

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN RE THE PUBLIC HEARING OF THE)
CALFED BAY-DELTA PROGRAM)
_____)

ORIGINAL

TRANSCRIPT OF PROCEEDINGS
Chico Community Center
545 Vallombrosa Avenue
Chico, California

Thursday, May 7, 1998 at 7:15 p.m.

REPORTED BY: Susan Portale, CSR No. 4095

PORTALE & ASSOCIATES DEPOSITION REPORTERS
211 E. Weber Avenue
Stockton, California 95202
(209) 462-3377



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

JOSEPH BODOVITZ, Hearing Officer

RICK BREITENBACH, Assistance Director for Environmental
Documentation Calfed

RYAN BRODDRICK, Chief Deputy Director of State of
California Department of Fish and Game

WALT PETTIT, Executive Officer State Water Resources
Control Board

	SPEAKER PRESENTATIONS:	PAGE:
1	Mr. Dunn	17
2	Mr. Caywood	22
3	Mr. Garner	24
4	Mr. Sanford	26
5	Mr. McClure	28
6	Mr. Madden	29
7	Mr. Evans	30
8	Ms. Barris	34
9	Mr. Braden	37
10	Mr. DeBellis	39
11	Mr. Boeger	40
12	Mr. Bundy	41
13	Ms. Wood	43
14	Mr. Heringer	45
15	Ms. Houx	47
16	Mr. Crump	48
17	Mr. Josiassen	49
18	Ms. Hanford	51
19	Mr. Mackenzie	54
20	Ms. Zwisker	58
21	Ms. Cole	60
22	Mr. Skinner	62
23	Ms. Davison	64
24	Ms. Leininger	65

---o0o---

	SPEAKER PRESENTATIONS:	PAGE:
1		
2	Mr. Soares	66
3	Mr. Matthews	67
4	Mr. Lewis	70
5	Mr. Merz	72
6	Mr. Vanella	74
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

---o0o---

1
2 (Public Speakers portion of the proceedings beginning at
3 7:15 p.m.)
4

5 MR. BODOVITZ: I'd like to welcome all of
6 you. I think that you have already had quite a welcome.
7 But I'd like to formally welcome you to what is the ninth of
8 seventeen public hearings that are being held on the draft
9 and environmental documents of the Calfed Bay-Delta staff
10 all over the state. This week we have been in Irvine and
11 Orange County. Last night in the Delta in Walnut Grove,
12 tonight here. We will be back in your area again at least
13 twice. A week from tonight in Redding. May 20th in Yuba
14 City. There are also hearings in Pittsburg and Vacaville and
15 I believe that there is a complete schedule of all the
16 hearings on the table at the back.

17 I will go over the ground rules for tonight in
18 a moment. But the key one is that if you wish to speak,
19 please fill out one of these yellow cards on the table at
20 the back. We'll take the speakers in the order that we get
21 the cards.

22 My name is Joe Bodovitz and I will preside at
23 tonight's hearing. I'm not part of the Calfed Bay-Delta
24 Project and I was asked given some background in water
25 issues to help the Calfed Bay-Delta Project by having an

PORTALE & ASSOCIATES (209) 462-3377

1 independent outsider preside at these hearings. So we will
2 try to have as complete unbiased and impartial a record as
3 we can compile. Maybe it will save us a few moments time if
4 I try to explain the difference between the two things we
5 are trying to do tonight.

6 Number one, we are trying to discuss with you
7 the questions that are on your mind and try to answer them.
8 We've done a bunch of that already, as Stein said, when the
9 formal hearing is over, we'll stay and try to be more of it
10 as you wish. But we have some legal requirements that we
11 have to meet with regard to the draft environmental
12 documents that are before you. We have to conduct, in
13 accordance with law, a formal kind of hearing and we record
14 the comments and all of the comments that are made have to
15 be responded to. So that's the second part of the meeting
16 tonight. You may think that's the most important. You may
17 think that is the least important. But it is what this
18 schedule of seventeen hearings has been called to do.

19 Now, let me begin by introducing the two
20 gentlemen who are up here with me, who are part of the
21 Calfed Bay-Delta Management Group that will be making the
22 final decisions in the form of recommendations that
23 obviously will take a lot of effort to carry out. Ryan
24 Broddrick, Chief Deputy Director of the State Department of
25 Fish and Game. Walt Pettit, Executive Officer of the State

PORTALE & ASSOCIATES (209) 462-3377

1 Water Resources Control Board. Different members of this
2 decision making group have been attending all of the
3 hearings. Because of their schedules, not all of them are
4 able to be at all of the hearings. But you may be assured
5 that at every hearing, the people who speak are taking to
6 decisions makers in this process and in addition through
7 court reports and transcriptions, as I say, we will have
8 complete records available to everybody. I'd have to say
9 that the hearings have been very effective thus far. I
10 think all of us have learned a lot. I would say that the
11 largest groups by far have been in agricultural areas and I
12 guess I would also say that not everybody in the southern
13 part of the state has the same interest that agriculture in
14 the north valley has, as all of you know.

15 Let me begin now, or do next. Ask Rick
16 Breitenbach of the Calfed Bay-Delta staff to go through just
17 a few minutes of slides that may help clarify some of the
18 information that I know is of concern to all of you. Where
19 this project came from. What it's been doing and what will
20 happen next. Rick.

21 MR. BREITENBACH: Thank you, Joe. Good
22 evening again, everyone. I'm just going to take a few
23 minutes to make a couple of observations about the program
24 and that will give you plenty of time to provide your
25 comments on what you think about the environmental document

PORTALE & ASSOCIATES (209) 462-3377

1 so far.

2 Let me begin with the cast of characters that
3 make up this program. As you can see at the top of the
4 chart, can everybody see this, am I standing in peoples way?
5 Try not to. The Governor and the Secretary of Interior
6 stand right at the top of this. They actively participate
7 in the program and their presence on this chart should be an
8 indication to all of you of the interest both the state and
9 the federal government have in seeing the problem of the
10 Delta resolved. The Calfed Bay-Delta Program is made up of
11 fifteen agencies, five state and ten federal, so senator was
12 really close. All of those agencies have regulatory or
13 management responsibility in the Delta. All of them are
14 equally interested in seeing the Delta fixed. Seeing those
15 problems in the Delta go away. They are also interactively
16 extensively with the public and an example of that that we
17 have up here is the Bay Delta Advisory Counsel. This is
18 some thirty, thirty-one individuals representing all sorts
19 of interest across California that were appointed by the
20 Governor and appointed by the Secretary of Interior to look
21 at the work that we do in the Calfed Bay-Delta Program. To
22 provide us advise. To take that advise back to its
23 constituents. Share with them and bring it back again to
24 us. These people are also involved in some of work groups.
25 Are actively working with us to try to come to some

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 7 9 2

C-009792

1 resolution of the problems in the Delta.

2 So what are the problems in the Delta? We're
3 focused on four different problem areas. The ecosystem in
4 the Delta has been deteriorating over the past number of
5 years. The water fowl in the Delta is getting poorer, and
6 poorer. The availability of water and the reliability of
7 water to agriculture and to urban areas south of the Delta
8 has been on the decline.

9 The levee system within the Delta is
10 deteriorating and so this is the four problem areas that we
11 are focused on. Past efforts to deal with anyone of these
12 problems have usually been on an individual basis. Go in
13 and work on the levees. Go in and try to improve water
14 supply reliability. And in doing so there has always been
15 a conflict. You fix the levees, you might affect the
16 ecosystem. You move water, you might affect the ecosystem.
17 So what the program has tried to do and what it has
18 hopefully successfully done, is come up with alternatives to
19 deal with all four problem areas without the resulting
20 conflicts between them.

21 I talked a little bit about this earlier. So,
22 and Stein has also spent some time on it. So I'm not going
23 to spend too much time.

24 We have three comprehensive alternatives. Cover
25 a full range of options. The alternatives are made up of

1 eight different pieces. Six of them, is bottom six, are the
2 same in all alternatives. Alternative one, alternative two,
3 alternative three has each of these programs. Where the
4 alternatives vary is the storage and conveyance aspects of
5 the programs. Some alternatives have more storage. Some
6 have less. Some have storage in the north. Some in the
7 south. Conveyance as you can see on the chart over here, we
8 have three different ways of moving water. For the poster
9 boards, three different ways of moving water through the
10 Delta. I invite all of you to come up and spend a little
11 time looking at those, either on the break or after the
12 hearing and get more familiar with what is being proposed
13 for that aspect of the alternatives. The conveyance or even
14 the storage part.

15 We've talked about landish changes, but I just
16 want to take one more -- make one more mention of it. We've
17 had a lot of questions, particularly about water use
18 efficiency and whether or not there will be land retirement
19 associated with water use efficiency. The answer is no. We
20 do not have within the program any land retirement in order
21 to generate water. That's not part of the Calfed Bay-Delta
22 Program. We did take a look at it. However, there is a
23 white paper floating around that a lot of you might have
24 seen and in it, I think that we look at four to six hundred
25 thousand acres being taken out and what kind of water that

1 would develop. But that did not translate into a part of
2 the program. It's not in the program.

3 The rest of these including storage and
4 conveyance could definitely have an affect on land use. It
5 could change land out there. You build a reservoir, the
6 land that is sitting where that reservoir is going to be
7 built would be affected. As Stein mentioned, we're going to
8 do everything we can to minimize those types of affects. We
9 are going to work with all the land owners. We're going to
10 seek public land before we seek private land. Do whatever
11 we can to insure that if we do windup affecting land, that
12 it is at the minimal extent possible.

13 By now you have read or looked at a good part of
14 the environmental document and you all recall that it is
15 made up of a variety of reports. There's not just one
16 there. I'd like to make mention of the content of a couple
17 of them.

18 The first is the main document. If you recall
19 that's where we analyzed the consequences of the
20 alternatives. Those of you that have read environmental
21 documents in the past have probably read projects specific
22 or sights specific environmental documents. Where you get
23 a really good sense of what the alternatives are, the exact
24 actions that are being contemplated and then you get a real
25 good sense of those consequences of those actions. You know

1 exactly what is going to be affected when that project is
2 built. When you have read our document, I know that you've
3 gotten a good sense of what we are up to. But you didn't
4 get a real specific description of where actions were taken.
5 Might take place. Some of you got a good sense of the
6 consequences, but you didn't get a good specific description
7 of consequences. That's because we are preparing a
8 programmatic document. We are looking at the whole State of
9 California. We are looking at actions in the whole State of
10 California. We're looking at actions that are going to be
11 underway anywhere from five years from now to thirty years
12 from now and we wanted to give those people that are going
13 to have to make a decision, a comprehensive look at what all
14 these types of projects might do. Trying to do that and get
15 very specific when you don't really know where each of those
16 actions are going to be, is really not time well spent.
17 What we've done is spend a lot of time looking at the
18 cumulative affects so that people when do they eventually
19 start to implement and look back at our program document and
20 then move forward and say, I know what the overall affects
21 are, now let's see what the affects are of my particular
22 action. And that's when they are going to do those
23 subsequent environmental documents before going out and
24 starting to do anything. So the ecosystem restoration
25 program, they'll be doing environmental documents. Water

1 quality programs. They'll be doing environmental documents.
2 Storage, conveyance, they'll all be doing environmental
3 documents and they will get to that very site, specific
4 information that you all are looking for. The other document
5 that I would like to mention is the Phase II Interim Report.
6 And this is one that I really urge all of you to look at.
7 We do have a supply of them here and would be glad to give
8 them to you. Let you take them home tonight and look at
9 them. If you haven't had -- okay, let me hold it up so
10 everybody can see it. Let me just -- you've seen that one
11 and let me just make mention of it. The Phase II Report has
12 a discussion in there of what happens with the alternatives
13 that carries on from the main document. The main document
14 gave us an idea of what is going on with the alternatives.
15 The Phase II Report takes us to the next step. What is more
16 important in the Phase II Report are the issues that we
17 identify. That we have to deal with in order to get to a
18 preferred alternative. There are a lot of questions that we
19 have to deal with to get to the preferred alternative and
20 that Phase II Report lays out a good number of them. I
21 would encourage all of you to take a look at that.

22 My next overhead gets to that very idea. What
23 are the issues that we need to spend some time with? These
24 are the same issues that all of you are going to be talking
25 about tonight when you come up and make your presentations.

13

PORTALE & ASSOCIATES (209) 462-3377

1 The first one is how effective have we been in writing our
2 description of consequences. Given that we have done a
3 programmatic document. All the tools that we use. Do you
4 think that we used the right tools? Do you think we made
5 the right assumptions? We'd like to hear from you tonight.
6 You've read the document, this is what you think about it.
7 Another question that we have and we need to understand
8 before we get to preferred alternative and that I think that
9 we will hear from you tonight on, is who is going to pay for
10 this program. I think there was some mention about costs
11 during a discussion between the Senator and Stein. The
12 program is going to run somewhere in the neighborhood of
13 nine and a half to ten billion dollars. Maybe even a little
14 higher. That's a lot of money. Who is going to pay for all
15 of this? Where is it all going to come from? Should the
16 beneficiaries pay? Those that get water should they pay for
17 it? Those that want the ecosystem developed, should they
18 pay for it? Should the public be paying for part of it?
19 How should that all be worked out and we'd sure like to hear
20 from all of you as to what your ideas are about that.

21 Another question that I'm thinking that most of
22 you will talking about is it's assurances. How are we all
23 going to stay together? It's going to take thirty years.
24 How are we going to keep the whole program together? How
25 are we going to keep the stake holders interested, knowing

14

PORTALE & ASSOCIATES (209) 462-3377

1 that it maybe seven, it maybe ten years before they are get
2 what they are interested in. If you have any ideas about
3 assurances, we'd like to hear from you.

4 The last item is the preferred alternative.
5 You've read the document. You've got some ideas about what
6 is in the document. Maybe you like all these common
7 programs. Maybe you are not to crazy about storage. Maybe
8 you like storage. Maybe not to crazy about conveyance.
9 What do you think should be in the preferred alternative.
10 We'd sure like to hear that from you tonight.

11 I guess the last thing that I leave you with is
12 that we are going to take all of your comments and we are
13 going to respond to all of your comments. We are going to
14 respond to them in writing. Everything that you say to us
15 tonight, we have to respond back in writing. We're also
16 going to use a goodly number of those comments to help us to
17 improve the document that we are preparing. For the next
18 generation. So when you see it the next time it is going to
19 look better than this time. There is going to be a lot more
20 in it. I think I have touched just about everything.
21 Selecting the preferred alternative, maybe what's next in
22 terms of dates. Right now we're scheduled to select the
23 preferred alternative around the end of August. We're
24 scheduled to certify the EIS/EIR by the end of the year.
25 And then starting next year we hope to implement the

15

PORTALE & ASSOCIATES (209) 462-3377

1 program. That will go on, as I said, twenty-five to thirty
2 years. With that I'm going to conclude my presentation and
3 turn it over to all of you to come up and tell us what you
4 think about the document that we have prepared. Thank you
5 very much.

6 MR. BODOVITZ: Thank you, Rick. For
7 those of you who may wonder what was on the overhead slides
8 you missed, nothing that Rick didn't cover in his written
9 comments. They were just to let people see the words and
10 the main headings as he was going to go over them.

11 Now let me quickly go over the ground rules.
12 For this hearing, which are the same for all the seventeen
13 hearings.

14 Number one, if you wish to speak to those who
15 came in late, please fill out one of these yellow cards.
16 We'll take comments in the order we get the card.

17 Number two, we ask that you keep your verbal
18 statements to three minutes. I appreciate that's not a lot
19 of time, but at many of these hearings we have a great
20 number of speakers and in any event, you may submit written
21 comments of any length, as long as they meet the current
22 deadline of June 1st. There have been many comments at many
23 of the hearing asking for extensions of that deadline and
24 last night in the Delta, several people said that that
25 decision should probably be made in the next few days. But

16

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 7 9 4

C-009794

1 as of now June 1st is the deadline.

2 As I have said before, all the comments will be
3 transcribed. All of them will be responded to. To help you
4 stay within the three minute limit, we have a little gadget
5 up here that is like a traffic light. When you start the
6 green will be on, when you have one minute to go, the yellow
7 will be on, and when your time is up, the red light will
8 appear and we ask that you then wrap up your comments. As
9 we have all said before, at the end of the formal part of
10 the hearing, we'll close that part and then we will be here
11 and try to answer questions and discuss with you other
12 things or more of the same that's on your mind. Now to help
13 us to hear all the speakers in a reasonably expeditious
14 manner, I'm going to call three names at a time. So that if
15 you are in a middle of a row and are going to be the next
16 speaker, we've got some chairs right up here where you can
17 be close to the microphone when your turn comes. I don't
18 know if that is going to be a big problem tonight, but so
19 that we don't spend time with people getting out of -- as I
20 say the center of rows. The first card I have is Keith
21 Dunn, representing Congressman, Wally Herger, followed by
22 Clinton Kaywood, followed by John Garner. Mr. Dunn are you
23 here?

24 MR. DUNN: It's my pleasure to read a
25 statement that has been prepared by Congressman Herger for

17

PORTALE & ASSOCIATES (209) 462-3377

1 the audience here.

2 The California Department of Water Resources
3 reported in January of this year that the equivalent
4 population of Arizona, Nevada, Oregon, Idaho, Wyoming,
5 Colorado and Utah will move to California by the year 2020.
6 It is a staggering figure. The predicted shortfall of water
7 largely as a result of those nearly fifteen million
8 additional California residence will mean that our state
9 will experience a water deficit of at least 1.6 million acre
10 feet in an average water year.

11 The Department of Water Resource notes that the
12 shortfall could mushroom to seven million acre feet and in
13 the deficit for drought year. As you are well aware, Lake
14 Shasta, an important component of the central valley project
15 only holds 4.6 million acre feet. In light of that
16 information I am deeply concerned that none of the three
17 alternatives outlined in the draft EIS/EIR explicitly
18 outlines actual plans for additional reservoirs. Water
19 storage is talked about in general terms, but nowhere do I
20 find a map where new reservoirs will be built. I do see a
21 map with arrows pointing in various directions with
22 notations like, possible surface storage and possible in
23 Delta and off aqueduct storage. For those of us who have
24 been fighting for years to obtain additional water storage
25 these generalized statements are far from reassuring.

18

PORTALE & ASSOCIATES (209) 462-3377

1 Calfed would draft a series of potential fixes
2 that do not specifically outline plans for more water
3 storage as a kin to an architect drafting plans for a home
4 without showing where the kitchen will be. A potential
5 homeowner is not going to be satisfied with a conceptual
6 goal of a kitchen, they will want to see the plans.

7 Based on my own observations as well as
8 discussions with other interested parties, I believe that
9 Calfed is far to fearful of the extremist within the
10 environmental community with their lawyers and massive bank
11 rolls. These extreme groups will typically oppose any new
12 reservoir, because the structures are not natural.
13 Unfortunately, in its natural state, California is largely
14 a desert. The only reason we can sustain our population can
15 be summed up in two words, water storage. We catch water
16 when it rains, when the snow melts and we use the water
17 during the dry season. It may not be mature, but it is
18 effective in meeting the basic needs of more than thirty-two
19 million Californians.

20 Our current system of reservoirs not only
21 provides water during the dry season, but also plays a
22 critically important roll in protecting are citizens from
23 flood threats. As you are well aware, California
24 experiences widely fluctuating weather patterns. In the
25 past twelve years we have seen seven years of drought and

19

PORTALE & ASSOCIATES (209) 462-3377

1 three years of devastating floods. More water storage
2 facilities would not only help us store the water we need,
3 but would also greatly increase our protection against
4 flooding. This would clearly be a win-win situation.

5 Regrettably the extreme environmental movement
6 is the chief opponent of carving up the dwindling water
7 supply as suppose to storing additional water. They
8 alternately advocate conservation or taking water from
9 Northern California, including our states number one
10 industry, agricultural. However, water experts at the
11 California Department of Water Resources note that we are
12 quickly reaching the limits of water conservation strategies
13 which have been in effect for decades. The cry for more
14 conservation is basically a ruse. It is an effort to
15 convince California there is no looming water crisis. It's
16 irresponsible. Proponents of additional water storage
17 should be taken seriously, unless they can provide hard data
18 to refute DWR's volumes of reports.

19 MR. BODOVITZ: Mr. Dunn the three minutes
20 are gone. Are you --

21 MR. DUNN: Well, provided it is a thirty-
22 five hundred page document, I've got one more page to go.

23 MR. BODOVITZ: All right.

24 MR. DUNN: So, I'll be really quick. As
25 I can read as fast as I can.

20

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 7 9 5

C-009795

1 Merely dividing up the existing water
2 supply should be a complete non-starter. Including any move
3 to simply divert water from agricultural. If we are going
4 to get better we should -- can't do it by hurting
5 agriculture. The key problem with taking water from
6 agriculture is that no one has yet devised a way to grow
7 food without water. Taking water away from our farms would
8 send food prices through the roof and severely impact
9 California's 24.5 billion dollar agriculture economy.
10 Wrecking agriculture which provides nearly one out of every
11 ten jobs in our state is not a reasonable solution to our
12 water problems. I'll skip to the end here. Let me be
13 very clear and say that I do not want to see Calfed fail.
14 The stakes are to high and the real problems are far to
15 serious to even contemplate failure. Having said that
16 however, I strongly believe that until Calfed gives
17 increased water supply the serious attention it deserves, I
18 fear that none of the three alternatives can possibly
19 succeed. The brutally objective and correspondingly
20 frightening data contained in the Department of Water
21 Resources most recent California Water Plan Forecast demands
22 that we take strong and meaningful action to store more
23 water.
24 I'd like to work with Calfed to secure the
25 necessary funding to meet the aforementioned goals. Thank

21

PORTALE & ASSOCIATES (209) 462-3377

1 you. Congressman Herger.
2 MR. BODOVITZ: Thank you, sir. Clinton
3 Caywood is next, followed by John Garner, followed by David
4 Meyers.
5 MR. CAYWOOD: I'll make up something.
6 Some of his extra time. Not to long here.
7 I don't know to much about the plan in
8 particular. Just kind of what I have picked up through news
9 reports, just being an average person, but, I'd like to
10 state that we are at this time, I think that we are close at
11 a moment in history where the decision on how we treat our
12 living environment is really going to be decided.
13 California is an economic force that some say is seventh or
14 so in the world. We are in the process of weighing the
15 value of our natural resources, such as watersheds,
16 fisheries and wildlife vs. our food and farming, vs. our
17 population growth.
18 How we decide this balance will be reflected
19 throughout the entire world. For this is the largest
20 experiment of this nature in it's scope of completeness.
21 I'm glad to hear that news reports and plans of
22 water storage from winter storms protect our watersheds
23 without updating them with water, such as our underground
24 storage system. I hear complaints about our ground water
25 aquifers, they are failing and we need to have underground

22

PORTALE & ASSOCIATES (209) 462-3377

1 storage. I agree that the use of the watershed areas, that
2 could be undated with water, could be used by building
3 collection ponds at the lower elevations and filtration
4 systems to replace the action of ground pecculation. We
5 could force pump the water into our underground aquifers
6 when are electrical energy is plentiful and our water is
7 plentiful. This could be placed in different areas to
8 charge up different aquifers.

9 Our lands could be set aside for wildlife.
10 Water conservation put into public trusts for all of
11 California. Surrounding lands could be kept to minimum
12 densities to assure our water quality. That our ground
13 water aquifers could be recharged each year, both in
14 Northern and Southern California to capacity during the
15 raining season with minimal water transfer.

16 I asked that all members, and especially local
17 members will be part of this decision making to remember
18 their blend of the environmental economy and the food and
19 fiber producing economy is essential the vitality of the
20 Sacramento watershed, as well as all of California. To call
21 upon you to promote the rights and to secure this
22 protection.

23 MR. BODOVITZ: Thank you, Mr. Caywood.
24 John Garner, David Meyers of the Colusa County Farm Bureau
25 and Tom Sanford of Gridley.

23

PORTALE & ASSOCIATES (209) 462-3377

1 MR. GARNER: I'm John Garner. I'm a rice
2 grower in Glen County and I live in Colusa County. Member
3 of the Colusa County Farm Bureau.

4 It's been pointed here quite applicably tonight
5 that the ground water quality in the north state here is a
6 big concern. Not only the water quality, but the quantity
7 of water. Just an example of this, with the conservation
8 measures that the irrigation districts in the north state
9 have used thus far, we have created some salinity problems
10 on the west side. So when I hear that conservation is
11 suppose to be the place to find water, those things have to
12 be taken into consideration.

13 It is imperative, it's been pointed out that we
14 need more storage. I'd like to use sites as an example of
15 why, when we hear about no new storage from the
16 environmental community, why sites could be a win-win for
17 everybody.

18 Colusa County has experienced in the last five
19 years probably over fifty million dollars worth of flood
20 damage. If the sites reservoir was in, that could be, maybe
21 not eliminated but at least reduced to considerably. The
22 fact that the west side of the valley has a ground water
23 problem, that's one of the areas where there was salt water
24 in the well waters. That a sites reservoir could be
25 utilized to recharge those ground waters and then maybe use

24

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 7 9 6

C-009796

1 that area for more conjunctive use during times of drought.
2 Also, the fact that Sacramento is proposing to
3 inundate the Yolo bypass with more water by raising the
4 banks of the American River and releasing more water out of
5 Folsom at times. This would directly impact the Colusa
6 basin which needs the Yolo bypass to be lower to get the
7 water to flow out of the Colusa basin. So all those and the
8 fact that you could create more Upland Game Habitat and
9 Riparian Habitat in an area that is fairly well desert now
10 as far as the sites area could be win-win for everybody.
11 And then also during the Red Bluff time when the dam has to
12 be left out of Red Bluff, because of the fisheries, the
13 sites reservoir would allow use of that water in the spring
14 time for the agricultural on the west side.

15 The big concern with the environmental
16 communities mantra of no new storage, no new storage, is we
17 are short of water, good water during a normal year. If some
18 group doesn't want to have new storage, then during those
19 drought years, that same group ought to say well, then we
20 will forego our water this year. We've got an agricultural
21 community here that relies on water and we just can't decide
22 that we are not going to pay those people for a year just
23 because.

24 My only last comment is this. There is a
25 discussion of putting the peripheral canal in and then

25

PORTALE & ASSOCIATES (209) 462-3377

1 considering the storage. I would really like that. If you
2 want to get things to fly in the north state. If you take
3 a scoop of dirt out for the peripheral canal, put a scoop of
4 dirt in it, to sites reservoir and let's do them together.
5 Then I think we can make this fly. Thanks very much.

6 MR. BODOVITZ: Thank you very much, Mr.
7 Garner. David Meyers, Tom Sanford and Bob McClure.

8 UNIDENTIFIED VOICE: I believe David was
9 delayed. So he is not -- he didn't make it.

10 MR. BODOVITZ: Okay. Do you know whether
11 he will be here later or I guess we will see. We will put
12 his card at the bottom and see if he comes in. Then Mr.
13 Sanford, Bob McClure and Mike Madden.

14 MR. SANFORD: Thank you. I'm a little
15 concerned about some of the quality of science that I read
16 in some of the documents. When we talk about, and the
17 gentlemen that introduced the program, talked about and just
18 took it as a given about the quality of the water in the
19 Delta. The example that all of us are familiar with is has
20 to do with salt water intrusion and salinity in the like in
21 the Delta.

22 When I noticed that all of the documents talk
23 about the quality of water starting at the period 1975 to
24 1991. Now that's somewhat a curious year given the fact
25 that we have had water running through the Delta for many

26

PORTALE & ASSOCIATES (209) 462-3377

1 millennia and curiously enough the 1975 is just comfortably
2 after the inclusion of the Oroville Dam in the California
3 Water Project.

4 As a young person living along the Feather
5 River, I can remember when the Oroville Dam wasn't there and
6 the water levels in the summer were very low. I can assure
7 that commensurately the same condition existed in the Delta
8 certainly before the completion of Shasta, Oroville, Folsom
9 and the like. So I think we are taking some things as given
10 which are just simply, they maybe very convenient for those
11 people who are taking water out of the Delta. For example,
12 like the Contra Costa Water District, which Congressman
13 George Miller just happens to be in, that happens to be
14 large in his consistency. You may want to note, that some
15 of these improvements includes the reduction in salinity in
16 the Contra Costa water by 30 to 35%. You may want to
17 reflect back to the CVPIA, in 1992 I believe it was, that
18 was George Miller's bill in which he conveniently included
19 a flushing flow of some 800 thousand acre feet per year down
20 through the Delta. One of the problems I have with the
21 plan has to do with my failure to understand why it is, when
22 especially in years when, like we have had the last couple,
23 where we have had abundant water coming down in the winter,
24 that we can't move it to the Delta. If it is large the
25 function of the location of the Delta smelt, then let's just

27

PORTALE & ASSOCIATES (209) 462-3377

1 say that. It seems to me that the really definitive limited
2 factor is the aqueduct and I would like to see more
3 attention given to moving water south, when we have high
4 flows, when the San Joaquin agricultural people aren't using
5 their farm water much and we could move water into
6 Tehachapi. So far as I can tell there has been no effort as
7 part of the Calfed to be able to analyze additional
8 reservoir sites in the Tehachapies where they could gravity
9 into the L.A. basis which is the largest user.

10 Finally, I don't understand why we are spending
11 a lot of time and resources trying to protect stripped bass,
12 when in fact, everybody up here in the valley knows that
13 stripped bass are not indigenous, they were introduced and
14 they feed on salmon, which are apparently endangered.
15 Thank you.

16 MR. BODOVITZ: Thank you, Mr. Sanford.
17 Bob McClure, Mike Madden and Steve Evans.

18 MR. MCCLURE: I'm Bob McClure of the Butte
19 Creek Watershed Conservancy and I want express my own
20 personal opinions after listening to everybody for a very
21 short time and not being to knowledgeable.

22 One, it appears that we in the whole Calfed
23 program are not really paying attention, as Isen Asenwalls,
24 use to say, consider the obvious. The oil companies had a
25 hell of a time trying to get oil and decided to go out to

28

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 7 9 7

C-009797

1 the oil rigs in the oceans. That took them about ten years
2 to get it organized. It couldn't be done. It cost too much
3 and we have them all up and down both coast now. I think
4 the desalination plant system that is in effect in the Red
5 Sea and in the Persian Gulf and I believe in Hawaii, should
6 be a hammered, hardworking, long-term program to get fresh
7 water into our system instead of trying to take it out from
8 underground.

9 There was the same old deal in the military, of
10 the machine gun, that nobody wanted to use it until it was
11 sent overseas in the early days, and then used against us.

12 So let's stop that and get cracking on what
13 looks to me like a really obvious program. You say it is
14 too expensive for desalination plants. We are talking about
15 1.3 billion being held up right now. Let's crank some of
16 that from the federal and the state into the desalination
17 plants and get what the Saudi Arabians call sweet water.
18 Thank you.

19 MR. BODOVITZ: Thank you, Mr. McClure.
20 Mike Madden is next and then Steve Evans, then Priscilla
21 Hanford.

22 MR. MADDEN: Mike Madden. I'm President
23 of the Forest Ranch Mutual Water Company. We've been
24 looking at this Calfed process and the back for the last
25 three years. In fact, we read all of your documents. Your

29

PORTALE & ASSOCIATES (209) 462-3377

1 implementation strategy on Page 9 of the Phase II
2 alternative descriptions, you defined an implementation
3 strategy called adaptive management.

4 Adaptive management is a process of testing
5 alternative ways of meeting objectives and adapting future
6 management actions according to what is learned. Adaptive
7 management relies upon the identification of indicators of
8 the ecosystem health, comprehensive monitoring of indicators
9 to measure improvement over time. Focus research and
10 phasing of actions. Then it goes into a much greater
11 detail.

12 The question we have is, no where in any of the
13 documents and I believe adaptive management is spread
14 throughout your whole documents, is there any indication
15 where local jurisdictions such as RCD's, RD's or county
16 governments and cities will be notified of what the changes
17 are going to be as you adapt, and have the ability to
18 participate and that's the part that we would like to have
19 added, is some provision where local jurisdictions have some
20 input into the adaptive management process. We don't want
21 to end up being with you guys managing and us have to adapt.
22 Thank you.

23 MR. BODOVITZ: Thank you, Mr. Madden.
24 Steve Evans, Priscilla Hanford and Lynn Barris.

25 MR. EVANS: Good evening. My name is

30

PORTALE & ASSOCIATES (209) 462-3377

1 Steven Evans. I'm Conservation Director, Friends of the
2 River, which is the largest river conservation group in
3 California. I suppose Wally Herger would regard me as an
4 environmental extremist.

5 You know twenty years ago, the energy companies
6 of the United States had us believe that we were all going
7 to end up shivering in our cold dark homes if we did not
8 build dozen of nuclear power plants throughout California
9 and hundreds throughout the nation. It was all based on a
10 very simplistic equation of current energy use multiplied by
11 projected population growth. That's what being used -- done
12 with water today. A very simplistic equation of current
13 water use, multiplied by projected population growth. We
14 didn't build dozen of nuclear power plants over the last
15 twenty years, thank God, we built two. And we are going to
16 be paying a pretty penny for those under deregulation.

17 We have an energy surplus. The reason why is we
18 changed how we used energy. We need to change how we use
19 water.

20 There is a big component in the Calfed Program,
21 that is to build new surface water storage and it is hidden
22 away in the document. I think that everybody here has the
23 right to be upset that it is unclear and not obvious exactly
24 what you are saying, when you say, we have three
25 alternatives that include 3 million acre feet of surface

31

PORTALE & ASSOCIATES (209) 462-3377

1 water storage in the Sacramento valley. This valley and
2 it's surrounding foothills is ground zero for the biggest
3 dam building program ever proposed in California. It is
4 hidden away in technical documents that aren't readily
5 available to the public. This is volume 1 and volume 2, of
6 the Calfed Storage and Conveyance Component Facility
7 Description and Cost Estimate Reports. I would urge
8 everyone here to get copies of these and read it. In very
9 grim detail, they indicate the incredible environmental
10 impact that raising Shasta Dam by 200 feet would have. Not
11 to mention it's 5.5 billion dollar cost.

12 There is some projects here that maybe feasible.
13 Certainly have less environmental impact. Such as some of
14 the off stream storage projects, like sites Colusa. But we
15 haven't yet resolved problems with diverting water from the
16 Sacramento River. These off stream storage projects by the
17 way, don't create water, you have to divert water from the
18 Sacramento River to fill them up and past diversions from
19 the river have been the primary decline, because of decline
20 of our endangered salmon, and steelhead runs in the
21 Sacramento Valley. We have to resolve these issues before
22 we move ahead on a multi-billion dam building program.

23 Finally a restoration program is very important.
24 I strongly support it. But it has to be quantifiable. It
25 has to be real. We should be doing things that quantifiably

32

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 7 9 8

C-009798

1 bring back the salmon. Quantifiably bring back the habitat
2 and not just make us feel better. Dang, three minutes is
3 not enough. I'll see you in Redding.

4 MR. BODOVITZ: Thank you, Mr. Evans.
5 Priscilla Hanford, Lynn Berris and the last card that I have
6 is the one for David Meyers. Let me again remind any of you
7 who came in late. If you wish to speak, please fill out one
8 of the yellow cards. Okay, sorry, sorry, we have more. I'm
9 sorry. You are right. Sorry, David Meyer goes even farther
10 to the end. Thank you.

11 MS. HANFORD: Yes, Mr. Bodovitz and
12 members of the panel. I'm Priscilla Hanford from the Butte
13 County Water Commission and I respectfully request, Mr.
14 Bodovitz, if you would be so kind, we do have a
15 presentation. We have certain parts of the puzzle that are
16 going to be presented by different people from different
17 aspects of county interest. I'd like to defer my
18 presentation and ask you to call upon Supervisor Mary Ann
19 Hocks as the first speaker in this series.

20 MR. BODOVITZ: Okay. Well, I'm happy to
21 do this. But the concern I have is from the beginning,
22 we've asked people to sign cards and we would take speakers
23 in the order we got the cards. In a way this is pretty
24 unfair to the people at the end of the line. Is, these
25 people did not fill out cards, I gather? Okay, well, then

33

PORTALE & ASSOCIATES (209) 462-3377

1 you are in here somewhere. If you filled out a card you are
2 in here. The idea you are saying is that you want them in
3 a different order?

4 MS. HANFORD: Yes. That was my request.

5 MR. BODOVITZ: Well, I don't know how to
6 do that in fairness to everybody else.

7 UNIDENTIFIED VOICE: Put them in the order
8 that they want and -- the other cards. Everybody else speak
9 first and then let them go --

10 MR. BODOVITZ: What, okay. Is that okay
11 with you?

12 MS. HANFORD: That would be fine.

13 MR. BODOVITZ: If we take the other people
14 first. You are going to have to tell me who these names
15 are. Because I obviously don't know.

16 MS. HANFORD: Thank you very much. We'll
17 decide to do that and we will furnish you with a list.

18 MR. BODOVITZ: Okay. So all of you are
19 clear. We are going to take everybody who isn't in this
20 group and then we will do them. I think that is fair. So
21 you are Lynn Berris?

22 MS. BARRIS: Yes.

23 MR. BODOVITZ: Okay. So maybe the simple
24 thing to do is if I just call your name, and if you are part
25 of Ms. Hanford's group, you just tell me and we will put you

34

PORTALE & ASSOCIATES (209) 462-3377

1 in with her. Okay. Ms. Barris, you are on your own.

2 MS. BARRIS: My name is Lynn Berris. I'm
3 chair of Butte Environmental Council. The largest and
4 oldest environmental, independent environmental group in
5 Northern California. Butte Environmental Council applauds
6 Calfed's addition of watershed management to the core
7 elements. As we all know watershed management is about
8 preserving or restoring healthy ecosystems and sustainable
9 communities. In our area, our hydrology and our environment
10 are nearly balanced. In fact we use slightly more water
11 annually than is replaced.

12 We hope Calfed will honor the prevailing
13 watershed philosophy of ecological health. We in the north
14 state will not allow our environment to go into a spiraling
15 decline. To shift water to other areas, especially through
16 water transfer another core element. Water transfers out of
17 the basin, during the drought years will hasten the demise
18 of habitats that are still natural and living on the ground
19 water levels we have now.

20 Natural communities thrive in our oak woodlands
21 and repairing woodlands including many listed or endangered
22 plant, bird, mammal and fish species. Both of these
23 woodland communities are tied to their trees being able to
24 reach ground water. The environment though having older
25 than pre 1914 water rights is not a willing seller. Butte

35

PORTALE & ASSOCIATES (209) 462-3377

1 Environmental Council joins other environmental groups
2 around the state in suggesting that Calfed select a fourth
3 alternative based on water conservation and the restoration
4 of watersheds to improve water quality and quantity.
5 Calfed's draft documents do not reflect the full potential
6 for water conservation to meet California's water needs.

7 Some urban areas do not even meter their water.
8 We have only begun to tap the potential for efficient home
9 fixtures reducing water use for landscaping and water
10 recycling.

11 Calfed should maximize environmentally friendly
12 ways to capture and store water, such as restoring meadows,
13 wetlands and forest. These restorations combined with river
14 bank restoration also enable nature to filter out pollution
15 making rivers healthier for people and wildlife.
16 Conservation and restoration are often less expensive
17 options for saving water and improving the reliability of
18 the supply. BEC believes that Calfed should spend our money
19 making sure that they have done all we can in these
20 departments first. Thank you.

21 MR. BODOVITZ: Thank you, Ms. Barris.
22 Mike Johnson, Robert Braden, Dominic DeBellis. Thank you.
23 Mike Jensen.

24 MR. JENSEN: I pass.

25 MR. BODOVITZ: Okay. Sorry, Robert

36

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 7 9 9

C-009799

1 Braden.

2 MR. BRADEN: I got --

3 MR. BODOVITZ: All right.

4 MR. BRADEN: I'd like to start first with

5 an observation I would like to share with you and that is

6 that I've been running for public -- in the ten northwest

7 county, northeast county for the State of California. I've

8 been in all ten of them in the last months. Been in six of

9 them the last week. No where that I have gone, have I heard

10 anybody say anything favorable about Calfed. Now that might

11 be a message to you about your public relations or it might

12 be a message to you about the project. I heard a comment

13 here tonight, it is not in the program. That isn't enough

14 of a disclaimer. It just isn't a good enough statement. I

15 think personally that you have used a backwards approach.

16 You started the Delta of the river system. You should start

17 at the source in the watershed and work your solutions

18 downward from there.

19 I think that you should offer a complete

20 package. That's what troubles me the most. How can the

21 public or Calfed make decisions with so many unknown

22 factors.

23 Let me list just five for you. The cost of the

24 project and the source of the money. I did hear, well it

25 might be 9 billion, but then the dam is going to cost 6

37

PORTALE & ASSOCIATES (209) 462-3377

1 billion and so forth. We need some hard figures. Some good

2 estimates. We need to know where that money will be coming

3 from. The solutions that you have over here all have

4 implicated in them storage. But it is sort of amorous as to

5 what this storage solution would be. I don't know how you

6 can have a final decision about what you are going to do

7 down in the Delta, when you don't know if or where you are

8 going to store the water. Typically, locations should be

9 part of any decision you make. We should have an

10 opportunity to comment on those specifically in conjunction

11 with the solution.

12 You do not accommodate a complete flood control

13 package up stream. It seems to be that if you are going to

14 be working on this river system, again, I say you start at

15 the watersheds. That we must accommodate the fact that

16 there are not only floods that affect the part of the river

17 where you are worried about from ship water south, we ought

18 to be worried about the entire system as we transport water

19 and as nature transports it for us.

20 I don't see any details on ground water. I hear

21 discussions about it. But again, any of the alternatives

22 that should be chosen, should be linked to specific details

23 about what ground water, under what circumstances, who gets

24 compensated and a number of other ground water related

25 issues and as long as it is amorphous, how in the world are

38

PORTALE & ASSOCIATES (209) 462-3377

1 you going to make a good decision.

2 Fifth and the one that --

3 MR. BODOVITZ: You're time is up.

4 MR. BRADEN: Well, that's the one about

5 assurances and guarantees. If we don't have absolute

6 guarantees on what happens to the water, I think we're going

7 to get a bum deal out of this. Thank you very much.

8 MR. BODOVITZ: Thank you Mr. Braden.

9 Next is Dominic DeBellis. Followed by Morris Boeger,

10 followed by Burt Bundy.

11 MR. DEBELLIS: My name is Dominic

12 DeBellis. I'm a resident of Solano County. I'm a teacher

13 and I'm also a senate candidate in this district. So I have

14 two comments I wanted to make quickly. And by the way, it

15 is sometimes like a Costa novel to find out who is making

16 the decisions. You come to one meeting and you meet a

17 group and then oh, we don't know anything about this. You

18 have to go to this group and then you got to go to that

19 group. It is sometimes like reading the castle, I don't

20 know if anybody has ever read that book, but I want to make

21 two comments.

22 If you clean up the Delta. Perhaps you won't

23 have to do any listing by the marine fisheries up in the

24 northern part of this district in Siskyou. And you

25 certainly then would make a lot of property owners rest easy

39

PORTALE & ASSOCIATES (209) 462-3377

1 at night. Not just the one up in Siskyou and I wish you

2 would convey that at any joint meeting you have with your

3 cohorts.

4 The second comment I have is just a brief one.

5 Thomas Jefferson believed that farmers were the main bedrock

6 in his time. Certainly one of the bedrocks of any

7 democracy. So I hope in the comments tonight, seem to be

8 positive in that vain, but you are not planning on

9 displacing them or planning them out of existence. Making

10 them obsolete. Because I sure do appreciate democracy.

11 Thank you.

12 MR. BODOVITZ: Thank you, Mr. DeBellis.

13 Morris Boeger, Burt Bundy, Callie Wood.

14 MR. BOEGER: My name is Morris Boeger. I

15 made a statement at the your last Calfed meeting in Durham

16 and brought up the fact that you were allowing a tremendous

17 amount of overhead being jerked off of this money you have

18 already funded. Was allowing the university pull out over

19 20% on a piece of ground that they are trying to buy. Now

20 in this round of funding that you have got out. You have

21 another \$235,000 of it earmarked for the same piece of

22 property.

23 Now this piece of property hasn't got a contract

24 on it. Hasn't even got a price tag on it. Yet you are

25 sitting here funding money to this project. I can't believe

40

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 0

C-009800

1 this. I have a real estate brokers license and I have never
2 seen a piece of property be funded before there was a price
3 tag on it. There was a contract on it.

4 Not only that you come up here and you tell us
5 that this, you are not up here buying water and yet you are
6 not acknowledging the fact that you have already got
7 proposed funding in this year, this round of your funding
8 for over 7.5 million dollars, acquisition of water. I
9 think it is reprehensible that you set up here and lie to us
10 and bull shit us. You know, why don't you guys put the
11 cards on the table like Josiassen says, and tell us the
12 whole story. Instead of giving us the KY jelly for the
13 screwing you got coming for us.

14 MR. BODOVITZ: Burt Bundy, Callie Wood,
15 Les Heringer.

16 MR. BUNDY: I'm Burt Bundy. I a farmer
17 from Tehama County. I got three main issues I want to speak
18 to and then I've got a few specific concerns.

19 The first issues are dealing with water rights.
20 Water rights must be sacred. It must be part of the
21 assurances. It must be the key part of the assurances part
22 of the program.

23 Area of origins must also be protected. They
24 need a better mechanism and protection right now. Either
25 they need to be adjudicated or legislated. But again they

41

PORTALE & ASSOCIATES (209) 462-3377

1 must be key to the assurances package.

2 Conjunctive use as defined by Calfed is actually
3 water export. It's without the basin and so it is an export
4 program. I have some serious concerns as far as the
5 statements go on conjunctive use. Safe yield, number one,
6 is not known. You cannot export without having some impacts
7 to areas when you don't know what the safe yield is. Third
8 party impacts I think terribly are understated. I think
9 those third party impacts can also include impacts to
10 wetlands and stream flows, which would also impact resources
11 in possibly endangered species.

12 Storage must be constructed both north and south
13 of the Delta to pick of those flows, those high winter
14 flows, both north and south of the Delta. They also have to
15 be -- including local needs, flood control and fishery
16 needs. They have to be beneficial to everybody and they can
17 be if they are done right.

18 The specific concerns that I want to point out
19 is one that was brought up earlier. That is, that it seems
20 to be in the document that we hold, protection of stripped
21 bass and american shad at the same level as native and
22 adranamous fish. They are not native and adranamous fish.
23 They are predators of salmon and they need to be
24 characterized as that. Why do we go ahead and try to
25 prevent the northern pike in our waters, when the stripped

42

PORTALE & ASSOCIATES (209) 462-3377

1 bass and the american shad do the same thing.

2 High summer flows in the Sacramento River for
3 water going south impact not only flood control but also
4 fishery needs. I think those high summer flows need to be
5 considered more in the document and the point that if there
6 is more water exported that will increase those summer
7 flows. That will impact both the fishery and to give flood
8 control concerns.

9 Habitat restoration must include protection of
10 hard points and a mechanism for balance funding for both
11 restoration and flood protection. I think the restoration
12 project that is going along in the Sacramento River is an
13 awfully good start. It includes land owners and everybody
14 else that is interested. That's a great start. But land
15 owners and local watershed groups must be full partners in
16 our program. That's where we are going to get everybody
17 involved not a top down approach, but a bottom up approach
18 with everybody being partners. Thank you.

19 MR. BODOVITZ: Thank you, Mr. Bundy.
20 Callie Wood, followed by Les Heringer, then we will go to
21 Priscilla Hanford's group.

22 MS. WOOD: Lassen County Farm Bureau would
23 like to offer the following comments on the Calfed Delta
24 Program.

25 Farmers in our county are very concerned about

43

PORTALE & ASSOCIATES (209) 462-3377

1 this proposal. We realize that the projected population
2 growth of California will require greater quantities of
3 water. We feel that this can best be accomplished by
4 increasing water storage capacity. The proposed methods of
5 conversation of farm land to other uses and redirection of
6 agricultural water will devastate agriculture. The corner
7 stone of the state's economy where one out of ten jobs are
8 related to agricultural.

9 Increased water storage should be top priority
10 in this process. It would benefit urban users, fisheries,
11 as well as farmers. However, Calfed must not interfere with
12 existing water rights. Farmers throughout the state are
13 depended upon them for their livelihood. Rural communities
14 cannot absorb more unemployment or loss of productive
15 agricultural lands from their economies.

16 The Calfed proposal of a new peripheral canal
17 causes concern. It is unclear what this transport component
18 may be, but without the increased water storage, it's
19 usefulness will be limited by supply shortages. Further
20 diversion of a currently inadequate water supply would not
21 solve the problem. Conservation is quickly reaching its
22 limit of effectiveness as its strategies have been in use
23 for decades.

24 While agricultural will continue to conserve
25 water. The leap in demand comes from urban users and cannot

44

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 1

C-009801

1 be adequately met through conservation. Farmers concerns
2 must be fairly addressed in this process. This opportunity
3 can be used to the benefit of urban and agricultural users
4 by including a storage component and protecting water
5 rights.

6 Lassen Counties Farm Bureau's 500 members would
7 like to emphasize the need for stable water supplies for
8 agricultural and for the continued success of our farming
9 families. We encourage you in your efforts to reach out to
10 local communities to coordinate your programs. To insure
11 their way of life. Thank you.

12 MR. BODOVITZ: Les Heringer.

13 MR. HERINGER: Good evening. Thank you for
14 giving me the opportunity to address you tonight and Ryan it
15 is nice to have you come back to Chico. You were key in our
16 pumping plant relocation program out along the Sacramento
17 River. I'm here representing the Sacramento Valley Land
18 Owner's Association of which I am President. I am also a
19 director at Butte County Farm Bureau and I farm on the M &
20 T Ranch just west of Chico, here along the Sacramento River.

21 The Sacramento Valley growers who have long
22 standing water rights need to be kept whole. They should
23 not be required to relinquish their water to other areas of
24 the state whose water right history is junior to ours.
25 There is more than enough undeveloped water in the State to

45

PORTALE & ASSOCIATES (209) 462-3377

1 supply California's rapid growing needs into the foreseeable
2 future. The environment, the cities, new industries, all
3 are demanding more water from sources that haven't changed
4 in over 20 years.

5 Let's build more storage as the first order of
6 business of Calfed. That will make all the other issues
7 swirling around Calfed easier to handle. We have been
8 thorough the age of lower expectations and it was not a
9 pleasant experience. We are once again planning for our
10 future and that must start with new storage.

11 The second point I would like to make here
12 tonight is the idea of a meandering river. All the way
13 up and down the Sacramento River we have vital
14 infrastructures. Bridges, towns, levees, flood release
15 structures, pumping plants, fish streams and roads. These
16 all need to be maintained and protected from the meandering
17 river. Prior to the river threatening this infrastructure,
18 the river needs to be controlled. We can't wait until a
19 disaster has happened before taking action. At that point
20 in time it is too late. Thank you, again.

21 MR. BODOVITZ: Thank you, Mr. Heringer.

22 Okay. We will now go to Priscilla Hanford's group.
23 Supervisor Houx. Okay. The Mary Anne Houx's group. She
24 will be followed by Mike Crump and Curt Josiassen, and Ms.
25 Hanford, Michael McEnespy, I may be miss pronouncing that.

46

PORTALE & ASSOCIATES (209) 462-3377

1 McEnespy. Don Heffren, Rob Mackenzie. Supervisor thanks
2 for your patience. I think this is a fair way to proceed
3 and thank you for your patients.

4 MS. ROUX: Thank you. We appreciate your
5 fairness and thank you for coming. I'm Mary Anne Houx. I'm
6 a member of the Butte County Board of Supervisors. I
7 represent the 3rd district in the county.

8 The people of Chico and Butte County have a very
9 high interest in the Calfed Bay-Delta process. We are
10 following it closely. We are requesting that before the
11 process and the hearings close, we need to hear and see some
12 assurances that our interest will be protected. That's the
13 area of origin and off stream storage.

14 The EIR fails to address Butte County's
15 concerns. We must see assurances. Solid assurances that
16 new storage will be built. There is talk of a study.
17 Studies can be and often are used as a put off. While the
18 environment is important. Sincere people are waiting for
19 the results of the study which will benefit humans and human
20 needs. What I am asking of you, is that you show me the
21 time table. When is the study to be done? Who is doing it?
22 When will it be complete?

23 Storage is vital to the interest of Butte County
24 for many reasons. When we read and hear that the Calfed
25 Bay-Delta process is considering using our aquifer for

47

PORTALE & ASSOCIATES (209) 462-3377

1 storage or harvesting north state water, or evacuating our
2 aquifer, those harsh words are of serious concern to the
3 citizens of this county.

4 New off stream or up stream storage can prevent
5 floods, waste, severe damages to our homes, business and
6 agriculture. New surface storage can provide water for
7 Californians in the drought years. New storage makes good
8 sense.

9 We must see assurances from you that new storage
10 will be built before you consider any transfers.

11 Again, gentlemen, thank you very much for
12 coming. We appreciate your presence here. We hope you have
13 heard our concerns.

14 MR. BODOVITZ: We have. Let me assure you
15 that we have indeed heard a number of eloquent statements
16 tonight and do understand. Mike Crump.

17 MR. CRUMP: Yes. Good evening. I'm Mike
18 Crump. I'm the Butte County Public Works Director and I
19 would like to make a few comments on the proposed meander
20 belt and it's impact on our roads and bridges in the area.

21 Butte County has two roads and associated
22 bridges that cross the Sacramento River. Highway 32 which
23 links Chico with Interstate 5 and down further south we have
24 the Ord Ferry Road and it's bridge.

25 I think this plan needs to recognize that these

48

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 2

C-009802

1 are critical infrastructure links that provide the health,
2 safety and welfare of our citizens, as well as provide the
3 transportation corridors for trade and commerce throughout
4 this area. If this meander belt is allowed to meander
5 adjacent to our bridges, we are going to soon find ourselves
6 with a river not going under our bridge. Butte County and
7 ultimately, probably the State of California, which has the
8 jurisdiction on 32, doesn't have the funding to replace our
9 bridges and even if we did, we would still need to be
10 assured that the river will indeed flow under that bridge
11 once we build it.

12 So it is very important that this plan
13 identifies that, these hard points are essential and the
14 plan should identify the impact of social, financial impact
15 of this meander belt on these hard points.

16 They are very critical for our needs. Thank
17 you.

18 MR. BODOVITZ: Thank you. Very clear.
19 Curt Josiassen, Priscilla Hanford, Mike McEnespy.

20 MR. JOSIASSEN: I would like to thank you
21 for coming tonight. I'm the district four representative of
22 the Butte County Board. I'd like to take this opportunity
23 to voice some of my concerns in regards to the draft
24 programmatic EIS/EIR specifically with the ecosystem
25 restoration program. To accomplish the restoration of

PORTALE & ASSOCIATES (209) 462-3377

1 ecological processes associated with stream flow, stream
2 channels, watersheds and flood plains, this program proposes
3 river meander. This would be accomplished by setting back
4 agricultural levees. The EIS fails to adequately assess the
5 potential disastrous impact to safety and to Butte County
6 future economic health that a proposed river meander could
7 have. If this particular element of this plan were
8 implemented it would take a very substantial amount of prime
9 agricultural acreage out of production. This is simply
10 unacceptable.

11 A very large portion of Butte County's economy
12 is based on agricultural. The proposed plan would hit an
13 already struggling county hard in three areas.

14 First, the loss of agricultural land would mean
15 loss of jobs within the county.

16 Second, there would be a loss of revenue for
17 farmers.

18 Third, whether the levees are simply moved back
19 or conservation easements are purchased from farmers there
20 will be a significant loss of property tax revenue to the
21 county.

22 Of course this loss of revenue would further
23 reduce the county's ability to fund much needed county
24 programs, such as public health and safety programs
25 resulting in further losses to the citizens of this county.

PORTALE & ASSOCIATES (209) 462-3377

1 Additionally, the county will not accept the burden of
2 providing additional emergency services which this proposed
3 plan seeks to impose upon us.

4 Further substitution of seasonal lower value
5 crops for high value permanent crops presently existing
6 along the river is an extremely poor mitigation strategy as
7 it would cause an inevitable drop in both farm income and
8 taxes.

9 In closing, I would like to request that all
10 potential impacts of this creation of the meander zone
11 concept be studied in greater detail.

12 Rural counties, such as Butte County cannot
13 accept the potential impact to our economy and personal
14 safety which this proposed river meander seeks to impose
15 upon our citizens. Thank you very much.

16 MR. BODOVITZ: Thank you, sir. Welcome
17 back. Thank you.

18 MS. HANFORD: Good evening, again. I'm
19 Priscilla Hanford, Vice Chair of the Butte County Water
20 Commission. I'd like to share some concerns that we have
21 regarding adherence to local ground water management plans,
22 monitoring programs and pertinent ordinances.

23 We reaffirm the recommendation presented to you
24 earlier this spring by the Northern California Calfed
25 Advisory Group. Regarding the need to assure adherence to

PORTALE & ASSOCIATES (209) 462-3377

1 such local plans, monitoring programs and city and county
2 ground water ordinances in any of your proposed conjunctive
3 use programs.

4 Butte County voters as you may be aware, passed
5 a ground water protection ordinance in November 96. Any
6 policies and programs developed by Calfed need to abide by
7 this voter mandate. Incorporate in the Butte County Code is
8 Chapter 33, this ordinance establishes clear legislative
9 intent, and sets forth specific policies and procedural
10 requirements to manage the counties ground water resources
11 for the protection of the health, welfare and safety of the
12 residence of the county and the public benefit of the State.

13 In addition, we are in the process of
14 incorporate a new and significant water resources element in
15 our county general plan. This element as the result of many
16 months of work by a broad based stake holder task force
17 speaks strongly to ground water protection, as well as other
18 water resources, planning and management issues, within the
19 counties general plan, frame work.

20 To date, local governments have received no
21 assurance that our adopted plans, programs, or ordinances
22 pertaining to water resources management within our
23 jurisdictions will be recognized, respected and adhered to
24 as you proceed with selecting a preferred alternative and
25 determining the phasing of the six foundation program

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 3

C-009803

1 elements.
2 In general we find the draft EIS/EIR inadequate
3 in addressing how our local plans, programs, and ordinances
4 may be impacted by Calfed program elements.

5 More specifically, has Calfed developed any
6 conjunctive use or ground water banking program, especially
7 pertaining to our northern Sacramento Valley. We urge you
8 to maximize decision making participation by representatives
9 of local, general purpose governments. Limited purpose
10 water agencies and concerned stake holder groups. To
11 provide assurance of Calfed compliance and coordination with
12 our local plans, programs and ordinances.

13 We also would like to take this opportunity to
14 express our continuing interest in support of a coordinated
15 Calfed watershed management strategy. I know I'm about out
16 of time. But I do want to assure that Butte County is
17 interested in your continuation and expanded support of
18 local watershed programs and projects emphasizing the need
19 for coordination of desperate elements into a comprehensive
20 hold for the benefit of local residence and all residence of
21 the State. Thank you very much for the opportunity to
22 address you.

23 MR. BODOVITZ: Thank you very much. We
24 have three more people to hear from in this series and then
25 we have another bunch of cards of people to follow. So we

53

PORTALE & ASSOCIATES (209) 462-3377

1 will hear from Michael McEnespy, Don Heffren, Rob Mackenzie
2 and then we will take a very short recess.

3 MS. HANFORD: I don't think Mr. McEnespy
4 is here, so --

5 MR. BODOVITZ: All right. Don Heffren.
6 Rob Mackenzie. If they come in, if you don't mind having
7 them at the end of the cards. If they come in let me know,
8 please. Well, then we will take a very short recess after
9 Mr. Mackenzie. You have the last word before the recess,
10 Mr. Mackenzie.

11 MR. MACKENZIE: Good evening. My name is
12 Rob Mackenzie. I work in the Butte County Council's office.
13 I'm here tonight to discuss assurances for Butte County.

14 I would like to start with a brief historical
15 review. Very brief. In February 1961, the State Water
16 Resources Control Board approved the Federal Bureau of
17 Reclamations for permits for appropriation of water from the
18 Sacramento River for the Central Valley Project. When the
19 State Board approved the four permits in Decision 9.90, it
20 found that there was adequate surface water, surplus water
21 available for appropriation by the United State and that the
22 Bureau of Reclamation was responsible for maintaining Delta
23 Water quality.

24 Because of the State Board's finding that
25 adequate surplus water existed for appropriation the State

54

PORTALE & ASSOCIATES (209) 462-3377

1 Board declined to impose any final permit conditions but
2 instead determine that it would issue the permits, and
3 retain jurisdiction to insure that water quality needs and
4 the needs of prior appropriators would be met over the
5 years.

6 In May 1967, the State Board issued 7 permits to
7 the Department of Water Resources for the storage and
8 diversion of Feather River Water known as the State Water
9 Project.

10 DWR acquired those permits after asserting that
11 there was adequate surplus water and that local water
12 supplies were protected by area of origin and county of
13 origin laws.

14 DWR promised to implement a Lake Oroville
15 Recreation Plan that would attract commerce to our county.
16 The State Board set forth in Decision 12.75 that DWR shall
17 protect both water quality and preexisting water rights.

18 The State Board has never reopened the Bureau of
19 Reclamation Sacramento River appropriation permits. But
20 instead has commenced other proceedings while also
21 participating in Calfed. It appears that the State Board
22 has not determined to establish mandatory reductions in
23 water supplies for water users in Butte County. As a means
24 of providing both additional water necessary to maintain
25 Delta salinity control and to maintain current water exports

55

PORTALE & ASSOCIATES (209) 462-3377

1 to Southern California. The promised Lake Oroville
2 Recreation Plan has not been implemented. Forty plus year
3 of basin ground level monitoring, our experiences during the
4 recent drought, and recent ground water computer monitoring
5 results all indicate that surface water applications to
6 crops is what keeps our ground water basin healthy. In
7 other words there is no surplus water in the Butte Basin
8 without construction of additional up stream storage.

9 Reduced water deliveries will result in the
10 lowering of our ground water basin to levels that will harm
11 all uses of water in our county.

12 Calfed's promised assurances do not protect our
13 interest. What we need in the way of assurances are the
14 construction of additional upstream storage facilities and
15 federal and state, federal and California constitutional
16 amendments guaranteeing enforcement of California county of
17 origin and area of origin laws.

18 With all due respect to those from Calfed
19 present here today, the government officials that direct
20 your activity will be replaced soon. When considered in the
21 contexts of previous assurances, your promised assurances
22 are not assuring.

23 We do not object to other areas receiving much
24 needed water. I have a few more sentences. Or to
25 restoration or enhancement of riparian habitats, as long as

56

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 4

C-009804

1 we are allowed to grow and prosper as other California
2 counties have. If the Calfed Plan is implemented without
3 assurances adequate to protect our future, we will respond
4 in the only available manner. If we are forced to fight for
5 our water, we will fight. Butte County is home to a diverse
6 coalition of many types of water users united by one goal.
7 To prevent our county from becoming reduced to the pathetic
8 reality that is the Owens Valley today.

9 If the Calfed Plan is implemented without
10 adequate assurances we will go to court to obtain those
11 assurances. Thank you for your consideration.

12 MR. BODOVITZ: Let, supervisor, let me
13 thank you and all the others for this coordinated
14 presentation. I certainly agree it was an effective and
15 clear way to present a number of points of view very
16 effective.

17 We have all been here for a couple of hours on
18 a warm evening. Let's take a short recess. We will start
19 at a quarter of nine on that clock at the back.

20 MR. BODOVITZ: If you would either sit
21 down and stop the side conversations, or both, in fairness
22 to the people we haven't heard from yet. Let's give them a
23 chance to speak before it gets terribly late.

24 The next speaker and I'm sorry, I'm not sure
25 that I'm going to read the name right. It looks like Pat

57

PORTALE & ASSOCIATES (209) 462-3377

1 Zwisker, is what it looks like to me and I'm sure that I'm
2 not too close from paradise. Followed by Mike Crump, well,
3 Mike Crump has spoken hasn't he? Followed by Linda Cole,
4 followed by David Skinner. Okay.

5 MS. ZWISKER: Thank you for listening.
6 I'm going to say a few words that we have all heard
7 repeatedly. That are seared on my mind. I want to remind
8 you at one time they were probably seared on yours.

9 I'd like to quote from one of the various
10 documents that I've looked at in the last several years
11 which you have issued.

12 First of all, we are talking about and I quote,
13 readily available water supply. That's us. We are the
14 readily available water supply.

15 Secondly, compaction of dewatered soil. That's
16 a concern to you and to us, too. Permanent loss of aquifer
17 capacity. Still quoting from the Calfed document.

18 Increase subsidence is significant. Because it
19 is likely to occur along a important water conveyance
20 facilities such as the Delta Mendota Canal, and the
21 California Aqueduct. These are comments which have been
22 made and which your people have made and I'd like you to
23 keep them fixed firmly in your minds.

24 We are apposed to subsidence. Subsidence would
25 be costly in terms of agricultural production. In terms of

58

PORTALE & ASSOCIATES (209) 462-3377

1 infrastructure and it will costs the taxpayers of this
2 State.

3 Second point I would like to make. You are
4 talking reduced farm production. To quote, when full
5 surface water supplies are available, the value of an acre
6 foot is relatively low, because the water is used on a wide
7 variety of low value crops. But in years when the surface
8 water supplies are low, the value of an acre foot of water
9 is higher. Because a greater portion is used on higher
10 valued crops. This is a quote, gentlemen.

11 Now if you don't realize the thing that they are
12 talking about here, is farming. It's production of food.
13 They are talking about high value and low value of crops.
14 High value crops, low value crops. In 20 years will a
15 resident of Los Angeles be more interested in some of our
16 low valued crops, some of our high valued crops or some
17 water. We would like to see a balance, gentlemen. Between
18 our agricultural needs and the needs of other people. Food
19 is what they are talking about here. It's not apparent.

20 Third point I would like to make. Agricultural,
21 oh, I'm sorry, I'm still quoting. The agricultural labor
22 force is very mobile. There is a high proportion of
23 seasonal workers. As a result the effect of implementing
24 the objectives on the number of unemployed farm workers will
25 be smaller than indicated and will gradually decline as

59

PORTALE & ASSOCIATES (209) 462-3377

1 migration patterns change and the rest of the economy grows.

2 Now to me when they say, when migration patterns
3 change and the rest of the economy grows, that means that
4 there is a certain expectation that the agricultural portion
5 of our economy will not be growing.

6 MR. BODOVITZ: Your three minutes are long
7 gone, if you could wrap up.

8 MS. ZWISKER: Okay. Thank you. The last
9 thing I would like to mention is the term mitigation.
10 Mitigation, what are they going to mean by mitigation. Do
11 they mean that they are going to tax us, to pay us, for the
12 damage that is being done us? Thank you.

13 MR. BODOVITZ: Thank you. Linda Cole,
14 David Skinner, Pat Davison. Linda Cole.

15 MS. COLE: Good evening. Thank you for
16 coming. I'm Linda Cole from Valley Water Protection
17 Association and many of the things that you have heard
18 tonight, I've been down at Sacramento repeating again, and
19 again, and again. About the conflicts and the assumptions
20 that Calfed is making and about the focus on those areas
21 that are going to receive water, rather than taking a look
22 at making sure your reallocations do not shift impacts.

23 Tonight I heard a comment that what you are
24 looking for is how has Calfed done its job? Are they using
25 the right tools? Have they made the right assumptions and

60

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 5

C-009805

1 I'd like to address that issue.
2 Certainly when you are talking about the
3 underlying assumptions, it appears that Calfed is basing
4 this on the Bay Delta Accord which was a temporary
5 negotiated compromise. It talks about establishing or
6 pegging salinity levels at a specific point in the Delta.
7 Which is totally unnatural. Before the dams came in that
8 salt level migrated up and down.
9 Then it talks about fish, doubling fish and even
10 the scientific review board that came and looked at Calfed's
11 Plan pointed out the fact that you have conflicting goals in
12 terms of doubling striped bass and salmon.
13 When you talk about adaptive management you
14 haven't established what priority that is going to be. Do
15 we keep pumping out water until there is so much water that
16 these two fish can't find each other. That the striped
17 bass can't find the salmon to eat them.
18 Then you talk about the criteria for adaptive
19 management. There is nothing specific there and there is no
20 indication as to who is going to decide and what levels will
21 be placed for those decisions. What I have seen so far is
22 that it is going to be based only on how to achieve the
23 goal, not how to protect the areas of origin.
24 We are an area of origin and I'm concerned about
25 our environment, our economy for current and future growth.

PORTALE & ASSOCIATES (209) 462-3377

1 You've heard about the assumptions and the assurances we
2 have had in the past, none of them have been followed
3 through on.
4 I think Calfed has not looked at the linkage
5 between land use decisions and development in source, in
6 areas that effect receive that water. Or have been taking
7 water out of the Delta to the Delta detriment. I think
8 that should be developed more clearly. Because what happens
9 as you provide more water, then there will be additional
10 growth and development that then will create a situation of
11 critical need when we have dry periods and then the Governor
12 can kick in the drought water bank which overrides all of
13 our projections.
14 Again, the idea of legal rights, and
15 establishing prescriptive claims and the lack of an economic
16 study of what happens in water transfers and the use of the
17 terms of externalities when they talk about community
18 impacts. Impacts to the environment. They haven't done any
19 studies on this. Thank you.
20 MR. BODOVITZ: Thank you, Ms. Cole. David
21 Skinner, or Pat Davison or Chris Leininger.
22 MR. SKINNER: My name is David Skinner and
23 I'm representing Butte County Farm Bureau. Butte County
24 Farm Bureau supports the Calfed process and your efforts to
25 solve environmental and water supply problems for the

PORTALE & ASSOCIATES (209) 462-3377

1 Sacramento and the San Joaquin Delta.
2 We recognize that this process attempts to
3 satisfy environmental goals. The needs of California
4 farmers, industries and urban residence all at the same
5 time. We believe that there are two important items that
6 must be included in this plan to insure its success.
7 Number one, new water storage must be part of
8 the solution. The pressures of California's rapidly
9 increasing population, demand that the state enlarge its
10 available water supply. We will need water to support 50
11 million people, while maintaining agricultural and the
12 environment. Conservation alone, cannot solve water supply
13 problems of the Delta.
14 Number two, Calfed must not diminish water
15 rights. Whether for farms, cities or the environment. It
16 must assure water rights holders that their rights will be
17 protected and even strengthened. Farms depends on water
18 rights system to maintain their livelihood and way of life.
19 Butte County Farm Bureau supports your efforts to find a
20 long-term solution to the water problems of the Delta.
21 We believe that the creation of a new water, of
22 new water storage and the preservation of existing water
23 rights, needs to be an intricate part of your final program
24 alternative. Thank you.
25 MR. BODOVITZ: Thank you, Mr. Skinner.

PORTALE & ASSOCIATES (209) 462-3377

1 Let me again say if you do wish to speak it is not too late
2 to sign one of these yellow cards. But you do need to fill
3 out the card.
4 Pat Davison, Chris Leininger, Jerd Soares.
5 MS. DAVISON: Good evening. My name is
6 Pat Davison. I'm the California Field Director for the
7 People for the USA Program.
8 People for the USA is a grass roots organizing
9 program design to build support for multiple use of public
10 lands and protection of private property rights. I'm here
11 tonight representing our thousand members throughout the
12 State who are found in both the problems areas and the
13 solution areas and I convey to you that they are alarmed.
14 These are people who are recreationalists or
15 property owners, or miners, or loggers, or all of the other
16 kinds of land users and owners who know very little about
17 this and that leads to my comment specifically for you
18 tonight.
19 I would strongly encourage you to grant the
20 request for the extension of time. There simply is not
21 enough time for the public to absorb all the information and
22 then analyze it and come back to you with an adequate
23 response. Given the scope and the complexity of the
24 project that you have for us to look at, I think that the
25 very least you can do, to serve the public, is to grant the

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 6

C-009806

1 extension. Thank you.

2 MR. BODOVITZ: Thank you, Ms. Davison.
3 Chris Leininger, Jerd Soares, George Matthews.

4 MS. LEININGER: Hi, I'm Chris Leininger
5 and I'm a land owner rancher on Deer Creek. I'm in one of
6 those watersheds that that fellow talked about, but he is
7 not here. Everybody left. I'd like to address your process
8 and give testimony to your process and compliment you on the
9 process. Maybe I should cover my back.

10 We started a group about four years ago on Deer
11 Creek and I was actively involved in that process and when
12 your paperwork started flowing out of Sacramento. We started
13 reading it and we had several concerns with your paperwork.
14 We called Calfed and I don't think you were called Calfed at
15 that point, but since that time we have had your staff,
16 Terry Mills who has written to ERPP, twice out to our creek
17 to look at our concerns. We have had Dick Daniel comes once
18 to our creek. Talk to our land owners and talk to our
19 organization and address the concerns that we had in your
20 paperwork.

21 I'd like to encourage everybody here that all
22 your concerns are real valid. That these folks are more
23 than willing to come and work with you. There is a lady in
24 the back by the name of Judy Heath, who has put together the
25 watershed management strategy for Calfed and I encourage

65

PORTALE & ASSOCIATES (209) 462-3377

1 everybody to call this lady. She is putting together names
2 and address of folks in watersheds and areas of Northern
3 California who have concerns and it is a pro-active way to
4 get involved and to get your concerns heard and the
5 management policies of Calfed in a real local way. I want
6 to thank you for that outreach and I hope you continue it.
7 We appreciate it very much. Thank you.

8 MR. BODOVITZ: Thank you, Ms. Leininger.
9 I suppose we should offer you more time considering those
10 nice comments. Let me mention that others of you have
11 suggested the importance of what Judy Heath is doing and
12 when we adjourn the formal hearing and begin the informal
13 part we will ask her to respond to questions and to talk
14 about what she has been doing. Is the first thing that we
15 do. Jerd Soares, George Matthews, Bill Lewis.

16 MR. SOARES: Thank you. I just want to
17 make a comment on this gentlemen's definition of conjunctive
18 use being when they use water to the effect of putting it in
19 the streams when the flow is low for the fish. It is not
20 accurate. What it is they pay. They offer people with water
21 rights a lot of money to sell it and move it south, and then
22 these guys pump their water to replace it. In defense of
23 our farmers, you should not be dangling that kind of carrot
24 in front of them because that depletes our ground water.

25 You guys, your statements and your own documents

66

PORTALE & ASSOCIATES (209) 462-3377

1 say, what we can expect is reduced water levels and reduced
2 water quality among other things. I think it is highly
3 irresponsible, and your documents are full of this kind of
4 selective information and data and it's not right.

5 Another thing, when you guys are talking about
6 the peripheral canal. 5,000 cubic feet a second minimum,
7 that's a good chunk of water. That's probably more than
8 flow. If you drive over the Feather River Bridge in
9 Gridley, that's more than you will find in that river most
10 of the time.

11 If you think that you are going to be able to
12 preserve fish and salmon and down migrating adranamous fish,
13 and you don't think that they are going to take a left turn
14 and go down that channel. You guys are living in fantasy
15 land. You have already got the one in Walnut Grove that is
16 hugh. I don't know what you guys are going to do in the
17 Delta, but you are not going to leave any water to flow into
18 it. Thank you.

19 MR. BODOVITZ: Thank you. George Matthews,
20 Bill Lewis and John, I believe Merz of the Sacramento River
21 Preservation Trust.

22 MR. MATTHEWS: Good evening. My name is
23 George Matthews. I live at 318 Orient St. I originally
24 wanted to come here and talk about maximizing water
25 efficiency. But then I believe that it was last Sunday in

67

PORTALE & ASSOCIATES (209) 462-3377

1 the Enterprise Record, Chico Enterprise Record, I saw where
2 representative Wally Herger, his writing about water storage
3 being vital to our water plan.

4 Representative Herger called using the efficient
5 use of water irresponsible and called such use as extreme.
6 I take great offense to that. I thought that using water
7 more efficiency was about the most responsible thing we
8 could possibly do.

9 I have been a builder and trying to build really
10 energy efficient houses. In doing so, I also embrace water
11 conservation or water efficiency. I am owner of a horizontal
12 access washer and a Bosch dishwasher. They are both really
13 great appliances. The thing about the horizontal access
14 washer, is that it uses about 30% of the water of a regular
15 washing machine. As I watch this thing go and spill out the
16 water into the tub, or wash basin, I noticed that instead of
17 getting about that high. It only leaves about that much
18 water in the bottom. It lead me to think about the river of
19 water that we could actually create. Or actually negate if
20 every single family in California had a horizontal access
21 washer. That is a lot of water.

22 The thing about it is that it really wouldn't
23 cost us anything. These things pay for themselves in eight
24 to ten years with an average family usage. Same thing with
25 one of these dishwashers. They are very expensive. Like

68

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 7

C-009807

1 \$750 dollars, but they end up paying for themselves.

2 So if we took some of this 6 billion dollars and
3 use it to encourage every family in California to use water
4 more efficiently by buying these technologies then you could
5 actually have then not cost anything in ten years after they
6 pay for themselves.

7 I've seen the people in Israel and how they use
8 water. It is really amazing. They made their deserts bloom
9 with very little water. Compared to us and they seem to
10 enjoy a very high standard of living. I care very much
11 about the salmon and the oak trees and aquifer and
12 protecting it and protecting our ground water.

13 I think that the first thing that we should do
14 is really embrace water efficiency. Their zero scope. All
15 one has to do is open up the pages of Sunset Magazine and
16 see what kind of beautiful gardens you can grow without a
17 whole lot of water.

18 Go to your local appliance store and look at
19 these washers and dishwashers and see what you can do. I
20 haven't run the numbers. I have no idea how many people are
21 using these dishwashers and washing machines. How much
22 money you could save. How many gallons of water we could
23 stop from having to take out of the ground or having to dam
24 up or how many salmon would die.

25 I would really like to see you guys embrace

69

PORTALE & ASSOCIATES (209) 462-3377

1 efficiency to the maximum potential. Get rid of every
2 single, 5 or 3 1/2 gallon toilet in California and replace
3 them with 1.5 gallon toilets. Those will pay for themselves,
4 too, and they last for about fifty years. Embrace
5 efficiency, that pays for itself. It will save salmon. It
6 will save our oak trees. Thank you.

7 MR. BODOVITZ: Thank you Mr. Matthews.
8 Bill Lewis, John Merz, I hope I'm not mispronouncing and Tom
9 Vanilla. Those are the last cards I have. Last call for
10 filling out a yellow card if you wish to speak tonight. Mr.
11 Lewis.

12 MR. LEWIS: Good evening. I'm the
13 Utilities Director for the city of Yuba City. I realized
14 that you are coming into town next week and I wanted to take
15 the opportunity to visit you this evening.

16 I somewhat have to agree with what Senator
17 Josiassen, opening remarks, the writing is on the wall.
18 Looking at the plans, the only one, as an engineer, the only
19 one that makes any sense at all and to provide high quality
20 water is the peripheral canal isolated facility and that
21 will provide the water to the Delta as well to Southern
22 California.

23 But none of the alternatives addressed the
24 conveyance in Northern California. For some reason the
25 Delta, the levees seem to stop in the Delta. I live behind

70

PORTALE & ASSOCIATES (209) 462-3377

1 a 25 foot levee. I think that the -- all the alternatives
2 much discussion north of the Delta. The -- over the last
3 few years, decades, there have been drought, there have been
4 floods. January 1997 of course, there was a little storm
5 that came through. Major flooding in Northern California.
6 Loss of life. The largest evacuation that has ever been
7 done in California. One hundred thousand people.

8 Working in Yuba City Emergency Center a call
9 came in, Oroville Dam maybe going to unreleased control. As
10 an engineering student, you dread those words. I'd never
11 thought I would hear them in reality. Luckily it didn't
12 happen. It stopped raining. Somewhat out of our control.

13 Conveyance much include Northern California
14 river impacts. The levees north of the Delta. There must
15 be, we agree that there has to increased storage. Part of
16 that storage has to allocated for flood control. Possible
17 the reparation of the existing reservoir. 10% of Oroville is
18 dedicated for flood control. This year when you were up
19 into that storage. If the storm in February had been a
20 warm one like occurred in January after the thirty feet of
21 snow in the Sierras, it would have been devastating.

22 So we request that all the alter -- review the
23 impact on Northern California rivers. The conveyance past
24 the Northern California levees be considered and not just
25 the Delta levees. That increased flood protection be

71

PORTALE & ASSOCIATES (209) 462-3377

1 considered as part of the reservoir in up stream storage and
2 that storage not just be for the Southern California urban
3 users. Thank you very much.

4 MR. BODOVITZ: Thank you Mr. Lewis. John
5 Merz, if I'm not mispronouncing your name, I apologize.

6 MR. MERZ: Actually, you are one of the
7 first that has ever pronounced it right. So I appreciate it
8 that. With the first time out the gate. I represent the
9 Sacramento River Preservation Trust and I wasn't going to
10 speak. Unfortunately, certain representatives of Butte
11 County, made reference to the meander belt which I think are
12 unfortunate, because they're, I think they are short sighted
13 relative to that concept and the things that are potentially
14 available to deal with issues liked hard points relative to
15 bridges and things of that nature.

16 I won't go into detail other than to indicate
17 that, I think there was an excellent series of articles in
18 the Sacramento Bee in November called the Gathering Storm,
19 that referred to the issue of flood management and what has
20 been going wrong with flood management and there are a lot
21 of issues involved here.

22 I recommend that the Calfed staff, as well as
23 Butte County representatives, get a copy of that and take a
24 look at it. It might actually educate some folks.

25 More to the point, however, relative to this

72

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 8

C-009808

1 evening, and I appreciate what George had to say relative to
2 water use efficiency. There is a phrase that has been
3 around a long time, but it is, globally act locally, you can
4 become trite if you are not careful, but the reality is that
5 I think that we are falling into a trap as has often
6 happened with these kind of processes. Not only that maybe
7 it is upside down in terms of you start at the Delta and you
8 working your way upstream rather than the other way around
9 in terms of priorities.

10 But more importantly, I think we are talking
11 about mega projects when we should be talking about what can
12 happen on a day-to-day basis with every individual taking
13 responsibilities for his/her actions relative to the use of
14 water in the State of California. That is not just high
15 efficiency washers, it is also things like good land
16 stewardship. The application or additional stock ponds,
17 perhaps on one's property, to enhance both water recharge or
18 carrying vegetation, things of that nature. The Resource
19 Conversation districts, I think, and Natural Resources
20 Conservation Service at the federal level, I think they are
21 key players in those kind of discussions, especially in the
22 upper watersheds. Not to mention the forest service. And
23 to meetings that I have been I haven't seen either of those,
24 or any of those three entities if you will, the RCD's are
25 actually a little bit more diverse. But really speaking up

73

PORTALE & ASSOCIATES (209) 462-3377

1 and I think it is very important, because I think those are
2 implementing folks that have a lot to say about the
3 potential success of what you are trying to accomplish.

4 I guess what it comes down to is given a choice
5 between big dams and a lot of little dams, I'll take the
6 little dam any day of the week. Partly because they are at
7 a human scale. This plan is not at a human scale. People
8 don't understand it. They are intimidated by it. I think
9 rightly so. But more importantly let's put money on the
10 ground where people are acting out their daily lives.

11 Let's give them an opportunity to make those
12 best choices. Right now I don't think a lot of those folks
13 have those kind of availabilities and I think that is a
14 mistake. I think that a lot of, aren't looking for you,
15 being whoever you is, kind of relates to they, are looking
16 for the answer. Quite frankly, we have the answers. We
17 just need some tools to put them into place. Thank you.

18 MR. BODOVITZ: Thank you, Mr. Merz. Tom
19 Vanella.

20 MR. VANELLA: Good evening gentlemen.
21 Thank you for coming. I'd like to say one thing. It sounds
22 like we are hunting for new sources of water. But we are
23 talking about taking the source that is.

24 We need to build dams. We've got to create new
25 sources, like the gentlemen said just ahead. We have got to

74

PORTALE & ASSOCIATES (209) 462-3377

1 have all those dams up there blocking these streams holding
2 it for when we need it.

3 The other thing that I see coming down the line,
4 I've heard nothing about is that the other side of the
5 government from you is trying to ban, say two cycle engines
6 are going to affect all drinking water. Does that mean,
7 that if you go call this, take all of this water and ship it
8 south, then we are totally closed down on two cycle engines
9 and all of our farming operations up here.

10 Also what did the fish do before Shasta Dam? I
11 hear everything after Shasta Dam. I heard people use to
12 wade across the river and there was fish in it then. Not
13 swim across it. Thank you.

14 MR. BODOVITZ: Thank you. Well that
15 concludes the cards and we will adjourn the formal public
16 hearing. Thanks to all of you for a very, a series of very
17 eloquent statements. A very informative hearing.

18 I suggest that we take five minutes so anyone
19 wishes to leave can do so. Those of you who wish to
20 continue the informal discussion, may I suggest that you
21 move up here and we'll just conduct that like kind of a
22 workshop rather than a formal hearing. Thanks again. This
23 concludes the formal hearing. We will resume at 9:15.

24
25

75

PORTALE & ASSOCIATES (209) 462-3377

1
2 STATE OF CALIFORNIA)
3 COUNTY OF SAN JOAQUIN)

4
5
6
7 I, SUSAN PORTALE, Certified Shorthand
8 Reporter of the State of California, do hereby certify:

9 That on the 7th day of May, 1998, at
10 the hour of 7:15 p.m., I transcribed the said tapes on the
11 Calfed Bay-Delta Program Public Hearing; that I thereafter
12 transcribed the said tapes of such proceedings by computer-
13 aided transcription, the above and foregoing being a full,
14 true and correct transcription thereof, and a full, true and
15 correct transcript of all proceedings had and testimony
16 given.

17
18
19
20
21
22
23
24
25


Certified Shorthand Reporter in and for the
County of San Joaquin, State of California

76

PORTALE & ASSOCIATES (209) 462-3377

C - 0 0 9 8 0 9

C-009809