And that is in the Yolo bypass area.  10 Essentially, putting an operable gate on the Fremont Weir  11 and allowing Sacramento River water when available to come  12 in and flood a little bit more of the bypass every couple of  13 years for the purposes of creating spawning and rearing  14 habitat for fish. We are also taking a look at tidal marsh  15 restoration in the Cache Slough area and then Suisun marsh  16 and then portions of the West Delta. Also in the near term,  17 that is, the next five to 15 years we're looking at some  18 canal restoration in Steamboat and Sutter Slough area.  19 We're looking at about potentially ten miles of restoration  20 in that area. Potentially deepening the channels and making  21 it safer for fish to migrate through. And Chuck can answer  22 questions about design and how we might be approaching that.</p> <p>23 In the longer term, we're looking at restoring habitat  24 in this eastern part of the Delta here down in the southern  25 Delta and then along the San Joaquin River here. As I</p>
<p style="text-align: right;">Page 19</p> <p>1 One, it's limited by how wet a year it is. Is it dry,  2 critically dry, average or wet. But also key indicators for  3 fish species needs. How much water needs to be flowing by  4 this kind of a diversion point so that fish have enough  5 water in the system to migrate so that there's enough force  6 for food to be transported into the Delta. They're all very  7 important pieces of information that we need to pull  8 together about how we might operate this kind of a  9 dual-conveyance system. The other important measure is how  10 we operate a northern diversion point or a southern  11 diversion point to manage salinity in the Delta for  12 agriculture uses here in the Delta.</p> <p>13 As I mentioned, we also have a need to address the lack  14 of habitat for fish species in the Delta. And we're looking  15 at three different kinds of habitat restoration. One is  16 floodplain restoration. The other is tidal marsh  17 restoration that's growing cattails and tules to create  18 spawning and rearing habitats in food production for fish.  19 The other is restoring the banks of channels to make them  20 safer for migration for fish less subject to predators. And  21 we're looking at doing that in a variety of areas. I know  22 some folks have kind of been around this block before, they  23 seen these green blogs, they're a little frustrated they  24 want us to get more specific about habitat restoration. And  25 what we're really looking at is identifying areas where</p>	<p style="text-align: right;">Page 21</p> <p>1 mention before, the purpose of this plan is to do a whole  2 suite of actions that we think will contribute to the  3 recovery. What we don't want to do is change the flows and  4 develop habitat that -- but do it in a place where the water  5 quality isn't so good. Or where we know there's invasive  6 species. So we're looking at strategically throughout the  7 Delta, supporting programs that can remove invasive species  8 such as Quagga mussel or water-hyacinth, Egeria those sorts  9 of things -- also addressing water toxics in the Delta.</p> <p>10 Where we are in the development is we've put together  11 about 50 conservation measures -- ideas that we're  12 considering. It's all available on our website, which is  13 <a href="http://www.resources.ca.gov/bdcp">www.resources.ca.gov/bdcp</a>. But I would, again, point you to  14 that summary document that's in your packet. There's a lot  15 of good information in there that really represents some of  16 our latest thinking and why we're approaching it this way.</p> <p>17 In terms of where we are, we're here on the left with a  18 lot of different potential conservation measures that we  19 need to evaluate. We need to evaluate them for their  20 biological effectiveness. We need to evaluate them for  21 their practicability. How feasible is it? You know, once  22 we're out in the ground to actually do them, how cost  23 effective they would be? A lot of other measures that we  24 need to think about know that we're getting a sense of  25 scientifically what we think would be the best approach to</p>

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1 help fish species recover. We expect to have a draft plan  
 2 available by the end of 2009 in a public draft form. But  
 3 we're going have a draft of the plan -- a preliminary draft  
 4 of the plan available this summer. Where we've got all  
 5 those pieces, not just the conservation strategy but all  
 6 those other elements that I mentioned in terms of the  
 7 adaptive management, of governance, of funding all these  
 8 kinds of elements of the plan will be available in a  
 9 preliminary plan this summer and expect to bring it out and  
 10 talk to communities about it, get their input on it in  
 11 advance of the public draft, send it out for public review  
 12 and comments, respond to those comments.

13 Our expectation is that we'll do that by the end of  
 14 2009. And then we would have a final conservation plan by  
 15 mid 2010. And then as Mr. Engbring mentioned, the outcome  
 16 of the plan is the state and federal fish agencies decide  
 17 whether or not it passes muster. And they can issue a  
 18 permit for taking endangered species act, pending the  
 19 implementation of the conservation plan. It's moving  
 20 concurrently with EIR and EIS schedule. And the  
 21 environmental review process will actually issue a Record of  
 22 Decision on the conservation plan. So I will now open it  
 23 for questions and comments. I think Director Snow is going  
 24 to make some summary comments as well. Thank you.

25 MR. LESTER SNOW: Pam suggested that I very quickly

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1 summarize -- since this is the 12th of 12. We've heard a  
 2 lot of comments. I'll take less than 60 seconds and go  
 3 through some of the issues that have come up at the other  
 4 meetings. And certainly one has been -- one theme has been  
 5 the whole issue of access per surveys and getting on  
 6 property -- temporary entry permits and what happens in that  
 7 process. A longer term issue of land purchases -- land  
 8 acquisition what happens if you're going to acquire land,  
 9 whether it's for canal or for habitat.

10 Certainly a theme of opportunities for input and  
 11 dialogue -- and not just waiting for government to make a  
 12 decision, but what are the opportunities. And I think  
 13 Karla -- go on the website and you can see when the meetings  
 14 are taking place and there are forms that provide more  
 15 information on that. Certainly a theme in the Delta region  
 16 in the concern that this is all predecisional, decisions  
 17 have all been made and kind of going through the motions on  
 18 this and that's been a theme that's come up in a number of  
 19 places.

20 Concern that the steering committee, the group that's  
 21 guiding the conservation plan, does not adequately include  
 22 Delta interest and specific Delta agriculture salinity you  
 23 change the flow patterns in the Delta you have to ask the  
 24 immediate question what's going on with salinity? And how's  
 25 that going to be dealt with? Impacts on recreation -- you

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1 put barriers gates in whatever they are, how does that  
 2 change recreation patterns in the Delta. Issue of striped  
 3 bass has come up in a number of fashions. It's a predator  
 4 to the endangered species, but it's also an important game  
 5 fish in the Delta.

6 Alternatives -- and I kind of hit that in very broad  
 7 way in my initial comments -- "Can't you do more  
 8 conservation -- and I don't have to worry about this stuff."  
 9 Project cost. "Who's going to pay for this?" "Big price  
 10 tag." "Are the water users genuinely going to pay for this  
 11 fix as has been committed to?" "And how do we assure that  
 12 they do?" Concerns that a canal will lead to abandonment of  
 13 Delta issues and Delta priorities. One broad one, of  
 14 course, is a lack of trust and confidence in government to  
 15 make commitments and follow through with you. Let the  
 16 record show, I made a lot of applause tonight. You know, I  
 17 mean, that issue of confidence and trust -- I mean, that's  
 18 not a Clarksburg issue or a California issue. It turns out  
 19 to be a kind of a national issue right now with the economy  
 20 and the condition that it's in.

21 That leads to this issue of governance. I don't know  
 22 if you've been hearing that term. But there's an assumption  
 23 that if you do something like this the existing institutions  
 24 can't govern this. There has to be some other kind of  
 25 structure that will govern facilities and how this gets

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1 done. Mitigation for land impacts, mitigation for economic  
 2 impacts in the region. And one issue that's a theme for --  
 3 and it's maybe more so central and south Delta.

4 You probably have seen some of the studies that have  
 5 been done on earthquake risk and the high risk that there is  
 6 for some of the subsided islands and there's a response that  
 7 people don't believe that. That that's just not true, that  
 8 the risk is not that high. So those are the kinds of themes  
 9 that we've seen from people. And it sounds like we'll hear  
 10 some of those themes here this evening. So with that, let  
 11 me turn it over to Pam.

12 MS. PAM JONES: Right now we have 35 people who have  
 13 indicated that they want to speak. That's about 105  
 14 minutes. So I would like to ask the speakers if you will  
 15 stay until 9 o'clock up here officially answering the  
 16 questions. And then we'll return to a more informal  
 17 discussion. They'll stay, you can speak to them. And you  
 18 can also speak to the folks, specifically, about your  
 19 questions and concerns out there. To get through 35 to 40  
 20 is going to take your cooperation. There's no way we can do  
 21 this, if we have people running on over three minutes. And  
 22 it means that the people at the end of the line will not get  
 23 the attention they deserve. So I'm asking you to, please,  
 24 when you make your comments or questions -- out of  
 25 consideration for the people at the end of the line be as

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1 concise as you can. And then the other ground rule is not  
 2 to be abusive or threatening.

3 Okay. So when you get close to your three minutes,  
 4 I'll kind of wave to give you an idea to wrap up. If you're  
 5 past three minutes, I will ask you to give the microphone up  
 6 to the next person. In order to get through this fast, I'm  
 7 going to call three names at a time to give you time to kind  
 8 of get your thoughts together and get up to the microphone  
 9 right here. So there will be people going in and out, if  
 10 you could just help them get through the system. Before we  
 11 start, we do have some representatives from elected  
 12 officials here. Can you identify yourself, if you are here  
 13 for an elected representative? Back in the back -- and you  
 14 know what, on the left-hand side over here, if you could  
 15 just move forward. There are a few people back there. Keep  
 16 moving forward. Okay. I think it is a representative from  
 17 Mike McGowan; is that correct?

18 MS. JULIA McKEEVER: Correct.

19 MS. PAM JONES: Okay. And your name is?

20 MS. JULIA McKEEVER: Julia.

21 MS. PAM JONES: Okay. Julia is here from Supervisor  
 22 Mike McGowan. Also, I would like to -- oh, yes.

23 REPRESENTATIVE OF MARIKO YAMADA: From Assembly Member  
 24 Mariko Yamada's office.

25 MS. PAM JONES: Assembly Member Mariko Yamada's office.

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1 Anyone else? Okay. I'll call on you in just a minute.  
 2 What I wanted to ask is there anyone here who has to leave  
 3 early due to taking care of children or parents or whatever  
 4 and that would like to speak up front? Is there anyone with  
 5 a real time constraint? Okay. Then I'll go ahead with the  
 6 list as we have it. Julia, did you want to start out?  
 7 Anyone here from the press? Don, and you're representing  
 8 who?

9 DON: With the Madera Tribune.

10 MS. PAM JONES: Don is with the Madera Tribune. Anyone  
 11 else from the press?

12 MS. PAM JONES: Okay. Julia?

13 MS. JULIA McKEEVER: Good evening, Julia  
 14 McKeever(Phonetic). I work for Yolo County. I'm here  
 15 representing Supervisor Mike McGowan, who's the chair of the  
 16 Yolo County Board of Supervisors and also represents the 1st  
 17 district, in which we're all standing -- or sitting as the  
 18 case may be. He's very sorry he couldn't be here tonight.  
 19 He's at a meeting at the Delta Protection Commission so he  
 20 asked me to speak on his behalf. I apologize for not  
 21 bringing enough copies to have one for everyone. So maybe  
 22 you can share with your neighbors. But I'm distributing a  
 23 couple of things.

24 One is a letter that I would like to submit -- I gave  
 25 the copy to somebody back here -- I would like to submit

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1 into the record as our comments on the EIR/EIS process.  
 2 This is a letter that actually that we've already sent to  
 3 Secretary Chrisman and to Secretary Scarborough and members  
 4 of the BDCP Steering Committee. And it has attached to it a  
 5 Board Action by the Board of Supervisors of Yolo County  
 6 regarding Delta related policies, which I won't go through  
 7 in great detail. But I wanted to highlight some of the  
 8 concerns that the board has. We feel like Yolo County is in  
 9 the crosshairs of BDCP's current conservation strategies.  
 10 The January 12, 2009 draft of the BDCP contains some core  
 11 elements that -- for example, proposed to inundate -- to  
 12 modify the Fremont Weir it would inundate the Yolo bypass to  
 13 the point where we're concerned that we're going to lose  
 14 agriculture in the bypass entirely. Some of the proposals  
 15 also would obviously stand to cause significant changes in  
 16 the Clarksburg area. We feel this deserves direct written  
 17 assurance from the BDCP Steering Committee that the full  
 18 impacts of these actions will be completely addressed.

19 Wanted you to know that the board has appointed  
 20 Supervisor McGowan as it's lead on Delta issues. He's also  
 21 the board appointed representative to the five Delta County  
 22 Coalition. And though the board and our constituents, feel  
 23 like returning to work with the Bay Delta Conservation  
 24 process, I will say that lately hope is fading that our  
 25 efforts to are generating the respect for the important

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1 issues that have to be addressed, if the proposals are going  
 2 to move forward.

3 We would like to respectfully request that everyone  
 4 remember that the Delta is more than an ecosystem problem.  
 5 People live here and the proposals for fixing the Delta are  
 6 going to have huge impacts on their lives. We believe that  
 7 there should be a third co-equal goal to the Delta vision,  
 8 which is sustaining the intrinsic values of the the Delta as  
 9 a place. The scope of change being proposed is far  
 10 reaching, but nobody is going to be as affected by the  
 11 results as those who live here. Thank you.

12 MS. PAM JONES: And you're welcome to clap in between.  
 13 It does take up a little more time so however you want to  
 14 use your time. Steve Heringer, Brett Baker, and DJ  
 15 Andriessen.

16 MR. STEVE HERINGER: Thank you for the opportunity to  
 17 address questions to the BDC plan this evening. We request  
 18 herewith, that you make all of our comments and questions  
 19 tonight part of the record. And address all of them in the  
 20 final EIR/EIS. I'm Steven F. Heringer, fifth of six  
 21 generations of the Heringer family to farm Clarksburg soils.  
 22 At the Clarksburg meeting one year ago I requested economic  
 23 analysis intended environmental mitigation cross projections  
 24 and intended economic mitigation on the following issues of  
 25 immediate concern to residents in the north Delta. To

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1 summarize, we have 17,000 acres of premium wine grapes in  
 2 the Clarksburg appellation. Vineyard establishment costs  
 3 are in the range of 16 to \$20,000 per acre. Vineyard  
 4 infrastructure costs alone exceed \$340 million in just our  
 5 appellation. There are 11,000 local and 13,500 nationwide  
 6 jobs created by these wine grape acres. There is 357  
 7 million in statewide taxes and 900 -- I'm sorry -- in wages.  
 8 And 900 million in annual wages are paid by these acres.  
 9 Taxes generated statewide are 107 million. 64 million  
 10 additional nationwide. 17,000 agri-tourism visitors spend  
 11 \$70 million annually in the Delta. Please complete the  
 12 requested analysis for the EIR/EIS. As north Delta water  
 13 agency constituents we have paid contractual fees for almost  
 14 three decades to the State of California for specific water  
 15 quality and water quantity parameters. Outlined in the  
 16 EIR/EIS how these quality and quantity parameters will  
 17 continue to be met under your various BDC plan options. As  
 18 our north Delta contract has no sunset date and we will  
 19 fight for proper performance of its provisions. Since the  
 20 native soil material along the western route has been deemed  
 21 unsuitable for levee construction purposes where will the  
 22 estimated 10 million yards of levee material come from? And  
 23 how will it be economically moved and placed on the western  
 24 conveyance project? We have implored all of you involved in  
 25 the BDCP deliberations to consider the Delta as a place in

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1 your planning processes. Outlined in your EIR/EIS report  
 2 the measures that you have taken to consider the communities  
 3 and peoples of the Delta. What considerations of the social  
 4 and economic fabric of the area you have considered in your  
 5 options, what consideration of the businesses that support  
 6 our family farms and ranches. And finally, the  
 7 considerations of the schools that educate our children.  
 8 Letters may save our towns but will not save the Delta  
 9 communities. Yolo County supervisors are partnered with us  
 10 to keep our unique upper Delta agricultural. We adapted  
 11 sustainability generations ago to assure the farming and  
 12 enjoyment of our Delta region for the benefit of all people  
 13 of our great state. Following the authorizations of the  
 14 State Water Project 50 plus years ago the State of  
 15 California reneged on its promise to bring 10 million  
 16 additional acre feet of water to table through additional  
 17 storage capacity and importation of north coast water. We  
 18 will not now willingly sacrifice our heritage, our homes,  
 19 communities and farms to satisfy the state's thirst at our  
 20 sole expense. Outlined in the EIR/EIS how local voices will  
 21 be made a significant part of the governance body that will  
 22 control the future of our Delta. Thank you for the  
 23 attention to these questions.  
 24 MS. PAM JONES: Brett Baker, DJ Andriessen and Andy  
 25 Wallace.

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1 MR. BRETT BAKER: Hello. And thank you for coming to  
 2 Clarksburg. I'd like to thank you in advance for taking the  
 3 time to hear my comments, questions and suggestions. My  
 4 name is Brett Baker. I'm a graduate of Delta High School  
 5 and UC Davis where I received my degree in Wildlife Fish and  
 6 Conservation Biology under the guidance of Doctors Peter  
 7 Moyle and Jeffery Mount, two gentleman who helped craft the  
 8 Delta Vision Report. In addition, I'm a lifelong Delta  
 9 residence. The sixth generation in my family to live and  
 10 thrive on Sutter Island. I would also like to thank my  
 11 fellow community members who stood and will stand to make  
 12 our voices heard. I like to open my comments with an  
 13 excerpt from Cadillac Desert. Every knows there's a desert  
 14 somewhere in California, but many people believe it is off  
 15 in some remote corner of the state, the Mojave Desert, Palm  
 16 Springs, the eastern side of Sierra Nevada, but inhabited  
 17 California, most of it, is by strict definition a  
 18 semi-desert. Los Angeles is drier than Beirut. Sacramento  
 19 is as dry as the Sahara. San Francisco is just slightly  
 20 rainier than Chihuahua. And about 65 percent of the state  
 21 receives under 20 inches of precipitation a year.  
 22 California, which fools visitors into believing it is  
 23 "lush," is a beautiful fraud much like this conservation  
 24 planning effort we're here this evening to discuss. That  
 25 last bit was me.

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1 Speaking with Karla, she hoped I could provide you  
 2 folks with a bit of insight as to why us Deltans are so  
 3 upset and disturbed with this BDCP process. My life  
 4 experience thus far has given me the opportunity to gain a  
 5 bit of insight and understanding of your mindset and the way  
 6 you work. Having been an employee of the resources agency  
 7 with the Department of Fish and Game and having spent the  
 8 last year as the Water and Agricultural Policy Analyst for  
 9 the Lieutenant Governor, I have listened to and observed  
 10 considerable amount of discussions with agency staff, the  
 11 likes of Lester Snow, a man whom I respect and admire,  
 12 please do not take this personally, but to us it is  
 13 personal.  
 14 And the undersecretary of the resources agency Karen  
 15 Scarborough. I -- and I typically refrain from using first  
 16 person examples but this one too good to make an  
 17 exception -- I shall never forget the first time I met with  
 18 Mrs. Scarborough regarding Bay Delta Conservation Plan. As  
 19 I entered her office, I was greeted with and I quote, "You  
 20 must be here about us flooding Clarksburg." To which I  
 21 respond, "I don't find that amusing. I went to Delta High  
 22 in Clarksburg." She then apologizes her comment may have  
 23 come off a bit catty. To which I respond, "Amongst other  
 24 things." The rest of the conversation went -- well, it  
 25 went. I was greatly troubled by a staffer's response to my

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1 inquisition regarding the incorporation of south Delta water  
 2 agency funded independently engineered alternative, noting  
 3 it was mentioned but not in great detail. To which she  
 4 responded. And again, I quote, "We have to at least make  
 5 them think we're listening," followed by a thud, which I'm  
 6 pretty sure was Karen kicking her under the table. I just  
 7 want to make sure that made it's way into the public record.  
 8 We've seen this before. You are striving for a  
 9 transparent public process. And I commend you on  
 10 accomplishing this goal, if only one. It is transparent,  
 11 all right. We see right through it. We didn't fall off the  
 12 sugar beet truck yesterday. We see this for what it is, a  
 13 blatant water grab, and attempt to trump centuries old  
 14 senior water rights with junior water rights because of a  
 15 temporary appointment to a position of power of a man who is  
 16 married into the Kennedy's. Take this message back to him,  
 17 I don't care how much lipstick you put on this pig or how  
 18 you dress this mutton up as lamb, we're not buying it. All  
 19 these pretty colored handouts, maps and dog and pony shows,  
 20 for what? To grow lawns in southern California. David  
 21 Nahai, Executive Director of Los Angeles Department of Water  
 22 and Power, the man in charge of asking Los Angelinos to  
 23 ration their water usage last summer was found to be one the  
 24 biggest violators of his proposed policy with a daily  
 25 household water use of up to 2,900 gallons.

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1 MS. PAM JONES: Brett, could you wrap up, please?  
 2 MR. BRETT BAKER: Yes. Here he was asking regular  
 3 citizens to reduce their consumption and he hadn't even  
 4 bothered to check the timer on his sprinklers in his  
 5 backyard -- or drain his pool. I google earthed it. He's  
 6 got a pool along with everyone else on his block. As for  
 7 State Water Resource Control Board, I've been told they will  
 8 be the regulatory agency in charge of canal operations.  
 9 Don't worry Jerry, I'm not bringing up the February  
 10 scenario. I think Mr. Nomellini did enough the other night  
 11 in Stockton. I'm just going to give you this one example --  
 12 MS. PAM JONES: Brett, I'm going to ask you to give up  
 13 the mic to DJ. Or if someone else -- if they would give  
 14 their time? Could we have someone who is willing to give up  
 15 their time?  
 16 UNIDENTIFIED PERSON: I will.  
 17 MR. BRETT BAKER: Just one example State Water Resource  
 18 Control Board incompetence though there are many. Assembly  
 19 Bill 885 was passed in 2000 requiring the State Water  
 20 Resource Control Board to develop and implement a statewide  
 21 standard for onsite waste water management systems, septic  
 22 tanks. This year they finally got their draft EIR  
 23 recommendations out, which were met with great public  
 24 disapproval. They have opted to go for a new rewrite. The  
 25 project manager at State Water Resource Control Board says

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1 we're look at taking a new direction. Basically, we're  
 2 starting again from a ground up, not much process for nine  
 3 years work. And you're telling us we're supposed to trust  
 4 our future to a regulatory agency that can't get shit  
 5 together -- literally. I apologize to the children in the  
 6 audience and my mother.  
 7 I would hope that you folks stop and take time to ask  
 8 yourselves one crucial question. Is this project beneficial  
 9 in the long term for California's economy and ecosystem? Or  
 10 is this just the cheapest quick fix to continue the status  
 11 quo, poorly planned development of the state south of Tracy  
 12 being pushed by water peddlers whose primary concern is to  
 13 provide their users with water at the cheapest rates  
 14 possible? No wonder they had so graciously offered to pay  
 15 for this project. Need I remind you of your duties to do  
 16 what is best for the overall long term health of the state.  
 17 Whether you realize it or not, you're shaping the  
 18 implementation and development of the Federal and State  
 19 Endangered Species Acts and CEQA and NEPA. I implore you to  
 20 uphold the spirit of these laws to accomplish the intentions  
 21 of their authors.  
 22 MS. PAM JONES: Do we have someone else willing to give  
 23 up their time for Brett?  
 24 UNIDENTIFIED GENTLEMAN: I will.  
 25 MS. PAM JONES: And your name is?

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1 UNIDENTIFIED GENTLEMAN: Bob.  
 2 MR. BRETT BAKER: Not to simply go through a long,  
 3 expensive drawn out process simply to check the boxes on a  
 4 laundry list of requirements. It pains me to see the way  
 5 you have twisted the work of honest scientists to fit your  
 6 plans. In regards to all of your phony science, I have only  
 7 these two quotes for you, "Essentially, all models are wrong  
 8 but some are useful." This is George Box, one of the 20th  
 9 century's most influential statisticians in regard to his  
 10 father of modern day modeling. The other is, if I knew what  
 11 I was doing, people wouldn't call it research," by Albert  
 12 Einstein.  
 13 Historically speaking massive water diversions have  
 14 been the downfall of many empires and this project stands to  
 15 destroy the World's 6th or 7th largest economy. Mesopotamia  
 16 spent a great deal too many resources attempting to irrigate  
 17 salty ag land, and The Roman Empire was plagued with disease  
 18 for failing to deal with their wastewater issues. There has  
 19 never been enough upstream diversion in the history of this  
 20 state that did not result in a major ecological and  
 21 ecomonical disaster for the people and fish that rely on  
 22 those systems for their livelihoods. I'm sure all of you  
 23 are now quite familiar with the parallels between your  
 24 proposed project and the fate of Owens Valley and Mono Lake.  
 25 There are real solutions to fixing California's ailing water

<p style="text-align: right;">Page 38</p> <p>1 systems. Storage, you haven't build any substantial storage  2 in the state since the last time you tried to pass this  3 vote. You folks are going to have to bite the bullet and  4 build storage somewhere. The truth is this project adds no  5 new water to the system. A system now over allocated nearly  6 four fold, which was originally design to have 5.5 million  7 acre -- a million acre feet of additional storage than what  8 we have today. And you squabble over three dams sites,  9 Sites reservoir, Los Vaqueros and an addition to the  10 Millerton reservoir complex.</p> <p>11 What about building Shasta dam to their original design  12 capacity? And rest-in-peace Auburn dam. Why don't you  13 finish the project you started over 50 years ago? It was  14 Arnold's uncle-in-law John F. Kennedy who said in 1962, "If  15 we could ever competitively at a cheap rate get fresh water  16 from salt water than it would be a long range interest of  17 humanity, which would really dwarf any other scientific  18 accomplishments." Try not to think of the progress that  19 could have been made in the past 30 years were the attention  20 focused on this ditch put to work developing sensible  21 desalination practices or how much purple pipe could have  22 been laid during the last population development explosion  23 in southern California. How much water could have been  24 recycled with the dollars spent on the sham of a process.  25 The public will soon have to get over their problem with</p>	<p style="text-align: right;">Page 40</p> <p>1 getting ahead of yourselves in this planning process. I am  2 curious if you already have names picked out for your  3 facilities? May I make this suggestion? As I'm sure this  4 propaganda in our local paper crossed his desk more than  5 once -- if it did not get its beginnings there, Arnold's  6 partner in crime, who held Jeffery Knightlinger's job prior  7 to him and holds Don Zea's leash. As he is the Harvey Banks  8 of his day. I suggest you name it the Timothy Quinn Pumping  9 Plan for your Schwarzenegger Canal. I will be back.</p> <p>10 MS. PAM JONES: Okay. DJ Andriessen, Andy Wallace and  11 Steve Hiromoto. And who was it over here that gave up their  12 time? And what is your name?</p> <p>13 UNIDENTIFIED PERSON: Nikki.</p> <p>14 MS. PAM JONES: And we need one other person.</p> <p>15 MR. MARK MOORE: I'm Mark Moore, and I volunteer to  16 give up my time.</p> <p>17 MS. PAM JONES: Thank you, Mark. Okay.</p> <p>18 MS. DJ ANDRIESSEN: Good evening. I appreciate the  19 opportunity to speak again on this issue. I'm a little  20 nervous so bear with me. My name is DJ Andriessen. And  21 I've only lived here 21 years. I plan to spend the rest of  22 my long life in Clarksburg. I'm a survivor of West Nile  23 Virus. Although I suffer from some of the effects of it, I  24 feel fortunate because I did survive. They're many who did  25 not. Since I was diagnosed, over 9,000 people have been</p>
<p style="text-align: right;">Page 39</p> <p>1 recycled water.</p> <p>2 Honestly, how much kidneys do you think the water has  3 gone through from the time it leaves Redding until it  4 arrives in Tracy? Our focus should be constructing  5 facilities like the wastewater treatment plant in Orange  6 County that received the Stockholm Industry water award this  7 past year, the equivalent of the Noble Peace prize in the  8 world of water. The reverse osmosis used at this plant is  9 the same process that can be utilized to desalinate brackish  10 ground water, which causes no conflict with marine mammals  11 and has been shown to be less energy intensive than  12 conveying water through the State Water Project over the  13 Grapevine. Don't take my word for it. Ask Dr. Robert  14 Wilkinson of UC Santa Barbara. These are imbedded costs  15 that will continually burden the tax payers and water users  16 of our great state. These are things that should be taken  17 into consideration throughout this decision process.</p> <p>18 In closing, I would like to support the concept of  19 regional self-sufficiency and would like to request an  20 extension of the 90 day public comment period upon the  21 completion of this EIR/EIS. My final suggestion -- and I  22 would like to preface this by saying that I respect this man  23 in the upmost. However, I will not give him the advantage  24 of misunderestimating his abilities, craftiness or his  25 political clout. I realize you folks have a propensity for</p>	<p style="text-align: right;">Page 41</p> <p>1 diagnosed in the United States with West Nile Virus. Of  2 that 344 were fatalities. Since 2006 West Nile Virus has  3 increased in California by 25 percent, creating any sort of  4 a water refuge in our area would not only affect us but the  5 Sacramento Valley entirely by creating a West Nile Virus  6 incubator.</p> <p>7 I don't believe this project is to protect the smelt  8 unless we're talking about the smelt that live in southern  9 California. But even if it were -- and we use the processes  10 that we're using now to eradicate the mosquitos that process  11 also kills the phantom midge, which is the main food source  12 of the smelt. So we'd be basically breeding fish to watch  13 them starve to death. The last time we met here, I asked  14 you to take these plans to the drawing board and come up  15 with a better solution to your problem. Tonight I'm here  16 just to say shame on you. Shame on you. In what ethical  17 society -- what democracy is it okay to take any number of  18 homes and any number of livelihoods from people for an  19 experiment about fish. My only consolation is that you  20 weren't around when the dinosaurs were dying out because I  21 know you would need a lot more land to keep them alive.  22 It's evolution get with it.</p> <p>23 MS. PAM JONES: Andy and -- please do repeat your  24 names. Andy, Steve Hiromoto and then Steve Heringer.</p> <p>25 MR. ANDY WALLACE: My name is Andy Wallace. And I live</p>

<p style="text-align: right;">Page 42</p> <p>1 here in Clarksburg with my wife and two sons. Both of my  2 sons attend school in Clarksburg, as did I. And I graduated  3 from Delta High School. My parents live here in Clarksburg  4 and have been part of this community for 45 years, which by  5 Clarksburg standards makes us new comers. A few procedural  6 comments.</p> <p>7 Number one, it is important to the people of the  8 Clarksburg area and the people who are interested in the  9 project from around the state to keep all of our comments in  10 the project, keep all of our comments in the record in their  11 entirety and not reduce our individual comments into general  12 or combined comments. Number two, the document and  13 undocumented impacts of this plan will directly and  14 indirectly affect the people of Clarksburg yet the people of  15 Clarksburg who will carry the burdens of this project will  16 see none of the benefits. Number three, the admirable of  17 fixing the Delta is meaningless if at the end of the day it  18 ends up creating just enough smelt to keep transferring more  19 water to southern California. There is nothing co-equal in  20 California water politics. The Delta and its people are  21 always going to come last.</p> <p>22 Water transfer should be delinked from this process and  23 the health of the watershed should be the primary focus of  24 these efforts. Let's prove that the species that use the  25 Delta can be managed sustainably over drought, before we</p>	<p style="text-align: right;">Page 44</p> <p>1 Invasive species are likely to require tens of millions of  2 dollars in management and direct control and require these  3 efforts in perpetuity. Where is the endowment for these  4 activities. Number six, if West Nile Virus increases in the  5 Delta, it is expected to have significant impacts on native  6 birds such as the Yellow-billed Magpie. How are these  7 impacts analyzed and mitigated for? Number seven,  8 converting fresh water habitat to brackish water habitat  9 will have negative influences on the ecosystems of the upper  10 Delta, leaving this area as one of the last reservoirs of  11 species such as listed turtles and birds. Now, the state  12 wants to reduce their habitat for fish. It is largely  13 eliminated by southern California's water intakes. The sole  14 purpose of this document is an attempt to commingle the  15 issues of habitat restoration and water supply.</p> <p>16 Some engineering issues, number one, what is the  17 technical basis for proposing the flood bypass downstream  18 below the city of Sacramento and how is this not  19 accomplished more efficiently by using the existing deep  20 water ship channel? What is the one difference -- I'm  21 sorry -- what is the difference in cost between using the  22 ship channel and creating new bypass? Number two, creating  23 a new bypass in flood areas -- flooding areas within the  24 existing reclamation districts will constrain or eliminate  25 existing water management through water elevation changes</p>
<p style="text-align: right;">Page 43</p> <p>1 begin discussing water transfer. Number four, the nature  2 and character of the Delta today is recognized as valuable  3 in this document. Yet, our redevelopment interest are  4 specifically rejected by this document, replaced with the  5 unbridled growth of southern California. This is an  6 arbitrary and capricious attempt to shift the burden of  7 development on the very people who themselves not able to  8 development.</p> <p>9 Now, I have some specific questions. Number one, with  10 regard to the comment made by the independent science  11 advisors and the BDCP independent science advisors report,  12 where are their comments addressed? Number two, what are  13 the impacts on rare terrestrial plants such as San Joaquin  14 Shats scale(Phonetic). And how will this project not lead  15 to fragmentation or possible extirpation of these species?  16 Number three, how many acres of rare wetland habitat are  17 jeopardized by the proposed canal construction? And how  18 many acres of this land have been surveyed. Number four, we  19 are concern on several levels that this project would lead  20 to significantly worsening water quality negating any  21 positive ecological values. Number five, anyone who has  22 work in the Delta realizes that invasive species are one of  23 the greatest ecological problems.</p> <p>24 Yet, the likely impacts of invasive species on this  25 plan are just identified or dismissed in a cursory fashion.</p>	<p style="text-align: right;">Page 45</p> <p>1 and underseepage. This will require redesign and operation  2 changes throughout the region causing tens of millions of  3 dollars of infrastructure modifications and loss of  4 agricultural use.</p> <p>5 Number three, the project minimizes the engineering  6 requirements to achieve and maintain water quality in the  7 Delta and ignore the considerable engineering required to  8 establish new flood routing and manage tidal influence  9 wetlands. To realistically achieve what is being described,  10 would require an engineering feet equivalent of the entire  11 country of the Netherlands efforts of reclamation and a  12 management system beyond the capabilities of the Bureau of  13 Reclamation and the Department of Water Resources.</p> <p>14 MS. PAM JONES: Andy, could you wrap up?  15 MR. ANDY WALLACE: I'll wrap up. Instead the  16 engineering and water management is being treated simply as  17 a conveyance problem needed to maximize water transfer --  18 some social issues. Number one, by improving habitat for  19 Delta smelt other listed species could be using the area and  20 potentially be creating new legal issues for the community  21 further reducing our ability to exercise our property  22 rights. How will the community be protected from the  23 consequences of this likely impact? Number two, loss of  24 farmland in the Delta will have ripple effects with Ag  25 equipment, suppliers, truck dealers and etc., where good</p>

<p style="text-align: right;">Page 46</p> <p>1 paying, stable jobs will be directly impacted and lost. How 2 will this plan mitigate for the loss of those jobs? And 3 finally, who is running the economic analysis? On what 4 basis will the analysis be completed? Which models will be 5 used and why? Thank you.</p> <p>6 THE COURT: Steve Heringer, I'm sorry, I reshuffled you 7 back into the deck. But after Steve Hiromoto is Peter Hunt.</p> <p>8 MR. STEVE HIROMOTO: Thank you for the opportunity to 9 speak this evening. My name is Steven Hiromoto fourth 10 generation farmer and resident of the Clarksburg community. 11 My family had witness the building of these levees and were 12 instrumental in the reclamation of many of these acres. My 13 great-grandfather's diligence and hard work paved the way 14 for the following generations to reap a livelihood from 15 these soils. Each generation took pride in providing food 16 for our country's tables. And a prosperity ensued for us. 17 We generously gave back to our community. Only during the 18 years following the outbreak of World War II and of course 19 the evacuation of Japanese American citizens was our family 20 away from Clarksburg.</p> <p>21 As you work at your jobs or careers, you choose to put 22 your money into a bank. You assume that you will retain the 23 right to do what you want with that money -- when you want 24 it. My family chose to reinvest it in Clarksburg farmland. 25 We assumed that taking care of this land would take care of</p>	<p style="text-align: right;">Page 48</p> <p>1 conditions in the Clarksburg area enabled growers to produce 2 high quality Dichondra seed on a consistent basis. 3 Safflower seed is another important crop in the Clarksburg 4 area. Most of today 's commercially grown Safflower seed 5 were first developed and reproduced in the Clarksburg area. 6 Because of the unique soil and high water table, Clarksburg 7 area farmers are successful and prosperous today because 8 they have learned how to adapt and to stay on the cutting 9 edge. Cal/West and its growers fear that the plans may 10 develop by the BDCP and the Delta Vision Committees will 11 destroy this region of the Delta and its growers way of 12 life.</p> <p>13 Question number one, have you considered or studied the 14 changes to the Clarksburg region hydrology that would result 15 from the proposed conveyance or habitat restoration 16 projects? Question number two, what will be the effects to 17 water quality in the Delta or the north Delta on a 18 year-round basis from the proposed conveyance or habitat 19 restoration projects? Will the salt water intrusion 20 ultimately make the north Delta a region where agriculture 21 will no longer survive? And then I'd like to concluded by 22 reading two quotes. And I apologized to Steve before this. 23 The first quote, "I can run wild for six months, after that, 24 I have no expectation of success." The second quote, "I 25 fear all we have done is awakened a sleeping giant and</p>
<p style="text-align: right;">Page 47</p> <p>1 us later. My folks are aging now. And the time is now when 2 that land needs to be liquid. Simply put it out for sale 3 and cash out? Well, when this fiasco about flooding our 4 homes and farmland began, all hopes of simply selling came 5 to a dead halt. Realtors were suddenly saying to me, "Hey, 6 who wants to buy land that's going to be under water?" For 7 whatever reason you give, for this to take place, it's just 8 not the right thing to do. You're just telling me that my 9 family just wasted 100 years for nothing? In closing, 10 Arnold, before you swipe that card in your wallet issued by 11 L.A. Metro Water, think about the families like mine and 12 what you'll be doing to them.</p> <p>13 MS. PAM JONES: So Peter Hunn, Dave Stirling and Martin 14 Hill.</p> <p>15 MR. PETER HUNN: Good evening. I'm Peter Hunn. I'm a 16 third generation farmer from Clarksburg. I'm here tonight 17 to speak as an elected board member of a Woodland based 18 company Cal/West Seeds the oldest seed co-op in California. 19 I would like to make a short comment and end with two 20 questions. For more than 70 years Cal/West has been a 21 producing and supplying seed grown in the north Delta to 22 customers across the country and in more than 30 foreign 23 countries, most recently China. For the past 45 years 100% 24 of the world's supply of Dichondra seed has been produced in 25 the Clarksburg region. The unique soil and climate</p>	<p style="text-align: right;">Page 49</p> <p>1 filled him with a terrible resolve." Both these quotes are 2 by -- were made by Emperor Yamomoto. The first quote was 3 made a year before the attack on Pearl Harbor. The second 4 quote was made immediately after the attack on Pearl Harbor. 5 I would wish you would heed those fears and resolves from 6 us. Thank you very much. And I wish you would direct these 7 questions and answers to the EIR/EIS. Thank you.</p> <p>8 MS. PAM JONES: Dave VanMartin and Dave Kopp.</p> <p>9 MR. DAVE STIRLING: Good evening members of the Bay 10 Delta Conservation Panel. I'm Dave Stirling, a 23 year 11 residence with my family in Walnut Grove. I'm proud to wear 12 this Delta Care shirt tonight. I'm actually representing an 13 organization called Save Our Delta's Future. And it's an 14 organization of homeowners and property owners and business 15 people, many of whom have lived and worked in the Delta for 16 several generations and many of them are here this evening. 17 Yolo County Board of Supervisors Chair, Mike McGowan, 18 speaking for the board of supervisors of the five Delta 19 counties recently wrote in a Sacramento Bee commentary -- 20 and I quote, attempts to address Delta issues will be 21 unsuccessful without local involvement and ultimately without 22 relying those at the local level to help make it happen. We 23 want the entire state to understand that the Delta is not a 24 blank slate. People live here. People work here. We are 25 those people. While we recognize that the Delta and Delta</p>

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1 waters can be improved and we support that, we're not  
 2 prepared to see the Delta completely rearranged so as to  
 3 return it to the its natural state. As some hardcore  
 4 environmentalist groups clamor for. The time is long ago  
 5 passed for the restoring the Delta to what it was before the  
 6 hundreds of invasive species made the Delta their home.  
 7 We're not prepared to see the public trust doctrine expand  
 8 it so as to alter or abolish presently held water rights.  
 9 We're not prepared to see a government stucture imposed on  
 10 our Delta region that's made up of appointed and  
 11 unaccountable political appointees, similar to the coastal  
 12 commission with no effective locally elected representatives  
 13 with equal voice in Delta affairs. We support that third  
 14 tri-equal goal to protect and enhance the social, economic  
 15 and physical viability of the Delta as home for the sake of  
 16 maintaining good relation of all regions and people of the  
 17 State of California. Please, don't throw those of us who  
 18 call the Delta home under the bus. If you do, as a member  
 19 of -- many members that are attending these meetings in the  
 20 Delta demonstrate, your mission may become so embroiled in  
 21 regional, political and legal ill will that nothing positive  
 22 comes out of this effort and that would be a shame. Thank  
 23 you all for being here.  
 24 MS. PAM JONES: Martin, Dave and then Bob Kirtlan.  
 25 MR. MARTIN HILL: Good evening. My name is Martin

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1 Hill. First of all, I'd like to thank you for taking the  
 2 evening in our beautiful town that we would like to keep  
 3 this way. I was thinking about this country that we fought  
 4 for over 200 years and the blood that's been shed for the  
 5 right to speak as we're doing tonight. It also came to mind  
 6 that we're able build this country with our labor and our  
 7 own businesses and pay taxes and profit from the fruits of  
 8 our labors. What I do not understand is that we have let  
 9 the government get so powerful that they can come to our  
 10 land and tell us that they're going to start surveying and  
 11 possibly take our land from us. What has this country  
 12 become? I would like to think that our friends and family  
 13 members that are overseas fighting and giving up their lives  
 14 are not giving up their lives for a false sense of security.  
 15 That we're seeing right here and right now. And nothing is  
 16 yours, if the government decides they want it.  
 17 I know that it would be a better idea for this  
 18 community, if this whole project were moved further south  
 19 into the deep water channel. For us, these are our homes  
 20 and businesses that are being affected. And the projects  
 21 being affected are not an issue of not being addressed.  
 22 Some of the problems here are that the local fire  
 23 department, which I'm a part of is losing a portion of their  
 24 operating expenses. They keep this community safe. And  
 25 also keeping our insurance down on a personal level. By

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1 bring this project into our community and not only taking  
 2 our land and our businesses away there are a lot of things  
 3 that I don't think have been addressed. So I think it would  
 4 be wise that you move this. I'm a dad. I'm a husband. I'm  
 5 a firefighter, and a good neighbor in this community. And I  
 6 urge you to take a second look in moving this south and  
 7 pulling this from our community. Thank you.  
 8 MS. PAM JONES: Bob and then Michael Morris.  
 9 MR. MICHAEL MORRIS: I gave up mine.  
 10 MS. PAM JONES: Okay. Bob. Okay.  
 11 MR. BOB KIRTLAN: Good evening. My name is Bob  
 12 Kirtlan, fifth generation Delta farmer, landowner. I'm  
 13 proud to say 7th generation of my family is walking the land  
 14 for ancestors. Life, liberty and pursuit of happiness. Is  
 15 hollow, is without meaning and is subject to interpretation  
 16 of a few now. 159 years ago many of the ancestors of people  
 17 in this meeting tonight voted on a State Constitution that  
 18 granted us inalienable right to acquire, enjoy and protect  
 19 property. 159 years ago, when we became a state, all our  
 20 public lands were granted to the federal government as a  
 21 condition of acceptance.  
 22 In 1856, the Arkansas Swamp and Overflow Act was  
 23 enacted, giving all the swamp and overflow lands back to the  
 24 state under the condition that these lands will be reclaimed  
 25 for productive agricultural purposes and become economic

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1 viability for the counties and the state they were within.  
 2 These lands then came told the state and under our own  
 3 government resource code, had a way of selling them to us.  
 4 Under conditions and under a contract that we would reclaim  
 5 these lands and make them productive and agricultural lands.  
 6 It is in the resource code that the common law of public  
 7 trust was passed to us without it -- without reservation in  
 8 commence navigation and fisheries. I was told that the  
 9 California Coastal Commission has determined that you cannot  
 10 give away the public trust on tidelands. Tidelands are very  
 11 different. It's in the resource code. But I would like to  
 12 say too that in the resource code -- let me go back a little  
 13 bit. I was told I couldn't give it away.  
 14 Arkansas Act was signed by the President of the United  
 15 States, passed by congress. Our resouces code was passed by  
 16 the state legislature. Everyone of our patents, which is  
 17 the foundation for ownership of the land was signed by the  
 18 governor. Now, I do realize that we are one nation under  
 19 God. But if the president, the legislature, congress and  
 20 the governor cannot grant these away, I have not seen an  
 21 11th commandment saying, "Though shall not give away the  
 22 public trust." I am saying to you folks, if you go ahead  
 23 with this project, you're not only in violation of federal  
 24 law, state law -- but you are in breach of contract with all  
 25 of us in this room. It's a mass breach. I would like to

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1 give you another piece of history to wrap up my  
 2 presentation. And it goes back World War II.  
 3 The allies thought they had World War II licked. It  
 4 was a matter of wiping -- cleaning up going to Germany. The  
 5 Germans launched a major offensive. It was called the  
 6 Battle of the Bulge, where they overtook the town of  
 7 Bastogne. We had American troops at Bastogne. The soldiers  
 8 fought brave and hard for what they believed in. When the  
 9 German high command demanded them to surrender, the  
 10 American general responded with "Nuts." This threw the  
 11 German high command in such a disarray, "Nuts." What does,  
 12 "Nuts" mean? We don't know. It delayed what they were  
 13 going to do. When General Patton heard, "Nuts," he said,  
 14 "By God anybody that has such an elegant command of the  
 15 English language has to be saved."  
 16 An eye witness -- one of our neighbors that have been  
 17 passed on that served under Patton told me point-blank  
 18 Patton lead charter himself to save those American soldiers.  
 19 And the soldiers and the patriots before them knew the true  
 20 meaning of life, liberty and the pursuit of happiness. We  
 21 say to this project and to our governor, "Nuts." Thank you.  
 22 MS. PAM JONES: Okay. Did we already have Dave Kopp.  
 23 Okay. Dave, Ken Wilson, Bill Wells.  
 24 MR. DAVE KOPP: First off I'm going to apologize for my  
 25 voice. But when we started off this meeting tonight, I got

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1 out of especially from that one lady that we're worried  
 2 about stressing out the smelt and the salmon. Well, I want  
 3 you people to know tonight I've come to the conclusion the  
 4 reason why my voice is this way is because you guys are  
 5 stressing me out.  
 6 Now, I am going to get to a question. And the question  
 7 is. Throughout the year when this canal -- if you guys get  
 8 it -- how many months out of the year is this canal going to  
 9 have water flowing through it? That's my question. So if  
 10 you want to answer it now that would be fine. But don't  
 11 take too much of my time.  
 12 MR. PAUL CYLINDER: Can't answer that directly, I mean,  
 13 in terms of how many months. But when you look at overall  
 14 currently we take all of our water out of the south Delta of  
 15 the canals. But when we finish, if we are able to do this  
 16 canal business, about two thirds of the water that we export  
 17 would come from the north part of the Delta and about a  
 18 third out of the south part of the Delta. But we do have  
 19 bypass requirements in our proposal that would prevent us  
 20 from diverting water unless certain flows are in the Delta.  
 21 Either 5,000 or 11,000 CFS. Right now it's about 14,000  
 22 CFS, maybe 12. So if it flow below during months we  
 23 wouldn't be able to put water in that the part of the canal.  
 24 We'd be forced to use our diversion works in the south  
 25 Delta. So -- but we can give you the date on exactly how

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1 much -- we have some modeling so we can give you.  
 2 MR. DAVE KOPP: Okay. If the canal was done today, in  
 3 the 2008, how many gallon of water would have gone down this  
 4 canal that you people want to build?  
 5 MR. PAUL CYLINDER: 2008 or 2009?  
 6 MR. DAVE KOPP: Well, 2008 or 2009 whatever you want to  
 7 use.  
 8 MR. PAUL CYLINDER: Don't have any rough time. We can  
 9 give you a comparable dry year in our modeling that we've  
 10 done. I can point you to a website afterwards.  
 11 MR. DAVE KOPP: Now, wouldn't you believe that it would  
 12 be smarter to go up north and build storage instead of  
 13 hoping that we get enough rain where we can fill your pretty  
 14 canal?  
 15 MR. PAUL CYLINDER: Like Lester said, storage is  
 16 something we need to be considering as a state.  
 17 MR. DAVE KOPP: But before you spend our taxpayers  
 18 money, why don't you build the dams, the storage. That's  
 19 putting the horse before cart.  
 20 MR. PAUL CYLINDER: What we found is that if we build  
 21 storage north of the Delta and did not fix the Delta as a  
 22 conveyance system, we couldn't make use of that storage much  
 23 of the time.  
 24 MR. DAVE KOPP: Sure you could. We had a few years  
 25 that we haven't had that much rain. They're going to raise

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1 Folsom Dam -- the projection is to raise it 4 feet. Why are  
 2 they spending all that money to raise the dam, if you guys  
 3 plan putting in this canal? Us taxpayers, we get screwed  
 4 all the way around. So I'm finished.  
 5 MS. PAM JONES: Okay. Ken, Bill and Rick Hennes.  
 6 MR. KEN WILSON: My name is Ken Wilson, third  
 7 generation farmer in the Clarksburg area. And I'm no where  
 8 near as eloquent a speaker as all these other folks we've  
 9 had. I think they've done a great job. But what I'd like  
 10 to do I was going to make another comment or two but after  
 11 listening here this evening at the beginning we've heard all  
 12 them concern about all these species and how concerned you  
 13 are about them. How does taking water from the Delta help  
 14 with recovery of all these species that your so concerned  
 15 about? We're in a drought right now. And before that canal  
 16 and those pumps were put in down south, we were still in  
 17 pretty good shape. But now it's -- the burden is on us to  
 18 provide water for southern California. And my belief is  
 19 that the species are very low on the totem pole and the main  
 20 thing is the transfer of water from our backyard to someone  
 21 else's so they can fill their swimming pools. Thank you.  
 22 MR. BILL WELLS : Good evening. My name is Bill Wells.  
 23 I'm the Executive Director of the California Delta Chambers  
 24 and Visitors Bureau. I would just like to say a few things.  
 25 That Delta agriculture in 2001 was about a \$2 billion

<p style="text-align: right;">Page 58</p> <p>1 business. California's sport fishing is about a \$2 billion  2 per year industry. As Karla mentioned, the Delta is home to  3 about 500,000 people. The Delta also attracts about 12  4 million visitors per year. And the Delta there's  5 approximately 95 marinas and about 11,600 permanent boats,  6 which is a huge industry too. So these are all going to be  7 impacted by these plans, specifically, the canal. You hear  8 all the time that the California Delta is the largest on the  9 west/coast. It's 750,000 acres. That's true.</p> <p>10 The Colorado River Delta was once 1.9 million acres  11 until water was diverted and was destroyed and turned into a  12 desert in the early part of the 20th century. Some of that  13 water taken by Metropolitan Water District who was a  14 recipient of some of the Delta water. So nobody can predict  15 what the outcome of a canal will be. But you have to look  16 at examples. They mentioned here tonight Mono Lake and some  17 others. I'd just like to mention the current National  18 Geographic April issue has got a big article about the  19 Australian drought and they talk about OGA. And the water  20 was diverted from there for agriculture thousands of fish  21 killed and quote, unquote, the economy was left high and  22 dry.</p> <p>23 The Aral Sea in Eastern Europe shrunk 10% of it's size  24 over the last 50 years. Now, it's quote, unquote it's too  25 salty to support fish and vegetation. The water is diverted</p>	<p style="text-align: right;">Page 60</p> <p>1 desalination plan to fix their own water down there.  2 Anyway, I would just like to leave you with another quote  3 from Albert Einstein. "I don't know how big the universe is  4 but human stupidity seems infinite."  5 MS. PAM JONES: Okay. Rick Hennes, Glen Berry, and  6 Jayne Alchorn.  7 MR. RICK HENNES: Good evening. I'm Rick Hennes. I'm  8 the Superintendent of the River Delta Unified School  9 District. Our district covers from the Clarksburg area  10 south to the Rio Vista area. We have ten schools. We have  11 2200 students, and we have 300 employees that I represent  12 tonight. And due to the fiscal irresponsibility of the  13 government we're already in a fiscal crisis with our school  14 district, which is making our board and myself makes some  15 very difficult decisions regarding employment and possible  16 school closures. And I urge you and I want to be very proud  17 of our schools. And we have students anywhere from five  18 years old to 18 years old that aren't here tonight that  19 can't speak for themselves. But they want to go to the same  20 schools as their parents and their grandparents and four or  21 fifth generation. And you'd be doing a great disservice to  22 then if we wouldn't be able to keep our schools. Thank you.  23 MS. PAM JONES: Glen, Jayne Alchorn and then Dominic  24 Dimare.  25 MS. JAYNE ALCHORN: Good evening. You already heard</p>
<p style="text-align: right;">Page 59</p> <p>1 to grow cotton. In -- just a few weeks ago Jean Fuller  2 Assemblywoman in Bakersfield introduced Bill AB1253 and  3 that's game restrictions on stiped bass because they prey on  4 the endangered smelt and salmon. So that's great they're  5 trying save the smelt and the salmon. That's wonderful.</p> <p>6 Okay. The striped bass has co-existed since 1879 with  7 the smelt and the salmon. The only thing that's changed  8 since then is more water has been diverted from the Delta  9 and just coincidentally the U.S. Court had thrown out a  10 lawsuit earlier by the Modesto Irrigation District to  11 eliminate federal protection of steelhead. And  12 coincidentally, the bill that Jean Fuller introduced is  13 actually sponsored by the Modesto Irrigation District and  14 supported by the Kern County Water Agency.</p> <p>15 I left the Westlands Water District which was another  16 huge recipient of Delta water if you look on their own web  17 page you hear these water folks saying they're going to pay  18 for the canal, whatever it takes to provide the solutions.  19 Okay. On their website they say the absence of drainage  20 resulted in harm to district lands. Westlands more than  21 200,000 acres of saline ground water within ten feet of the  22 surface. Many farmers have drainage impacted lands have  23 been able to keep their land in production by improving  24 irrigation efficiency. Okay. If they're willing to pay for  25 a solution, they should be willing to pay right now for</p>	<p style="text-align: right;">Page 61</p> <p>1 about West Nile Virus this evening. I think each and every  2 one of us here is part of an endangered species. I will  3 never walk again, without aid. I now wear a brace from my  4 toes up to my hip. Because of one mosquito bite. Tell me  5 that we should really flood areas. The first meetings,  6 there was absolutely no discussion of public health issues  7 until I opened my big mouth. And it really irritated me  8 because for two years I was a spokesperson for Vector  9 Control. And they have been absolutely wonderful. But  10 their resources are stretched to the limit. They simply do  11 not have the trained personnel to take on anything like  12 these areas that we're discussing having flooded. Come on.  13 Is that what we want? Yes, we turn it to its natural state.  14 Think about it. We are being taught or told that it will be  15 all right. It will be just fine. However, it's going to  16 change our lives. We are going to be part of the endangered  17 species. So think about it carefully. I don't want anybody  18 else that I know or any of these river towns to end up the  19 way I am. To go to bed one night in extreme pain and to  20 find when you get out of bed -- or try to get out of bed the  21 next morning to go to the doctor that you can't stand up.  22 You fall to the floor. And that's what it has been for the  23 last -- almost four years and that is what it will be for  24 the rest of my life. It changed overnight because of one  25 mosquito bite. So what are we going flood people? Don't</p>

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1 you want to return it to the natural state? Don't you want  
 2 to have marsh land? I don't think so. Thank you very much  
 3 for your time.

4 MS. PAM JONES: Did we miss Glen? Glen, are you here?  
 5 Okay. Dominic. And then Sally Christie.

6 MR. DOMINIC DIMARE: Hi, good evening. Thank you folks  
 7 for coming down here. I'm Dominic Dimare a resident here in  
 8 Clarksburg. I live about 120 yards down a little further.  
 9 These are my neighbors. I've been here about five minutes  
 10 compared to many of the people in this town. So I've been  
 11 here about three years. I have three sort of general  
 12 themes. Theme number one, no good deed goes unpunished.  
 13 Yolo County has a very open space in agricultural  
 14 preservation component to this general plan process.

15 I'm on the -- I'm the President of the Advisory  
 16 Committee for the general plan advisory to our supervisor  
 17 Mike McGowan. I've been reading through the updated general  
 18 plan that we are on the verge of approving after 100 years.  
 19 And so for about 100 years -- but a long time. And this  
 20 county has made a commitment to its detriment in many  
 21 instances, particularly, when it comes to generating  
 22 revenues through sales tax in preserving agricultural land  
 23 and making this -- the county the region's open space of Ag  
 24 land leader. And for that good deed, it just so happens  
 25 that we have a lot of attractive open space to site

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1 facilities at. And so what I would ask the resources agency  
 2 and the Department of Water Resources and all the people who  
 3 deliberate over this is please take a look at the economics  
 4 of this particular part of Yolo County and what it means to  
 5 the county and region.

6 You heard earlier some of the very successful winery  
 7 operators and wine grape growers here. The plan is to build  
 8 this into a very viable, successful world renown -- and  
 9 we're already there actually. They're using grapes grown  
 10 here in Clarksburg in Napa Valley wines all the time. So  
 11 think about the economics associated with slicing up large  
 12 chunks of land here in this particular region of Yolo County  
 13 and what it means for the entire county. Issue number two,  
 14 let's bring back an old favorite. Lester will remember  
 15 this. "Let's get better together," which was the theme  
 16 from that hit show CALFED, which is now off the air. And  
 17 not even in reruns actually. Well, actually that's not  
 18 true. A lot of what's going on here has somewhat of a  
 19 CALFED feel to it. I'm sure that the EIR that will be  
 20 produced will be very CALFEDish. So "Let's get better  
 21 together."

22 Personally, this is not my professional opinion. This  
 23 is my personal opinion. I've been working in government --  
 24 in and out of government for almost 20 years and for that  
 25 entirety I've heard, you know, "We're not going to do a dam

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1 or resevoir this year let's just do this bond. Sign out of  
 2 this bond. Will give you some conservation money. We'll  
 3 give you some money for ground water recharge. We'll do  
 4 these -- all these nice things. We're not going to do  
 5 storage this year. Well, I'll argue that if you go back and  
 6 look at the climate action team's report on what's going to  
 7 happen to snow pack, there's no stronger evidence in science  
 8 today and in state public policy then what's going to happen  
 9 as a result of climate change if the scientists are right in  
 10 what happens to snow pack and that's crying out for storage.  
 11 It ain't necessarily crying out for a canal. But it is  
 12 absolutely crying out for storage. So I would submit to you  
 13 that that is somewhere for DWR to go and look at that  
 14 report.

15 And then lastly, the third theme is don't screw up my  
 16 town. I really like it here. I got here in December of  
 17 '05. And by the 10th of January of '06 I was conspiring  
 18 with the locals to put together a charter school and because  
 19 we had a difference of opinion with our school board and  
 20 they shut down the elementary school here. So we started a  
 21 charter school. It's darn difficult to get students because  
 22 this isn't a growing area. Because we as people through  
 23 our representative elected representatives made a decision  
 24 for open space and agricultural preservation, we don't have  
 25 a lot of develoment opportunities here and my great concern

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1 is no matter what we do in terms of facilities, however that  
 2 turns out happens is that metropolitan and the other large  
 3 sponsors of the BDCP and those desires of the canal will  
 4 wash their hands of the actual consequences that come from  
 5 those facilities and not think about the long term viability  
 6 of the communities in the Delta and sustainability of these  
 7 communities. I think that's a very real threat to the  
 8 communities in the Delta.

9 So I would like a feature in whatever final work  
 10 product that comes out that ties the sustainability and the  
 11 viability of these communities to the ondoing operations of  
 12 the facility that is finally selected. And that would be an  
 13 official request from a resident of the Delta. And I thank  
 14 you once again for your time. And thanks again for coming  
 15 down to our town.

16 MS. PAM JONES: Sally Christie, Don Fenocchio and Mark  
 17 Pruner.

18 MS. SALLY CHRISTIE: My name is Sally Christie. I am a  
 19 resident, landowner and parent of two children who are six  
 20 generations Walnut Grove pear farmers. I stand up today as  
 21 a member of the Save Our Delta's future. I am the Walnut  
 22 Grove PTA President.

23 And I want to reiterate the comments of my  
 24 superintendent and also fellow community members Mr. Demare  
 25 and also Mr. Heringer in the beginning about how this will

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1 impact the ability of our communities to educate our  
 2 children when so much land will be taken away and land  
 3 brings job, families, people living in our community. So I  
 4 just want to make sure -- I did not see in the stations --  
 5 and I read every single one that the impact on the local  
 6 school district was address directly and so that is why I'm  
 7 up here for the third person saying this. But I was also  
 8 struck by something else as I was sitting here and I need to  
 9 tell you a story about when we moved back here from  
 10 Seattle -- my husband and I to have our children be raised  
 11 here and attend our schools. When we moved into our home  
 12 that we lived at the time, which was a family home built in  
 13 the early 20s, I was wiping a counter top, a shelf, what  
 14 came down from that shelf was an internment poster from  
 15 World War II. It was scary because it was like, "Oh, my  
 16 God, this is a piece of history." But not piece of history  
 17 I should be proud of. Please, don't let my children see  
 18 these shirts and think, "Oh, my God, look what we did to  
 19 ourselves?" We took out -- the Japanese Americans were  
 20 citizens who had land. They worked the areas. They were  
 21 good citizens. And we thought we were doing the right  
 22 thing. And we were wrong. Let's not doing it again. Thank  
 23 you.  
 24 MS. PAM JONES: Don, Mark and then Nicole.  
 25 MR. DON FENOCCHIO: Good evening. My name is Don

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1 Fenocchio, long time residence of Clarksburg. My mother  
 2 actually was born in Clarksburg. We have little history  
 3 here.  
 4 A lot of discussion has been going on this evening  
 5 regarding habitat and things that are necessary to keep this  
 6 Delta going. I think one thing that you have forgotten and  
 7 as I look at your panel and it's obvious to me. The human  
 8 habitat has actually been forgotten around here, not only in  
 9 Clarksburg but clear down the river. It's important that  
 10 you think very, very seriously about getting another party  
 11 to your organization, maybe Department of Human Resources  
 12 could help you somewhat. I'm very about long term effects  
 13 of whatever project may occur. I really encourage you to  
 14 work very, very hard to including in the EIR long term  
 15 effects on the social, political, and human resources here  
 16 in the Delta.  
 17 I might also say that I am a fisherman. And I am  
 18 concern about the fish habitat. I'm very much concerned  
 19 about what happens with the water and southern California.  
 20 I might mention too -- I forgot the gentleman's name who is  
 21 with the Department of Fish and Game -- fishing has somewhat  
 22 changed in the Delta. I spent two days this week. I caught  
 23 one fish. My license when I was 16 years old cost \$2. I  
 24 bought it about two months ago and it was \$62. In the  
 25 younger days, I caught all kinds of fish. Today, I caught

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1 one.  
 2 Something's wrong with the Delta. And it needs to be  
 3 fixed. And I don't think transferring water from this area  
 4 without thinking about the human part of the Delta, of  
 5 people of the Delta, and you can see very, very clearly that  
 6 the people of the Delta are very concerned. That has to be  
 7 in your EIR. Work on it. Thank you very much.  
 8 MS. PAM JONES: Don, Mark and then Peter Stone.  
 9 MR. MARK PRUNER: That was Don. I'm Mark. First all,  
 10 I want to thank the folks that have come tonight. I know  
 11 you're required by law to be here. But thank you, anyway.  
 12 And thank you -- you know these people that you see in the  
 13 audience are hardworking folks. You heard some of their  
 14 stories. I can tell you that there are hundreds of stories  
 15 beyond what you've heard tonight that are just as moving and  
 16 if not more moving of people that care about the land.  
 17 They've lived here for generations and have something  
 18 attached to and grown into the land other than just a dollar  
 19 sign or something that can be evaluated and purchased.  
 20 I've been to a few of the meetings. I met each one of  
 21 you and spoken with each one of you at length and at  
 22 multiple times. You might be a little tired of hearing from  
 23 me. But let me just ask a question or two and Lester you  
 24 are the highest ranking individual here by the way I agree  
 25 with the comment that the shirt looks great. And if I could

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1 bring one for Karen tomorrow that might be good.  
 2 My information looking at the big picture here is that  
 3 all of this that we're doing, the plans, that binders -- I  
 4 have two boxes of materials are all about a starting point.  
 5 In creating a starting point with the caveat that the  
 6 starting point might be wrong. We might get new information  
 7 that we might learn that we're completely off base. Is that  
 8 a fair statement? I see a nod there of Jerry saying, "Yes."  
 9 MR. JERRY JOHNS: Starting point. And then develop  
 10 alternatives around that really evaluate what -- how we move  
 11 forward.  
 12 MR. MARK PRUNER: And the solution that I've heard is  
 13 that we want to have an adaptive management program. I  
 14 haven't heard anything about Karla -- I missed some of the  
 15 presentation -- but about the adaptive management program,  
 16 which is kind of the -- if we imagine a train, we have the  
 17 starting point going down the track, and then we the  
 18 adaptive management program, which says well, we could be  
 19 completely wrong. So we have to have a system that says  
 20 we'll take new information. We'll evaluate. And maybe  
 21 we'll change some things, throw some things out the window  
 22 and come in with completely new things that haven't been  
 23 discussed tonight. And if the third part of this triad is  
 24 that there will be a government system of three tiers and  
 25 I've seen the charts and the boxes and lines -- and pretty

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1 hard to understand -- those people will be making the  
 2 decisions about whether the point we're starting -- whatever  
 3 that point is -- and the changes are where we end up. Is a  
 4 fair statement?  
 5 MR. JERRY JOHNS: Well, sort of. Okay. Could I take a  
 6 shot at that?  
 7 MR. MARK PRUNER: You can. More than one, if you need  
 8 to.  
 9 MR. JERRY JOHNS: The starting point part is BDCP is  
 10 looking at something differently than it usually has done.  
 11 And it's looking at how do you deal with ecosystem and water  
 12 supply at the same time. So their going to develop a  
 13 starting point. But in the EIR/EIS process -- and one's  
 14 federal and one is state -- really going to look at the  
 15 alternatives. So they'll come up with a starting point that  
 16 the evaluation may say, "You've picked a canal, but we think  
 17 there's a lot of impacts and you're going to have to go  
 18 through Delta with your strategy or you've picked habitat in  
 19 this area but after analyzing, we don't think that's right  
 20 location." So it's a starting point and then you evaluate  
 21 alternatives.  
 22 The point you're making about adaptive management is if  
 23 we've learned anything about water supplies or ecosystem is  
 24 what we know now will be slightly different in the future.  
 25 That does bring out the governance issue. And there seems

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1 to be a general concensus that if your going to build a  
 2 facility like that, which would have dramatic impact it  
 3 probably shouldn't be the Department of Water Resources that  
 4 operates it or the contractor that get the water out in some  
 5 other organization and some mechanism that has broader  
 6 interest then just the water supplies.  
 7 MR. MARK PRUNER: With all that said, and this is  
 8 really getting to one of my main points here. I'm running  
 9 out of time already. But if the government structure -- the  
 10 folks that are going to be making the real decisions down  
 11 the road -- if, would you be in favor of the department,  
 12 would the department be in favor of allowing one or more  
 13 people from the Delta itself -- the people who have the most  
 14 skin in the game -- to have a voice directly in the process,  
 15 not in meetings like this where we give comment and then  
 16 somebody goes into a back room and says, "Well, we just  
 17 heard a comment but we're going to do what we want to do any  
 18 way." But actually of direct voice, a voting voice and we  
 19 think and hope a strong voice in the government structure.  
 20 Is that something the department would support?  
 21 MR. JERRY JOHNS: I have no problem with that. You  
 22 probably are aware the legislature has bills dealing with  
 23 this as we speak. And I think that's going to be a  
 24 consideration of how you come up with the Board of Directors  
 25 for whether it's a Delta conservancy or a utility or

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1 counsel, you know, there's a lot of different versions. We  
 2 have no problem with that kind of configuration. But there  
 3 will be a lot of debate in the legislature. It won't be a  
 4 decision that we make.  
 5 MR. MARK PRUNER: Absolutely but they're not here. And  
 6 I'm just picking on you because you're here. I just want to  
 7 say that what I've learned in the process, my conclusion is  
 8 that what I observed is this -- if I can over simplify but  
 9 still be -- I think it's real truthful to say at baseline  
 10 this is a giant experiment. The canal, the fish, that even  
 11 the experts like Paul from SAIC and Chuck who are experts in  
 12 their fields say, "We don't know if this is going to work or  
 13 not we just kind of think so. We got some data, and we know  
 14 we're missing a lot of information" -- and correct me Paul  
 15 and Chuck if I'm wrong here but -- we just -- this is a --  
 16 you haven't used the word "experiment." But I remember from  
 17 my science class what experiments are and this seems like  
 18 it. I think you could see from people here that we're  
 19 asking for a third leg in the process, not just conveyance,  
 20 not just habitat. But also the people in the place because  
 21 for the people that are here it's not just live and -- it's  
 22 a data point on sheet of paper or spreadsheet. It's about  
 23 lives and history. And we believe that as the Delta, we  
 24 enrich the entire state of California as some of us brought  
 25 out tonight. But we really enrich the state. And the state

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1 will suffer. And state will lose something, if the big  
 2 project rolled through and we were depopulated. We lose a  
 3 base to have schools, we lose a base to have fire  
 4 department. We will suffer. And the state will suffer.  
 5 And that's, I think -- sort of what I believe, I think that  
 6 the great majority of folks believe here as well. Thank  
 7 you.  
 8 MS. PAM JONES: Peter Stone, Tim Waits and Linda  
 9 Robertson.  
 10 MR. PETER STONE: I'm Peter Stone. I live across the  
 11 river, one mile from here and -- with my family. We lived  
 12 here for a number of years. And I agree with so much that's  
 13 already been said. But I don't want to repeat it. So I'm  
 14 going to say some other things that are not nearly as  
 15 important. But I want do make sure that they are brought  
 16 forward. First of all, one of the things that hasn't been  
 17 said about Clarksburg is it's the home of one of the oldest  
 18 Boy Scout Troops in America. It is a troop that has 100  
 19 eagle scouts. I have two of them myself in the Clarksburg  
 20 troop and I consider it to be a privilege to be a part of  
 21 this community. And when we start thinking of terms of  
 22 wringing towns -- where's the town? If you haven't lived in  
 23 the Delta you don't realize that -- "Well, let's see. I  
 24 want to go to lunch. I'll go down to Walnut Grove. It's  
 25 just a few doors down." You know, it's there's something

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1 different. I've lived in the city.  
2 Most people in California don't have a clue that there  
3 is a place such as this. I've also lived in New Orleans.  
4 There's one other Delta community in the United States and  
5 it's down south of New Orleans. But as I've been told, it's  
6 a Delta that flows out to the ocean. There's only one of  
7 these in the United States of America with an inland Delta.  
8 And we're here talking about its destruction -- or maybe not  
9 but as it was just eloquently just said an experiment to  
10 play in the backyard. The only one that exists outside of  
11 China. There is another inland Delta and it's in China.  
12 And if we were talking about something in terms of ecology,  
13 something in terms of anything else where this group of  
14 people was coming to the government to say that we wanted to  
15 do something to mess with the Delta.  
16 There is no way we would be able to do this. And yet,  
17 we are not dealing with the same things that we would be  
18 required to deal with. And so one of my themes here is  
19 consistency. Just simple things like when I go to the  
20 County Planning Department and want to find out if I can  
21 put something up on my property, "Well, as long as you don't  
22 place it within eyeshot of route 160 on the levee because we  
23 don't want to ruin the visual impact." And I'm going -- I'm  
24 looking at all these maps we're talking about we're going to  
25 put thousand foot wide canals. We're going to put

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1 powerlines all down the levee, one of the options. And I'm,  
2 saying, "Hmmm, it's interesting." Not one person in a  
3 yellow shirt in this room could get done anything close to  
4 any of what's going on here.  
5 And then I think about -- I just tried to -- you know.  
6 I don't know about all the big initials, and whatever, but I  
7 just kind of like to think about some simple things like one  
8 thing was really clear this evening. Is -- we are going to  
9 guarantee an EIR/EIS and whatever else we're going to do  
10 that we are going to make sure that every law associated  
11 with a fish is held to the "T." But if it has to do with  
12 human beings, forget it. If it has anything the  
13 constitution grants it's rights for people, forget it. Now,  
14 I don't know a whole lot about all of these other things. I  
15 don't know a lot about the routes and things. I was asking  
16 some folks very helpful explaining things. But we drive  
17 right by the Freeport intake for the East Bay MUD facility.  
18 So I just threw out one thought, "Wow. There's obviously  
19 going to be a pathway for water" -- which when they showed  
20 me, it's going to get right down to the south part of the  
21 Delta. Why couldn't we piggy back on a route that's already  
22 established that doesn't destroy the Delta. Now, I know he  
23 says it needs 50 times as much water. Well, we've got a  
24 route then run 50 times as much capacity that bypasses the  
25 Delta. Why do we have to destroy something -- I mean, I

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1 looked at the drawings out there. The architectural drawing  
2 with thousand foot canal. And it's like crazy to think that  
3 that's going to be a good thing for continuing what's going  
4 on here in this Delta.  
5 And other thing, I've been here long enough dealing  
6 with rising rivers -- when one gentleman talks about  
7 hydrology most people don't have a clue, unless you live  
8 here -- what in the world that means. And what happens --  
9 and they think quick little fixes to things can do things  
10 that just can't. Well, anyway, one other just sort of  
11 practical thing. I live right on the levee. I really love  
12 the Department of Water Resources guys. The guys who  
13 actually come around and try to keep those levees so that  
14 the squirrels don't eat holes through them, to make sure  
15 they're mowed. I really appreciate that. But I'm  
16 frustrated because if I stand at the top of the levee, they  
17 can help me on one side. But they can't help me on the  
18 other side because the fish and game folks won't let them do  
19 this, this and this that will help save the levee from  
20 flooding. Now, my point is a very simple one. If we are  
21 talking about something as complex as this and we have  
22 agencies that don't agree amongst themselves. How are we  
23 going to say that this is nothing but a grand experiment  
24 where each one is going to do in their side pocket what they  
25 want to do, hope it comes together in a document that makes

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1 everybody happy. But even, you know, filter the pumps, you  
2 know, why can't we figure out -- I can't believe we spent  
3 billions and billions of dollars to do all of this -- and  
4 maybe it's been thought of just as the gentleman  
5 said earlier -- but why can't we do something with modern  
6 technology to put things -- to keep the fish out of the  
7 pumps out of there -- and I'm sure that's really naive.  
8 MS. PAM JONES: Peter, could you wrap up, please?  
9 MR. PETER STONE: Sure. And finally, assuming this all  
10 goes through, I'm very concerned that if we wind up losing  
11 and having to lose our properties that we're going to have  
12 happen what happened to my grandparents. When they had the  
13 interstate systems take their property. They had them sold  
14 at eminent domain based upon the values after years of  
15 depression knowing that the properties were going to be  
16 eminent domain. So who's going to buy property that's -- as  
17 it's already been said here in town, if we look at value of  
18 what people will pay for 2, 3 years from now then that will  
19 be just flat out confiscation of property.  
20 MS. PAM JONES: Peter, could you wrap up, please?  
21 MR. PETER STONE: Yeah. So with that, I -- and the  
22 other thing is just, you know, decertification of levees.  
23 And I just can't see, you know, we just need to have some  
24 responsibility put into what's going on here. Thank you.  
25 MS. PAM JONES: Tim, Linda Robertson, and Gary Merwin.

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1 MR. TIM WAITS: Good evening. My name is Tim Waits and  
 2 I'm here representing Clarksburg wine growers and vineyards  
 3 association. I want to talk mostly about the economics of  
 4 the wine, grape crop in this area.

5 And most of what I'm going to say here in the beginning  
 6 is a source from the 2008 CRIS report which came out  
 7 recently and it's done by the USDA. The State of California  
 8 produces 3,061,000 tons of wine grapes last year. And the  
 9 average price per ton was \$594. Our area, which under the  
 10 USDA is called District 17, which pretty much includes all  
 11 of the Delta produced 783,420 tons of grapes. So that's  
 12 about 25 percent of the state as a whole. So it's a big  
 13 business down here. And it has a huge economic impact on  
 14 the people that live here and work here, have businesses  
 15 that sort of thing. What we see here is if you can't relate  
 16 to tons it also would be able 54 -- no. Yeah. 54,839,000  
 17 cases of wine, just what we produced here. A case of wine  
 18 is 12 and a 750 milliliter bottle. So we've got a  
 19 substantial benefit not only to the area but to the state.

20 Wine grapes are one of the -- one of our best exports  
 21 as far as crops in California in terms of value. And last  
 22 year, the value of the red wine crop went up 3 percent. The  
 23 value of the white wine crop went up 12 percent. So it's  
 24 one of the few things that's actually going up instead of  
 25 down in this economy. The plans that have been presented

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1 today would make it very difficult for the average grower to  
 2 survive by chopping up our lands, putting canals and  
 3 diversion systems and all this stuff, you know, right in our  
 4 way essentially, not to mention what it would take out of  
 5 production by having these thing there. So we're very  
 6 concerned about that.

7 The difference between wine grapes and open ground type  
 8 crops is that it's very expensive to put them in and it's a  
 9 very long process to get paid back. Generally, it will take  
 10 about \$10,000 per plant to get it through the growth cycle  
 11 before it begins to produce. You got a long time that you  
 12 have to, you know, show the cost one way or the other. And,  
 13 you know, borrowing money is typically one part of that.  
 14 And so with all of these rumors and plans that are going on,  
 15 it makes it very difficult for us to move forward. Yet,  
 16 inspite of that, our area is considered one of the best  
 17 places in the entire state to develop vineyards, even at  
 18 this point. So we got a lot of interest here in this  
 19 economically, socially.

20 Lastly, I'd like to just mention, you know, I have a  
 21 ranch just down the street here on Willow Point, you know,  
 22 I've developed 140 acres of wine grapes significant cost  
 23 there. I built my house, which is also down there. And you  
 24 know, all of that was done with the proper permits and  
 25 government okays. And you know, looks like a canal -- if

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1 the eastern option is chosen, well, basically go right  
 2 through that new development. And you know, somehow  
 3 there's something about that that didn't seem quite fair to  
 4 me and I would like you to consider those kinds of the  
 5 issues in addition to the fish and the other sorts of things  
 6 that seem to be so important to you. Thank you.

7 MS. PAM JONES: Linda, Gary Merwin and then Russ Van  
 8 Lobensels.

9 MS. LINDA ROBERTSON: Linda Robertson. And I'm not  
 10 from Clarksburg. I'm from Bethel Island. And the changes  
 11 that we've seen in the last four years in our water quality  
 12 are astronomical. When you see jelly fish, when you see  
 13 flounder, when you have seals living near your island on a  
 14 continual basis, salt water intrusion is already there.  
 15 This processed plan is going to probably ruin all the small  
 16 harbors on Bethel Island. While I can appreciate the  
 17 farmers and what they're going through on the south Delta  
 18 where this proposed canals going to be shoved under our  
 19 island. Ten foot diameter pipe is what one estimate was, 42  
 20 miles long. We're a bit concerned about our levees. And we  
 21 do not accept the latest scare tactic about earthquakes.  
 22 Those levees have been there for close to 100 years. The  
 23 earthquake thing, all of us that live on levees it's like,  
 24 "Yeah and so." It's a scare tactic. It's not going to  
 25 work. We are a really small community of 2500. We're

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1 really pissed because it's going to ruin the boats that are  
 2 in my little eight slip harbor that's what I have as my  
 3 retirement income. It's going to ruin the salt water  
 4 intrusion is going to destroy the fishing.

5 We have friends that drive all the way from Nevada to  
 6 fish in multiple black bass tournaments throughout the year.  
 7 They contribute out of state to our little teeny economy on  
 8 Bethel Island. That's going to be destroyed. There won't  
 9 be any black bass left. The salt intrusion was bad enough  
 10 this year, you couldn't find a blue gill with a search  
 11 warrant. We did not see them except for a two-week period  
 12 that's from the salt. I have seals swimming up and down  
 13 past my harbor. That's salt. What you're proposing to do  
 14 is remove so much more water that I'm a little concern that  
 15 I may have to tell the kids whose parents have boats in my  
 16 harbor, "Can't swim today, honey, great white is out."  
 17 Don't do this.

18 We are going to fight in any and every way we can to  
 19 stop the water grab by L.A. That's all this is, nothing  
 20 more. I have one final question that I need to take home to  
 21 our little community. How much money is this department  
 22 going to pay Contra Costa County to put this pipeline in?  
 23 How much money? You don't know?

24 MR. LESTER SNOW: We're still in the planning phases.  
 25 MS. LINDA ROBERTSON: But it's on a map.

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1 MR. LESTER SNOW: There's alternatives on the map. But  
 2 there's been no decision on this. And so there's no money  
 3 that going to be paid to anybody at this point.  
 4 MS. LINDA ROBERTSON: Not today. I'm talking when you  
 5 do this. Because Bradford Island cattle ranchers that have  
 6 been there 60 years have had you lien their property rather  
 7 than let you do the survey to take their property. How much  
 8 money are you going to give the county, when you put this  
 9 pipeline in? It's not if, we all know it.  
 10 MR. LESTER SNOW: Well, it's not in. We have not made  
 11 that decision.  
 12 MS. LINDA ROBERTSON: Why is it on your map?  
 13 MR. LESTER SNOW: Because it's an alternative that's  
 14 being evaluated and the issues that will be evaluated  
 15 include every thing that you've just raised.  
 16 MS. LINDA ROBERTSON: But why are you liening property  
 17 in Contra Costa County.  
 18 MR. LESTER SNOW: Getting access to do the surveys to  
 19 get the information that you're talking about.  
 20 MS. LINDA ROBERTSON: But why are you liening private  
 21 property for people that don't want to participant in this?  
 22 MR. LESTER SNOW: You're using a term I'm not real  
 23 familiar with liening but we're trying to get access to  
 24 property that is in those different corridors out there. To  
 25 get the information that people have brought up here where

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1 there's endangered species, what the soils are like, could  
 2 you actually build anything, could you actually put a  
 3 pipeline there, what kind of habitat is already there,  
 4 what's the water conditions?  
 5 MS. LINDA ROBERTSON: The water conditions suck now.  
 6 MR. LESTER SNOW: Pardon?  
 7 MS. LINDA ROBERTSON: The water conditions suck now.  
 8 When you get down like I said great white is going to be  
 9 swimming around my island. I have nothing left to say.  
 10 Thank you.  
 11 MR. LESTER SNOW: Thank you.  
 12 MS. PAM JONES: Gary, Russ and Tim Newharth.  
 13 MR. GARY MERWIN: I'm Gary Merwin, third generation  
 14 farmer in Clarksburg. I live in the house my grandfather  
 15 built before there was a Shasta, Folsom or Oroville dam.  
 16 We -- our family immigrated here from Sacramento because we  
 17 came in the gold rush. But before we get started, I want to  
 18 educate -- I know you guys are here to educate you guys on  
 19 one thing first. Can you step where you could see the  
 20 screen? And I know all you people -- all you people think  
 21 that little dot right there is Clarksburg but when you say  
 22 Clarksburg everybody back here is pretty much -- that's  
 23 Clarksburg. So I do want to make a comment on the east Bay  
 24 MUD Facility that was mentioned earlier you know that only  
 25 takes when it gets operation only takes one percent of the

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1 flow of the river which is not a lot of water. It's only  
 2 all the flow for 3.65 days. But that is not what we're here  
 3 about. I'm going to do a lot of repetition because  
 4 everybody else is really made some awesome points that need  
 5 to be said again because I don't think they're getting  
 6 heard. Number one -- first one is, there should have been  
 7 three prong approach to this thing and everybody here knows  
 8 that. There's no -- there should've been a spot for a third  
 9 prong, for the social and economic wellbeing of the Delta.  
 10 And should be an economic impact that goes along with it  
 11 that has that same representation, that third prong, there  
 12 needs to be EIR needs to include the impact of building more  
 13 homes in southern California with increased water supplies  
 14 from the Delta. Any eminent domain property that gets done  
 15 around here needs to be valued at a minimum of the same  
 16 value of the areas that benefit instead of southern  
 17 California. My final comment is more of a question. I'll  
 18 start with comment part. Every time I look at a map in this  
 19 whole process. And I start asking questions usually I get  
 20 told this is just concept. This doesn't mean anything.  
 21 When are we going to be looking at something that  
 22 means something?  
 23 MS. KARLA NEMETH: Summer. This summer we'll have a  
 24 preliminary draft of the plan this summer with all the  
 25 details.

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1 MR. GARY MERWIN: That's three month period.  
 2 MS. KARLA NEMETH: Yeah, July. I don't know. We're  
 3 working on it. But as soon as it's done, it's going to be  
 4 made available. As I mentioned we'll be back. I know folks  
 5 really want to get to those details and they're critical.  
 6 MR. GARY MERWIN: The economics of this area are just  
 7 hanging in the lurch, you know.  
 8 MS. PAM JONES: Russ, Time and then Richards Robertson.  
 9 MR. RUSS VAN LOBENSELS: My name is Russ Van Lobensels.  
 10 I'm fourth generation farmer. I'm farming some of the same  
 11 property my great-grandfather did in 1870. I speak to you  
 12 today as the president of the Sacramento County Farm Bureau  
 13 and Chairman of the Delta Caucus. I met with some of you  
 14 over the period and discussed some of the issues that we're  
 15 dealing with today. One point of order is the comments that  
 16 were received in the prior scoping session. Are they going  
 17 to be part of the continuing record? Yes. Okay. Very  
 18 good. The organizations which I represent have many, many  
 19 issues that they are concerned about. And we will be  
 20 sending you those in written form at some point. However,  
 21 I'd like to bring up 3 or 4 comments this evening.  
 22 The draft EIR must clearly show how each proposed  
 23 alternative is designed to operate within the multitude of  
 24 legal restrictions, water quality requirements and  
 25 contractual constraints such as the North Delta Water Agency

<p style="text-align: right;">Page 86</p> <p>1 Contact with the State of California, area of origin  2 priorities, Delta salinity standards just to name a few.  3 Second, the draft EIR must identify -- and this question has  4 been asked throughout the process and not answered or the  5 answer has been, "We don't know" -- must identify how much  6 Delta outflow is needed to maintain the health estuary and  7 how each alternative will be designed in order to maintain  8 the appropriate outflow and Delta water quality. That's an  9 absolute must and before you can go forward with any  10 alternative, you must know that.</p> <p>11 The EIR should compare and contrast water flow and  12 water quality from the two main rivers that run into the  13 Delta -- the Sacramento and the San Joaquin -- and compare  14 why the qualities are different. One of the reasons the San  15 Joaquin County does not have the same quality as Sacramento  16 is that major amounts of water are remove before it gets to  17 the Delta and here we're talking about doing the same thing  18 in Sacramento. Then again, you need to answer what flow  19 needs to be maintained in the Delta to maintain a healthy  20 estuary? Export alternatives cannot be developed or  21 evaluated without this critical information. The  22 appropriate size of facilities cannot be evaluated without  23 this information.</p> <p>24 Export quantities cannot be determined without this  25 critical information. And finally, how are even these</p>	<p style="text-align: right;">Page 88</p> <p>1 left is what you convey peripherally -- and that may be  2 nothing. Why propose digging a big ditch that you may not  3 even be able to use? Why do that?</p> <p>4 If the current system of exports has damaged the Delta,  5 then some of the proposed BDCP alternatives, I believe,  6 could devastate the Delta. Thank you.</p> <p>7 MS. PAM JONES: Tim Newharth, Richard and Dan Whaley.  8 MR. TIM NEWHARTH: My name is Tim Newharth. Resident  9 of the Delta and farmer of the Delta. Represent a family  10 that's been here in the Delta since 1948. Long time. Watch  11 a lot of water follow past the levees. But that aside, my  12 concern is the Delta, itself.</p> <p>13 The Delta as has been stated before, is a very unique  14 place, a very unique ecological estuary that is unsurpassed  15 in any place in the western hemisphere. And to think that  16 we are going to continue to tweak with it and mess with it  17 and take water out of it, and move it around with no real  18 assurances of the outcome, to me darn near criminal. How  19 effective -- and I have a couple comments along those lines.  20 How effective can this EIR and EIS be if we haven't a  21 specific plan with specific areas in specific parameters?  22 We've got a western conveyance. We got a through Delta  23 conveyance. We've got an eastern conveyance. And nothing's  24 really been settled as to what is going where and how much  25 and how long and so forth.</p>
<p style="text-align: right;">Page 87</p> <p>1 conceptual ideas being evaluated without this critical  2 information. The draft EIR must show a correlation between  3 tidal wetlands and wetlands and a fish abundance, if it  4 doesn't, we're going into an adaptive process that might try  5 one thing after another, after another and all of them may  6 fail. How do we establish a permit that doesn't have  7 certainty? I challenge the U.S. Fish and Wildlife Service  8 to look at this process and this plan to determine whether  9 it has certainty.</p> <p>10 Finally, the draft EIR must explain why the BDCP  11 isolated facility is designed to convey 15,000 cubic feet  12 per second. Is that volume based upon science to support a  13 healthy Delta? Or achieving maximum exports without regard  14 to the health of the Delta? Now, I understand that they're  15 governance issues that we're suppose to trust the governance  16 issue and so forth. If the maximum export capacity is  17 15,000 cubic feet per second and the preferred alternative  18 is a dual conveyance system, why isn't the capacity of the  19 peripheral part reduced by the conveyance capacity of the  20 through Delta part to give you a combined capacity of 15,000  21 cubic feet per second -- a smaller ditch, please. Wouldn't  22 it be more appropriate to size the peripheral part of the  23 dual conveyance system by starting with that critical amount  24 of water that must pass through the Delta subtract the  25 amount that you're going convey through Delta and what is</p>	<p style="text-align: right;">Page 89</p> <p>1 This scoping is premature and cannot be focused nor  2 thoroughly examined without those specifics. What about  3 other parameters that are not in this scoping? What about  4 the impact of the Sacramento municipal intake that's taking  5 water of the Delta. What about the impact of the sewer  6 treatment plant that's putting high and very excessive and  7 detrimental amounts of ammonia into the system, which is  8 messing up with the food chain in the Delta already. Maybe  9 your smelt needs a little bit more to eat. I don't know.</p> <p>10 What about habitat conflicts? We have agencies who are  11 promoting such as you stated in your presentation about  12 restoring habitat. We have other agencies that say, "No,  13 you can't do that." "We don't want any trees on the levees.  14 We don't want anything on there. Spray it. Burn it. Do  15 whatever." "You know, we have to have a clean levee site."  16 I don't know how those two things get resolved when you've  17 got the left not knowing what the right hand is going. It's  18 a contradiction in terms.</p> <p>19 And I wonder how you can have such a narrow target on  20 species. You talk about smelt. Smelt, smelt, smelt. I  21 swear if I see one, I'm going to give it to the cats. You  22 talk about salmon, you talk about steelhead, and sturgeon,  23 and splittails. What about the other species that are out  24 there we've got striped bass, which is a huge sport fish?  25 The gentleman before said it adds two million to the</p>

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1 state's -- is that -- when is that going to be a native  
 2 species. I think it's here to stay, unless you plan to  
 3 eradicate the entire bunch. I don't think you can do that.  
 4 I don't think it's possible. So when are they going to be a  
 5 native species? Not to mention the thousands of vegetative  
 6 species hawks, egrets, loons, owls, otters beavers, ducks.  
 7 We are on a Pacific fly away and they prefer fresh water not  
 8 salt water.

9 What about human species? Why are we not all on this  
 10 more of inclusive species list? Why is it limited to smelt?  
 11 That's all we hear is smelt. As far as I'm concerned, smelt  
 12 is like the spotted owl. It's just a tool to use to get  
 13 what you want. In your literature you talk about diversion,  
 14 diversion, diversion, and that to me in this scenario is  
 15 robbing Peter to pay Paul. How does the Sacramento  
 16 expect -- Sacramento River expect to survive and the  
 17 northern Delta expect to survive and to improve, if we're  
 18 pulling that much water out of the top and trying to put  
 19 around on the the bottom to make up for water that the San  
 20 Joaquin river no longer can supply? That is robbing Peter  
 21 to pay Paul. And today 's language it's a ponzi scheme.  
 22 That's exactly what this is it's a water ponzi scheme.

23 MS. PAM JONES: Could you wrap up, please?  
 24 MR. TIM NEWHARTH: Number four, when are these  
 25 diversions supposed to occur? I've heard people say

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1 verbally from your group that this is only going to happen  
 2 when we have excess flows. Okay. That's all good and well.  
 3 But that means last year after spending billions and  
 4 billions of dollars initially and ongoing expenses that  
 5 there wouldn't be diversions made out of the river last  
 6 year. This year, maybe a month, probably less than a month  
 7 we had somewhat of a high water flow not really even a high  
 8 water flow but more flow than usual. That is when we're  
 9 going to use this? We're going to spend all this time and  
 10 effort and that's when we're going to use it.

11 I'll end with this -- and we've talk about quips and  
 12 quotes this evening. Ethan Allen, after the revolutionary  
 13 war was sent to England as an emissary to the English and he  
 14 was the brunt of many a joke from English about the  
 15 revolutionary war and in particular George Washington. He  
 16 was pretty silent about it. He took most of it. They  
 17 decided if they could get his goat they'll hang a picture of  
 18 George Washington in the outhouse, which they did. Ethan  
 19 Allen goes out uses the outhouse doesn't say anything. And  
 20 their waiting, and their waiting doesn't say nothing.  
 21 Finally, they said Mr. Allen, what do you think of George  
 22 Washington's portrait in the outhouse? And he said, "Well,  
 23 I think it's a very appropriate place for it to be." They  
 24 were taken aback, puzzled, befuddled. And they said, "Well,  
 25 explain that." Well, he said, "Nothing would make an

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1 English man so quickly shit as a sight of George  
 2 Washington." I'm hoping that these green shirts and all of  
 3 this comment would make the proponents of this deal have the  
 4 same effect. Thank you.

5 MS. PAM JONES: Richard, Dan and then Peter Finn.  
 6 MR. RICHARD ROBERTSON: Hi everybody. I'm from  
 7 Brentwood. I've live in the Delta. That's Linda. I've  
 8 been to three of these meetings now. And I haven't been  
 9 popular at a couple of them -- but anyway. Everybody that  
 10 I've seen from Brentwood to that end of the Delta to  
 11 Stockton everybody, all you farmers, have the same  
 12 criterias. They want to live. They want to do their land.  
 13 They want to grow their crops.

14 I used to have a bed and breakfast. I grew lands but  
 15 anyway for Fish and Wildlife Service, there was 7 million  
 16 striped bass in the system before they put these pumps  
 17 southern California. There was salmon. The numbers were  
 18 untold. Okay. They put the pumps in the fish crashed.  
 19 Crash and crash and crash. And here we go again. They're  
 20 going to be pumping water out of the good water, clean water  
 21 from you guys out of the Sacramento River going south. They  
 22 can't pump any more water out of the Delta. It's dirty.  
 23 It's bad. Everybody knows. Salt intrusion. No joke jelly  
 24 fish.

25 You guys, Walnut Grove, flounders last year. What's

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1 wrong with this picture? Salt coming in because they're  
 2 pumping too much water out. There was no water coming into  
 3 the Delta this year. We saw dirt. We see dirt 3 feet down  
 4 from the sides of the channels that they've never seen  
 5 before because there's no water. And here they go again,  
 6 "Okay. We've got no water. Let's go to Sacramento. Let's  
 7 get that good water." Their water quality be better down  
 8 south than we have in the Delta because they're pumping it  
 9 out of here. Okay. I have some numbers and these are  
 10 questions that people have asked. How much water? How much  
 11 water is -- how many gallons are in a cubic foot? Anybody  
 12 know? I do. That was a question asked from Brentwood.  
 13 Nobody had the answer. How about 54.7 gallons per cubic  
 14 foot. That's a lot -- that doesn't sound like much water,  
 15 until you times that times -- this is based on 11,000 cubic  
 16 feet a second. How about 55,000 gallons per second is going  
 17 to go down the canal times that per minute 3,300,000 gallons  
 18 in one minute times that per hour 190,000,000 gallon in one  
 19 hour going down to southern California. In a 24-hour period  
 20 how about 475,200,0000 gallons going down to southern  
 21 California every hour. Our computer wouldn't go any higher  
 22 than that. And I showed my friends this and they said, "I  
 23 can't even read that number." And then you times that 365  
 24 days a year for how long? Every day. And that's low.  
 25 They're basing 14 -- and they told you, well, it might be --

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1 you know, what is it -- 14,000 cubic feet a second. They  
 2 told us in Brentwood, we're going to amp that up, if we  
 3 have -- if there's a lot of water in the Sacramento River.  
 4 These are low numbers. Think about those numbers. That's  
 5 crazy. And you guys are going to get hit. The Delta --  
 6 we're not going to get -- there's gonna be no fresh water  
 7 going through the system. That we -- at least have some.  
 8 They're going to take it all. You think there's salt water  
 9 in the Delta now? As Linda said, great white shark sounds  
 10 funny, right? They had dolphins in the Stockton harbor this  
 11 year. At the boat turnaround. Think about that. A pair of  
 12 dolphins in Stockton in the turnaround basin. And you think  
 13 we're crazy? No, we're not.

14 MS. PAM JONES: Richard, could you wrap up? Thank you.

15 MR. RICHARD ROBERTSON: Thanks guys.

16 MS. PAM JONES: Okay. Dan, before you begin. Before  
 17 you begin. We have about 20 more minutes of comments. We  
 18 said we were going to end at 9:00. Are you willing to stay?  
 19 Okay. The entire session lasts until ten. We had  
 20 originally said 9:00 for comments because the official,  
 21 legal part of this does include the comments out there. And  
 22 it's very important that these comments -- your written  
 23 comment as well as your comments that you want to go for the  
 24 record be shared with the folks out there. They will stay  
 25 to have one on one conversations with you. But we had

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1 agreed at the beginning end up at 9:00. So I'm asking you,  
 2 will you stay? Okay. Thank you. Okay, Dan.

3 MR. DAN WHALEY: I'll be quick. I live on Sutter  
 4 Island. I also have property at Hood. What's important  
 5 here is according to the representatives the EIR/EIS is  
 6 being paid for by the water district in the south state.  
 7 Shouldn't this be an independent study? When somebody's  
 8 paying for a report, often times it's biased. Why should we  
 9 trust the south state water districts when the north state  
 10 has certain water rights that aren't being addressed? How  
 11 do you address the existing contracts?

12 And how do you address existing water rights for the  
 13 people here? All these need to be addressed when your  
 14 project has not yet been defined. Who is Delta Habitat and  
 15 Conservation Program? And what are they paying for? Where  
 16 are the bridges in any of those documents that are showing  
 17 essentially a canal that is bigger than the Sacramento River  
 18 that exists. So think about that. How are you building a  
 19 canal that is bigger than the river that exists now? And  
 20 how does that make any sense? Now, I would reference you to  
 21 a couple of books to read Jerad Diamond's Collapsed, which  
 22 talks about what happens to societies and then within our  
 23 own community here Dave Stirling has written a book called  
 24 Green Gone Wild. Essentially, talks about humans are  
 25 species as well. And they're not being protected.

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1 And then finally, it's very important that everyone in  
 2 this room write comments on a card and turn them in.  
 3 Because as much as these people are down here listening to  
 4 what we're saying, they may not really be listening to what  
 5 we say. But if we make a written comment, it is a permanent  
 6 record and eventually the lawyers may need to protect your  
 7 legal right. So it's very important that everybody make a  
 8 written comment and turn it.

9 And finally people are getting letters that say they're  
 10 threatening to lien your property. There are people like  
 11 Mark Pruner that will talk to you about how you can protect  
 12 yourselves against threats from the Department of Water  
 13 Resources or any other agency that demands to come on your  
 14 property because they do not have the right to do that. And  
 15 they may use that information against us in the future.  
 16 Fight for your rights. Thank you.

17 MS. PAM JONES: Before we have Peter Finn and Kathy  
 18 Hunn and Mary Paula Carvalho, I just wanted to say as to the  
 19 point of whether they're listening, we do have a court  
 20 reporter here taking the comments. And so they will be able  
 21 to read it in addition. The value of going out and making  
 22 your comments there is that it's more directed and more  
 23 specific and you can target those comments that you would  
 24 like. So Peter. And then Kathy.

25 MR. PETER FINN: Good evening. My name is Peter Finn.

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1 I'm a resident of the city of Sacramento. Where we are,  
 2 we're now getting water meters courtesy of the water  
 3 interests that are behind what you folks are doing here. We  
 4 don't need water meters. Los Angeles needs us to have water  
 5 meters. So -- and that's part of what's happening here.  
 6 What's affecting us in the city of Sacramento is affecting  
 7 you folks here too. And I'm here because when I first came  
 8 a year ago to hear this program with the proposals. There  
 9 were four proposals. They varied pretty wildly.

10 But everyone of the proposals had a peripheral canal,  
 11 every one of them. There wasn't a proposal without a  
 12 peripheral canal in it. And I came to conclusion at that  
 13 point. And I walked away pretty frankly disgusted that what  
 14 we had here was a solution that had already been determined  
 15 well before the meeting or the proposal or the research was  
 16 done. The solution was we're going to build a peripheral  
 17 canal. And that solution was handed out to a bunch of good  
 18 folks. And you were told okay. Now, go find us the problem  
 19 that fits with this solution. And I looked at this map up  
 20 here. And what I see, frankly, I consider those blemishes.  
 21 I see a lot farmland, a lot of productive land where people  
 22 live who are in the way of this canal.

23 So part of the conservation program -- and I'm going to  
 24 get to the conservation in a moment -- part of the  
 25 conservation program is, "Let's get rid of these people who

<p style="text-align: right;">Page 98</p> <p>1 are an impediment to this plan." Because all these yellow 2 shirts here, they're in the way. They're in the way. They 3 are an impediment to what is being proposed here. And I'm 4 certain that there's a lot of folks that think, "You know, 5 maybe if we have a few swamps and West Nile Virus to chase 6 people off, that's a good thing. Maybe if we get property 7 values depressed by telling the world that we want to 8 inundate Clarksburg to a depth of maybe here in the 9 summertime -- well, we can chase people away. People will 10 move away. They'll get out of our way. So we can have our 11 way." 12 Now, Bay Delta Conservation Plan. There's no 13 conservation happening here. I don't see any conservation. 14 I see the creation of salt water marshes, where there used 15 to be fresh water marshes. So the fresh water marshes 16 aren't being conserved. The agricultural land is not being 17 conserved. It's going to be inundated by salt water. The 18 communities and the way of life here isn't being conserved. 19 It's going to have to make way for a canal. And then, I 20 mean, conservation. There's no conservation. Again, no 21 conservation. This is the Bay Delta Canal Plan. Please be 22 honest. 23 To illustrate my point of how the information is being 24 thrown out there to justify this any way it can. No offense 25 to you Karla. Yes. You have a tough job. You got up here.</p>	<p style="text-align: right;">Page 100</p> <p>1 of salt water intrusion, the studies we have done indicate, 2 for example, Antioch's water quality actually improved 3 because there's less water coming into the Delta when we 4 pump harder in the summertime. So some parts of the Delta 5 will see improved water quality. 6 MR. PETER FINN: What parts? 7 MR. CHUCK HANSON: But the X2 standards that play out 8 here, they don't change on some of the date we have it 9 indicates it's a very small change in salt water intrusion 10 due to the program we're talking about. All the standards 11 we currently have in place are water right permit standards 12 are all the same, our agricultural standards are all the 13 same and our plans have met those standards. So we don't 14 see as much water intrusion as you think we do. I really 15 encourage you talk to folks outside and look at some of the 16 date we produced. 17 MR. PETER FINN: I looked at some of proposals. And 18 some of the proposals include building gates where there 19 haven't, I mean, gates to prevent salt water intrusion where 20 there hasn't been a problem before. Actually along the 21 Sacramento River there's a proposal that shows gates being 22 built there. 23 MR. CHUCK HANSON: At 3-mile slough you mean? 24 MR. PETER FINN: Yeah. 25 MR. CHUCK HANSON: Yeah, that was to improve water</p>
<p style="text-align: right;">Page 99</p> <p>1 And you told us -- and I'm glad it's on the record you told 2 us how this canal is going to improve flows out of the 3 Sacramento River. And then oh, about five minutes later you 4 told us how we're going to have salt water intrusion coming 5 up the places we haven't seen it before. These are two 6 mutually exclusive concepts. We can't be improving flows, 7 which should help alleviate salt water intrusion. And then 8 later on say, "Well, we're going have salt water intrusion 9 where we haven't seen it before." So we're going to have to 10 plan to mitigate that, which is it? 11 MS. KARLA NEMETH: Chuck, do you want to describe -- 12 MR. PETER FINN: Actually, I'm addressing the question 13 to you. 14 MS. KARLA NEMETH: I would actually prefer to have 15 someone who's a little bit more knowledgeable explain our 16 approach to flow management. 17 MR. PETER FINN: Okay. So here is my question. How do 18 we have improved flows that reduce salt water intrusion, 19 when at the same time we know have salt water intrusion 20 problem that has to be mitigated? 21 MR. CHUCK HANSON: Well, the flow part that Karla 22 talked about before were the flows in the southern part of 23 the Delta that tend to entrain fish. We could improve that 24 by simply where we divert water, not change the quantity of 25 water we divert at all in that specific instance. In terms</p>	<p style="text-align: right;">Page 101</p> <p>1 quality in the interior part of the Delta. 2 MR. PETER FINN: Actually, the documentation said to 3 prevent salt water intrusion at that location. 4 MR. CHUCK HANSON: Well, to improve quality, right. 5 MR. PETER FINN: Are you dancing around the subject? 6 There's no salt water intrusion there right now. 7 MR. CHUCK HANSON: There's salt water intrusion -- 8 MR. PETER FINN: That needs to be mitigated to that 9 degree. The proposal to build the gates there is to deal 10 with the problem that's going to be created. 11 MR. CHUCK HANSON: We have salt water intrusion 12 problems today. Every day in the Delta we have to push salt 13 water that would come into the estuary, if the flows weren't 14 high enough. 15 MR. PETER FINN: So would those gates need to be built, 16 even if this canal is not built? 17 MR. CHUCK HANSON: Well, actually, these gates at 18 3-mile slough have been planned for seven years. When we 19 were in the CALFED program and we were looking at the Delta 20 facility -- 21 MR. PETER FINN: So if the peripheral canal does not 22 get built at all for whatever reason, do these gates go 23 forward? 24 MR. CHUCK HANSON: Well, we'll have to look at those. 25 But they would still be part of the plan potentially to</p>

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1 improve water quality in the Delta.  
 2 MR. PETER FINN: All right. So with that firmly  
 3 established we're talking about salt water intrusion up at  
 4 3-mile slough. We're not talking improved flows coming all  
 5 the way down through to Pittsburg.  
 6 MR. CHUCK HANSON: Yes, we are. We're talking about  
 7 flows of the system that would come through the system to  
 8 help repel sea water.  
 9 MR. PETER FINN: So someone -- yeah -- someone else  
 10 said it. Thank you. So why do we need those gates there?  
 11 MR. CHUCK HANSON: Well --  
 12 MR. PETER FINN: See this is my question. With all due  
 13 respect to Karla. She's pointing down towards the Pittsburg  
 14 area telling us how this going to improve flows down to  
 15 Pittsburg area -- that is where she was gesturing. But  
 16 we're going have to build salt water intrusion gates up at  
 17 3-mile slough.  
 18 MR. CHUCK HANSON: Okay. The flow part we're focusing  
 19 on or flows down here in this area.  
 20 MR. PETER FINN: Oh, I understand. This is what I've  
 21 been saying about this. We're getting information that  
 22 makes this look so great. But then bits and pieces of the  
 23 truth keep coming out here. Why -- I mean, if this is  
 24 improving flows down to Pittsburg, why do we need to  
 25 mitigate salt water at 3-mile slough?

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1 MR. CHUCK HANSON: The issue of improving flows is one  
 2 of the biggest problems that we have is what we're regulated  
 3 on as reverse flows in this part of this system. And Old  
 4 and Middle River, in fact, we have to curtail pumping  
 5 because there's reverse flows that not only affect smelt --  
 6 I know there's no popularity for smelt in the room. But  
 7 also tends to bring in salinity. There's something called  
 8 tidal pumping that occurs at 3-mile slough and that is that  
 9 salt water comes up here more quickly on the tidal surge  
 10 than it does here because the distance is shorter. But  
 11 tends to pump salt water across. That's why this gate  
 12 system that's been identified will go in no matter what  
 13 happens with the canal because it will reduce the tidal  
 14 pumping that not only moves salt water but can move smelt  
 15 and then the issue of improved flows is getting channels to  
 16 flow in the direction they were supposed to flow. And they  
 17 don't currently. There's no question -- one of the issues  
 18 that you've identified that -- we're not hiding from anyone.  
 19 When you divert more water up here, you damn well better pay  
 20 attention to what's going on with overall water quality and  
 21 that's what has to be done in these studies.  
 22 MR. PETER FINN: Well, and in closing, if you get all  
 23 these farmers and all these people out of this area and  
 24 remove them and inundate this area, water quality doesn't so  
 25 much matter for the agriculture any more. It doesn't matter

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1 if we have salt water flows all the way to right here, if  
 2 there's no one affected by it.  
 3 MS. PAM JONES: Okay. Kathy Hunn, Mary Paula Carvalho  
 4 and Jeff Merwin.  
 5 MS. KATHY HUNN: First of all, I would like to say that  
 6 I was rather appalled by one of the first speakers that  
 7 spoke before we started. His statement was, "Tonight we're  
 8 going to here about how a dumb idea we have, tonight we're  
 9 going to hear about the people issues, the job issues. We  
 10 were here a year ago and we're here again. And much of that  
 11 appears to not have been heard.  
 12 My name is Kathy Hunn, and I'm a resident of  
 13 Clarksburg. My husband is a farmer in the area. I wish to  
 14 speak to the human aspect of this proposal being brought to  
 15 us tonight. Many more people -- or many people who are  
 16 being affected are landowners. Far more people who live and  
 17 work here do not own land. Our farming operation alone has  
 18 35 employees, 15 of whom live here year round with their  
 19 families. Once you have taken our land, or have created  
 20 circumstances where the land is no longer farmable those  
 21 families will be left homeless and unemployed. Multiply  
 22 that by the fact that Clarksburg has 331 farming units.  
 23 Then as you move on down the river you have all the farms in  
 24 the towns of Hood, Courtland, Locke, Walnut Grove, Alton and  
 25 further south. The human cost is immeasurable, not to

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1 mention the economic devastation to the area.  
 2 In addition, there are many support businesses which  
 3 will be gravely affected by the destruction of area farming.  
 4 For example, equipment sales, repair companies, fuel  
 5 delivery companies, seed companies, and the list goes on  
 6 from there. My request and my prayer is that you will hear  
 7 all the comments that were made tonight and will work to  
 8 include the residents of the north Delta in the process to  
 9 come up with workable solutions for all of California  
 10 citizens. At the end of the day, you folks are all going to  
 11 go home. You've got your home wherever that might be.  
 12 You're going to experiment with our homes. And 20 years  
 13 from now, when you look back -- 50 years from now when we  
 14 all are gone and our children's children are looking back  
 15 and this a barren area, you still have your homes. Your  
 16 children will still have your homes. We will be relocated.  
 17 Thank you.  
 18 MS. PAM JONES: Mary Paula Carvalho, Jeff and Tony  
 19 Silva Jr.  
 20 MS. MARY PAULA CARVALHO: Good evening. Thank you for  
 21 listening to us once again. And one of these T-shirts  
 22 happens to be my notes and questions, when I passed them  
 23 out. So scribbled on this piece of paper.  
 24 The loss of tourism here in the Delta will be  
 25 horrendous should this canal go through. I worry about the

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1 future farmers of America. Across the United States farms  
 2 are dying. They're not here on the Delta. We have prime  
 3 Delta property. Prime Delta soil. Let's flood it? That  
 4 doesn't make sense. The tax revenue that is generated here  
 5 in this community is great. With a state that has a  
 6 horrendous deficit. It's amazing that you want to flood it  
 7 and send that water down south. Not only are you receiving  
 8 the tax dollar from the farms, from the vineyards that are  
 9 making wine -- bottling that wine and selling it. It's  
 10 being taxed again. You're going to lose that. I want to  
 11 know if all of that is taken into consideration. I don't  
 12 hear any of that from you. And I want to hear about it. I  
 13 want to hear about that in the future.

14 Pumping stations in this canal. We have a huge pumping  
 15 station in Freeport. How many pumping stations are we going  
 16 to need for this canal? This is a little pumping station  
 17 compared for what's needed. And this is going to be going  
 18 down California. So how far apart are they going to be?  
 19 These are questions I need answered. Eminent domain.  
 20 Somebody brought that up earlier. How many acres? How many  
 21 acres are you going to be taking through eminent domain?  
 22 Somebody talked earlier about Clarksburg, which you show as  
 23 a dot on the map. The hamlet of Clarksburg is quite large.  
 24 Who determines what part of -- where Clarksburg will stop  
 25 and the levee will come? When I look at that, another

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1 question comes up. You're going to build a levee around  
 2 these little towns or hamlets. These are new levees.

3 But the state doesn't have the money to reinforce the  
 4 levees we have now. According to you, these are faulty  
 5 levees. There's going to be an earthquake and they're going  
 6 to flood. So what happens to Clarksburg and the other small  
 7 communities -- little islands. Is this part of the plan? I  
 8 want to know what you guys are thinking about this? And is  
 9 it really thought through?

10 MS. PAM JONES: Mary Paula, if you could wrap up?

11 MS. MARY PAULA CARVALHO: One statement I have is, I  
 12 really suggest that you talk to your personnel. We've  
 13 overheard several statements out in the hallway about, "The  
 14 country hick farmers. They're just reiterating statements  
 15 they've said before. They know we're going to go through  
 16 with this." Really, keep those thoughts to yourself. We're  
 17 not "Hick farmers."

18 MS. PAM JONES: Jeff, Tony and Mary McTaggart.

19 MR. JEFF MERWIN: Good evening. Thank you for your  
 20 patience and coming and listening to us tonight -- or at  
 21 least be patient while we say what we have to say. First  
 22 three iterations that I came up with all ended up in  
 23 profanity so forgive me I'm going to be jumping around a  
 24 little bit.

25 My name is Jeff Merwin. I farm in the Netherlands

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1 district, which is Reclamation District 99, Clarksburg, Yolo  
 2 County, more specifically west of Jefferson Boulevard along  
 3 the eastside of the deep water ship channel and along Duck  
 4 slough. We're not stupid. Don't even begin to talk to us  
 5 about habitat restoration solely for enhancement of  
 6 endangered species. This is utterly and entirely about  
 7 mitigation of diversion of water for export from the Delta.  
 8 I predict that if that stopped, the Delta would miraculously  
 9 improve with no further action. I know that's not  
 10 realistic. But what is most exasperating to me are the  
 11 convoluted and equally fixes that are being proposed  
 12 instead.

13 I attended a couple of meetings last year. And I was  
 14 glad to hear that my comments from last year will stand. A  
 15 personal that I consider to be brilliant strategy by the  
 16 water purveyors of southern California and the central San  
 17 Joaquin Valley in co-opting environmentalist into the fix,  
 18 if you will. A person that most scared me and offended me  
 19 last year at a meeting I attended in Walnut Grove was a Fish  
 20 and Wildlife specialist -- or socialist -- that widely spoke  
 21 of restoring the Delta as much as possible to it's  
 22 historical state to benefit fish taking 100,000 acres, in  
 23 his words, "Perhaps 130, 000 -- or maybe 30,000 acres for  
 24 habitat restoration." What planet was he born on? That  
 25 makes him completely free to ignore people and

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1 constitutional rights to private property ownership and the  
 2 benefits thereof.

3 Wouldn't it be wonderful if the world looked the way it  
 4 did 150 years ago? Fine. Then let's be fair about it.  
 5 Start bulldozing housing tracks everywhere including the  
 6 people that live there and the discussion leading up to the  
 7 action. It would be an interesting experiment, wouldn't it?  
 8 The error of drawing lines on maps and shading areas  
 9 targeted for broad change is long past. Stop it.

10 One of my biggest concerns -- I'm going get some  
 11 questions now real quick -- One of my biggest concerns along  
 12 this whole process is the lack of detail. And I realize  
 13 you're attempting your best to refine your detail. However,  
 14 I mean -- and just to backup -- one of things that I've done  
 15 is search at length to find maps that indicate what's going  
 16 to happen, what's going on. Every one in this room -- not a  
 17 single person here -- by the way -- wants to be here  
 18 tonight. And I apologize for that. But that's a fact.  
 19 Maybe neither do you.

20 But the fact of the matter here is the maps you have  
 21 outside, they show four conveyance options. Plus, the  
 22 through Delta conveyance. And there's actually a fifth  
 23 conveyance that nobody's even talking about. But I happened  
 24 to know about it because I mentioned it last year -- and I'm  
 25 glad to see it's on the map. This one here is just showing

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1 one. What's up with that? And more exasperating is a map  
 2 one month in a community somewhere that's a public meeting  
 3 and I don't know where you find the notice of them are will  
 4 show something they're going to study and the next month or  
 5 two a map will show up and it won't exist. And then a month  
 6 after that it shows up again. So my concern -- I'm going to  
 7 ask some very specific questions right now. And this deals  
 8 with a mitigation issue that I found as FL00.2. It's more  
 9 unaffectionately called the deep water ship channel bypass.  
 10 Is that still a possibility? Is that still in play? As I  
 11 understand it that committee is under the BDCP leadership.  
 12 It's a habitat restoration committee. And I want to know if  
 13 that's still in play. It's not on that map.

14 MR. PAUL CYLINDER: I'd say yes initially. It's in the  
 15 list of potential measures under consideration. We've also  
 16 seen outside that there's an alternative canal route that  
 17 could run that same route. There's the measure that he's  
 18 talking about is a draft that's been in the document. It  
 19 hasn't been removed from the draft. Conceptual measures  
 20 that are in the document right now from October. That same  
 21 route would follow what you seen outside as the alternative  
 22 for canal route on the westside.

23 The concept that you're referring to is to develop a  
 24 flood bypass on the eastside as we already have on the  
 25 westside of the deep water ship channel but as it reads in

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1 the document right now, the only way that that would be  
 2 considered is if the flood control agencies in particular  
 3 the Army Corps of Engineers felt that concept would add to  
 4 the flood control benefits for the towns on the westside of  
 5 the river -- Clarksburg down to Rio Vista.

6 So the way the measure is written right now is that if  
 7 it were a benefit as a flood control measure that we would  
 8 take advantage of that because there's a severe lack of  
 9 floodplain habitat that has been shown to be very beneficial  
 10 to a number of the fish species, particularly the splittail  
 11 and for rearing habitat chinook salmon.

12 MR. JEFF MERWIN: Which gets back to the 100,000 acres  
 13 that this fellow would like to see restored and that the  
 14 Delta vision process recommends doing in our Delta --  
 15 100,000 acres. I guess the 20 or 30,000 acres in the Yolo  
 16 County bypass aren't adequate. They're already there. The  
 17 Sacramento -- where it exists it could be reengineered to  
 18 handle additional flood flows. You don't need to build an  
 19 additional bypass. Let me get real specific about this, not  
 20 only am I a Clarksburg resident. I happen to live on the  
 21 deep water ship channel east levee. Okay. Thank you by the  
 22 way for putting a bridge in on my driveway, in your  
 23 drawings. There's a bridge proposed for the eastern -- the  
 24 western alignment of the peripheral canal.

25 MR. PAUL CYLINDER: Sorry. I'm not the engineer.

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1 They're not my drawings.

2 MR. JEFF MERWIN: I digress. If you want to  
 3 see something that will curl your hair, Google SB12, Senate  
 4 Bill 12. It includes things like language that would change  
 5 water rights to agriculture. It actually has a paragraph  
 6 that is very specific about it. And I recommend that you  
 7 read it and contact your senator. And let's get that thing  
 8 thrown out. That's how they're going to make this happen.  
 9 And these guys will all go, "Oh, sorry."

10 MS. PAM JONES: Jeff, can you wrap up?

11 MR. JEFF MERWIN: Yes, I'm almost done. That fifth  
 12 conveyance that I was talking about, I am not an advocate of  
 13 sending water south. Okay. I agree with everybody in this  
 14 room. However, if we're going to have it done to us, put it  
 15 down the deep water ship channel. It already exists it has  
 16 the most robust levees in the entire Delta. Get  
 17 Metropolitan Water District or the water purveyors to  
 18 finance locks down at the bottom. Increase the storage  
 19 capacity five feet. The port doesn't have to deepen its  
 20 ship channel. They get 8700 acre feet of storage right in  
 21 the Delta. And they can have multiple diversions and all  
 22 that other junk. I don't want to aid the case. But I'm  
 23 trying to help you with a solutions, if you absolutely  
 24 insist. I'm not happy about it.

25 But I'd be far happier with that than ripping out

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1 farmland and habitat down the eastside or right through my  
 2 front yard -- that would be in my backyard. That's  
 3 acceptable there's already water there. It's a man-made  
 4 waterway. I was told in the June meeting last year at  
 5 Walnut Grove, "No, we can't do that there's Delta smelt  
 6 there." What an idiotic thing is that to say. It's a  
 7 man-made waterway. Put the lock in down at the bottom of  
 8 it. And the Delta smelt, they live what a year and then  
 9 they're gone. Put that in your take permit.

10 All right. I want to end right now with a little bit  
 11 of analogy as farmer. Okay. And I want you to ponder this  
 12 very carefully. And I'm sorry if I'm running a little bit  
 13 long. How would you feel as a state worker or federal  
 14 employee, if it was determined that farmers should cut off  
 15 your food? Sounds like an absurd thought, doesn't it. It's  
 16 exactly what they are proposing to do to me. Thank you.

17 MS. PAM JONES: Okay. Tony and Mary, we appreciate  
 18 your comments at the other meetings. And we ask that you  
 19 keep your comments here short so that George Daly can speak  
 20 as our last speaker.

21 MR. TONY SILVA: Okay. My name is Tony Silva, and I  
 22 just happen to be a small farmer from Lodi. I walk through  
 23 all six of your stations and I looked a lot -- I noticed the  
 24 state seems to have an issue with letters. Everything is  
 25 abbreviated -- letters. I noticed BDCP, ESA, EIS, EIR, the

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1 whole bit. Why propose a station 7? And I want to call it  
 2 BPF that's a ballpark figure. How much is all this going to  
 3 cost? Does anybody have an idea? Does anybody read the  
 4 newspapers? We have record furloughs, lay offs,  
 5 foreclosures, car dealerships closing, corporation closing,  
 6 and our state is at a 14 billion dollar deficit. Where are  
 7 you going to get this money? And how much is it going to  
 8 cost? Anybody? Just throw a number out there -- ballpark  
 9 figure. You're taking up my time. I'd appreciate a quick  
 10 answer. I've got another question.

11 MR. JERRY JOHNS: When we look at these costs -- maybe,  
 12 if we have any -- we've been looking at these cost. And  
 13 we're still refining the cost. I mean, last year -- well,  
 14 because it's complicated, right?

15 MR. TONY SILVA: Well, a ballpark.

16 MR. JERRY JOHNS: Last year we estimated the cost for  
 17 the western alignment that you saw at about 8 bill dollars.

18 MR. TONY SILVA: Is that if they give you the property?  
 19 You're paying for property, also?

20 MR. JERRY JOHNS: That was actually both. Just a  
 21 second. Let me finish. And the eastern alignment was  
 22 estimated about 5 billion both of those estimates have gone  
 23 up by quite a bit because we've gotten a lot more detail in  
 24 it. So I would imagine that it would actually be closer to  
 25 11 billion on the west and probably closer to 8 billion on

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1 the east right now.

2 MR. TONY SILVA: Thank you. Sounds like a lot. Can't  
 3 even comprehend it. I've got another statement. In 1961 a  
 4 little town called Freeport, Texas built a desalinization  
 5 plant that's 48 years ago. They managed to produce 1  
 6 million gallons of fresh water a day. During that  
 7 dedication our then president John F Kennedy gave a  
 8 dedication speech. And I'm going to read that again.

9 President JFK, "No water resouces program has a greater  
 10 long range importance than our first to convert water from  
 11 the greatest and cheapest natural resource, our oceans. And  
 12 to water fit for our homes and our industry such a  
 13 breakthrough would end bitter shovel between neighbors,  
 14 states and nations." God what a bright guy. 48 years ago  
 15 he had enough vision for that. And look where we are at  
 16 today. I'm embarrassed.

17 And does anybody -- I would like to address this to  
 18 you. Do you not understand the greatest and cheapest  
 19 natural resource? Is there a question of what that means?  
 20 I guess not.

21 You know, last time I spoke up here, I was very  
 22 intimidated because I look up here and I see a bunch of  
 23 bright people. People with masters degrees, probably MBAs,  
 24 PHDs. I don't have any of that. I have common sense and  
 25 love for the Delta and northern California. That's all I

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1 have. It may not mean much to you. But I want you to do me  
 2 a big favor. I may not speak for everybody in this room or  
 3 everybody in northern California but I'd like for you to go  
 4 down to southern California and tell those people, all 25  
 5 million of them that, "Hey, you chose to build homes in the  
 6 desert. You chose to build businesses in the desert, now  
 7 you're going to build desalinization plants." That's what  
 8 you're going to do. How hard is it? The people in northern  
 9 California are sick and tired of poor planning. We're not  
 10 turning ourselves into a desert. We're not going to do it.  
 11 And especially when you got two-thirds of the planet's total  
 12 area, the ocean, in your back door. Think about it. What  
 13 are you doing? I thought you guys were educated. Thank  
 14 you.

15 MS. PAM JONES: Mary and George. Okay. George are you  
 16 here?

17 MS. MARY McTAGGART: I have a question. I was reading  
 18 the Notice Of Preparation. And the project area part says,  
 19 "Any conservation actions outside the statutory Delta will  
 20 be implemented pursuant to cooperative agreements or similar  
 21 mechanism with local agencies, interested nongovernmental  
 22 organizations, landowners and others. Okay. So that sounds  
 23 like that would be willing participants outside the  
 24 statutory Delta. Does that mean -- is the opposite true  
 25 that inside the statutory Delta it's not going to be willing

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1 participants? Would you please answer that question for me?  
 2 Because that's the way it sounds here.

3 MS. KARLA NEMETH: That's a good question, Mary. Right  
 4 now part of the plan is to put together implementation  
 5 structure to identify that, who implements the plan, how do  
 6 we get input as it moves forward. So for conservation  
 7 measures inside the statutory Delta we are going to identify  
 8 a way in which we work with the local jurisdictions to  
 9 implement the habitat restoration pieces of this.

10 MS. MARY McTAGGART: Well, yeah, but that's what it  
 11 says outside the statutory Delta. So why would that  
 12 statement be made if it weren't different inside? That's my  
 13 question. I mean, it's an honest question.

14 MS. KARLA NEMETH: No, and I appreciate it. I'm not  
 15 sure I fully understand that -- but Paul?

16 MR. PAUL CYLINDER: When the planning agreement was put  
 17 together -- When an HCP is initiated there has to be a  
 18 definition of what the planning area is. The planning area  
 19 was defined then as the statutory Delta with the focus on  
 20 the equatic ecosystem within the statutory Delta. When --  
 21 but the program also recognized because of the species  
 22 involved that may be necessary to look for opportunities  
 23 outside the Delta -- the statutory Delta for -- to identify  
 24 conservation measures to benefit fish. So at this point, we  
 25 looked at two areas outside the statutory Delta and included

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1 concepts for conservation measures for fish in those two  
 2 areas.

3 One is Suisun Marsh, where there's an active management  
 4 conservation plan already under development that the Bay  
 5 Delta program could enhance. And then the other is the  
 6 northern part of the Yolo bypass because any proposal to  
 7 improve habitat conditions for fish in the Yolo bypass would  
 8 include both the north part and southern part. Southern  
 9 part being the legal Delta.

10 MS. MARY McTAGGART: Okay. You still didn't answer my  
 11 question. Does this statement imply then that if the  
 12 conservation measures inside the statutory Delta would not  
 13 be with the cooperative agreements or willing, you know,  
 14 cooperative agreements because that's the way it reads like.

15 MS. KARLA NEMETH: I think I understand that. And no  
 16 it does not imply that. For conservation measures that are  
 17 inside the statutory Delta, we are required to identify an  
 18 implementation structure as part of the plan.

19 MS. MARY McTAGGART: You're not answering my question,  
 20 please.

21 MS. KARLA NEMETH: Yeah, that will outline how we  
 22 interface with local entities under the implementation of  
 23 particular conservation measures.

24 MS. MARY McTAGGART: Well, are you saying then that  
 25 they could be -- they might be voluntarily or they might be

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1 not depending on what kind of implementation structure you  
 2 come up with?

3 MS. KARLA NEMETH: We're working on a willing buyer,  
 4 willing seller basis for the habitat restoration pieces.  
 5 That's policy of the Department of Water Resources.

6 MS. MARY McTAGGART: Okay. Thank you.

7 MS. PAM JONES: Mary, could you wrap up because we need  
 8 to have time --

9 MS. MARY McTAGGART: Yeah, one last thing. Except for  
 10 the map at the end of the hall, it's the first map I've seen  
 11 in all the year that I've been looking at Delta maps that  
 12 lists this area, the names of the two districts that are  
 13 here, the Netherlands district, which is District 999 and  
 14 the Lisbon District, which is to the north. Those names are  
 15 left off -- I'll tell you which maps they're not in.  
 16 They're not in any of the Delta Vision documents. They're  
 17 not in your Notice Of Preparation. They're not in the Delta  
 18 overview document that the DWR has put out. Let's see.  
 19 They're not -- they're not in either of the two PPIC  
 20 reports, which lists 70 some Delta islands but not these  
 21 two. There's a blank space on almost every map you have.  
 22 Could you guys do something about fixing that?

23 This map down here does. I couldn't believe it when I  
 24 saw it. Because it looks like nobody lives there. It's a  
 25 blank -- that -- out of courtesy and out of justice to the

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1 people in this area, can't you give us the same courtesy  
 2 that the people in all these other islands, which most of  
 3 them are no bigger or smaller than where we live. Thank  
 4 you.

5 MS. PAM JONES: Okay. And George, can you head on up.  
 6 And then that will be our last speaker.

7 UNIDENTIFIED GENTLEMAN: I have been here for almost  
 8 four hours. I put my name in that pile of crap you got  
 9 there. My name is not in there so all I've got to say to  
 10 you folks is, I feel sorry for you. I was in The Marine  
 11 Corps for 20 years. The way you done your planning -- you  
 12 would all been dead.

13 MS. PAM JONES: Sir, what is your name?

14 UNIDENTIFIED GENTLEMAN: You don't need to know it.

15 MS. PAM JONES: Okay. Go ahead George.

16 MR. GEORGE DALY: I assure you I'll be brief. Thank  
 17 you very much for your consideration. My comments revolve  
 18 around thinking outside of the pipe for the canal, if you  
 19 will. Fresh water in this state as it is pretty much  
 20 everywhere is a finite resource. You cannot keep taking it  
 21 for whatever purpose. I'm for sharing. And I mean that  
 22 sincerely. We have a great state we ought to share the  
 23 resources. But it's finite. We cannot keep gobbling up  
 24 more but we have to conserve. But I think more importantly,  
 25 we have to look for alternative supplies. And as Tony

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1 mentioned, we have 1,000 miles of coastline. I mean  
 2 southern California or northern California want more fresh  
 3 water, why don't we take this -- a part of umpteen billion  
 4 dollars and construct some desalinization plant? Why are we  
 5 pumping water what four or five hundred miles down south,  
 6 when if you look at a map probably 80 percent of the people  
 7 from Bakersfield south to the Mexican border live within  
 8 50-miles of the border. Crumb put a plant down there.  
 9 Let's enhance. Let's improve desalination process, make it  
 10 a viable option. You have certainly not, in the true sense  
 11 of the word, an infinite supply of the ocean. But my gosh,  
 12 we have far more water there than we have fresh water  
 13 supplies and it's rapidly being eaten up with development in  
 14 the south and in the north. So I -- not beating you people  
 15 over the head with it -- but I encourage you to go to the  
 16 powers that be and say, let's take another look -- Let's  
 17 open our eyes -- like we do with energy. We're trying to  
 18 get way to win. Let's do the same thing with our fresh  
 19 water supply and the sources thereof. I really wanted to  
 20 say this just to make sure it got on the record because we  
 21 are all emotionally involved about what is being proposed --  
 22 couldn't agree with all of you people more. But the point  
 23 is, there is only so much fresh water. We need to look for  
 24 other sources. And it doesn't appear like we're going to  
 25 find it on the moon or Pluto or anywhere else like that so

1 let's develop what we have here. Thank you very much.

2 MS. PAM JONES: Thank you all very much. There is time  
3 left to speak to the folks back there. This isn't your only  
4 chance. If you have comments you want to write them down,  
5 take a comment card, send an e-mail. Thank you very much.  
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2 I, ANGELICA R. GUTIERREZ, a Certified Shorthand  
3 Reporter of the State of California, duly authorized to  
4 administer oaths, do hereby certify:  
5 That I am a disinterested person herein; that the proceeding was  
6 reporter in shorthand by me, ANGELICA R. GUTIERREZ, a Certified  
7 Shorthand Reporter of the State of California, and thereafter  
8 transcribed into typewriting.

9  
10 ANGELICA R. GUTIERREZ CSR #13292

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