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IN RE THE MEETING OF THE)
BAY-DELTA ADVISORY COUNCIL)
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ORIGINAL

TRANSCRIPT OF PROCEEDINGS

Preservation Park

1233 Preservation Parkway

Nile Hall

Oakland, California 94612

Thursday, August 26, 1999 at 6:58 p.m.

REPORTED BY: JULIE R. HEAD, CSR 9399, RPR, CRR

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KATHERINE KELLY, Department of Water Resources

COL. PETER T. MADSEN, United States Army Corps of Engineers
EARL NELSON, Western Area Power Administration
RON REMPEL, Department of Fish and Game

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1 (The following proceedings were had at 6:58 p.m.)

2
3 MR. BODOVITZ: I understand there's a
4 problem with this microphone, so if you're having
5 trouble hearing me in the back, could you raise your
6 hand or is that working? Okay. Good.

7 My name is Joe Bodovitz, and I will be
8 conducting the hearing tonight. I work with CALFED,
9 but I'm not part of CALFED; rather, I had a small
10 nonprofit called the California Environmental Trust,
11 and we worked to help people find as much agreement
12 as possible on the kinds of major issues facing
13 California that we'll be discussing tonight.

14 As some of you in the room know, I was
15 the first executive director of the Bay Conservation
16 and Development Commission and later the first
17 executive director of the Coastal Commission, and
18 still later executive director of the Public
19 Utilities Commission which regulates investor-owned
20 water companies in California, among other things.
21 So I'm quiet familiar with the kinds of issues we'll
22 be discussing tonight.

23 In a moment I will explain the ground
24 rules and we'll get started very quickly. The key
25 one is if you wish to speak and haven't already

1 filled out one of these yellow cards on the table in
2 the back, you must do so, and in the interest of
3 fairness, we'll take the speakers in the orders in
4 which -- in the order in which the cards were put
5 in.
6 Now, joining me tonight are people at
7 the table, here, who are members of the policy
8 committee of the CALFED Bay-Delta Program. They
9 represent the state and federal agencies that have
10 decided on the EIR analysis that they have proposed
11 for these public hearings. This is the fifth of 15
12 hearings being held in all parts of California.
13 Joining me here -- and we've all moved
14 around, so I'm not quite sure who's where -- Earl
15 Nelson of the Western Area Power Administration.
16 Earl has joined us. Colonel Madsen of the Army
17 Corps of Engineers, Kathy Kelly of the Department of
18 Water Resources, Alf Brandt of the Department of the
19 Interior, and there's a sign there that says Rick
20 Braitenbach, but --
21 MR. REMPEL: It's Ron Rempel,
22 Department of Fish and Game.
23 MR. BODOVITZ: Okay. Thank you, Ron.
24 Nice to have you join us.
25 Now, let me explain how we do these

5

1 anybody else?
2 MR. RITCHIE: Richard.
3 MR. BODOVITZ: Richard. Okay.
4 Well, let's -- let's proceed, then.
5 The first speaker we have is Leasa
6 Cleland, followed by Vince Wong, followed by
7 Michelle Lasgoity, if I'm reading the names right.
8 Now we have a little device that will
9 help you keep track of how you're doing on your
10 three minutes. It's a little traffic light that I
11 trust all of you can see, but certainly it's right
12 where the speakers can see it. When you start, the
13 green light will be on. When you have one minute
14 left, the yellow light will be on. When your time
15 is up, the red light will go on. And in interest --
16 in fairness to all the other people who will have
17 not been heard at that point, we ask you that you
18 conclude after the three minutes.
19 So, if that's clear to everybody, let's
20 get started.
21 Leasa Cleland.
22 MS. CLELAND: My name is Leasa Cleland,
23 representing the Alameda County Water District, and
24 I sure wish I was one of those Northern California
25 agencies that have plenty of water supply, but,

7

1 hearings all over the state. The rules here are
2 exactly the same as everywhere else. You may submit
3 written statements of any length in as much detail
4 as you would like, and there's material on the table
5 at the back that explains how and where to submit
6 that material. But in the interest of hearing from
7 as many people as possible as early as possible,
8 oral statements at all the hearings are limited to
9 three minutes, and, as I say, we'll take speakers in
10 the order in which you filled out cards.
11 One thing, particularly, since we have
12 a lot of people here tonight, that will help move
13 the hearing along, is I will call three names at a
14 time so you'll know, if you're one of the speakers,
15 that you're going to be next or almost next, and
16 we'll try to save a couple of the seats right here
17 in the front row. So if you're next in line, it
18 would help move us along if you get out of the row
19 you're in and come up here so we won't spend a lot
20 of time tonight waiting for people to step over
21 other people on their way out of the aisle.
22 I know there are a couple of members of
23 the Bay-Delta Advisory Committee here -- I think
24 you've heard from two of them -- Bob Raab and
25 Roberta Borjonovo. Have I missed anybody? Is there

6

1 unfortunately, we don't.
2 We supply water to over 300,000
3 residents in the Bay Area. More than half of our
4 water supply comes from the State Water Project.
5 Because of the importance of the supplies in the
6 Delta to our customers, our board of directors
7 adopted a resolution developing some solution
8 principles for things that we need out of this
9 program, and what I'd like to do tonight is provide
10 a brief assessment as to whether this program meets
11 those solution principles.
12 The first is -- and probably most
13 important -- is in the area of drinking water
14 quality. It's unclear whether the proposed CALFED
15 solution will result in adequate improvement in
16 Delta drinking water quality. CALFED must develop a
17 comprehensive timetable for meeting required
18 improvements in drinking water quality and set
19 interim benchmarks to provide a method of gauging
20 success of the program.
21 The second area is in water supply
22 reliability. The program provides absolutely no
23 targets for improvements in water supply
24 reliability. Our customers have committed over \$200
25 million in a facility that was intended to supply

8

1 42,000 acre-feet of water. We can expect less than
 2 half of that on a reliable basis.

3 The CALFED program must set goals to
 4 improve water supply reliability and aggressively
 5 pursue their realization. We must expedite the
 6 planning and implementation, particularly of south
 7 Delta improvements, which hold the greatest
 8 potential for increase in water supplies during the
 9 first stage of the program.

10 Secondly, in cost versus benefits,
 11 CALFED proposes spending \$4.4 billion over the next
 12 seven years, much of it to be raised from water user
 13 fees and charges. However, the program documents
 14 provide no specificity as to the guaranteed water
 15 supply or water quality benefits. Without clearly
 16 defined and quantifiable benefits, the CALFED
 17 program will be unable to impose appropriate water
 18 user fees to implement that program.

19 Third, in equitability, while the
 20 program outlined in the environmental documents has
 21 made some progress in some keys areas, overall, the
 22 program lacks a real commitment to meet California's
 23 needs for increased water supply of good quality.
 24 This deficiency must be corrected before this
 25 program can successfully move forward. Water supply

9

1 Agency. Zone 7 is water supplier to over 160,000
 2 people in Livermore, Pleasanton and Dublin in
 3 eastern Alameda County. We receive about 70 percent
 4 of our water supply from the State Water Project so,
 5 clearly, we are dependent on a proper Bay-Delta
 6 solution which will provide safe, high quality,
 7 reliable source of water.

8 Delta-dependent water users have
 9 experienced a loss of more than one million
 10 acre-feet of water during the 1990s. The CALFED --
 11 Studies of the CALFED proposal shows that this will
 12 provide only another 200,000 acre-feet of water at
 13 best, and possibly lose 700,000 acre-feet. CALFED
 14 must set an aggressively pursued realization of
 15 water supply goals to add at least 400,000 acre-feet
 16 of water during the next seven years of this
 17 program.

18 The CALFED program is currently
 19 responding too slowly to the ever more stringent
 20 drinking water quality requirements. Without water
 21 quality improvements in the Delta, small agencies
 22 like Zone 7 will be forced to spend millions of
 23 dollars to build and construct new water treatment
 24 facilities to meet safe drinking water standards.
 25 CALFED must develop a comprehensive timetable for

11

1 improvements must be equitably balanced among urban,
 2 agriculture and environmental uses.

3 We at ACWD recognize that we cannot
 4 look to CALFED solution to solve all of our
 5 problems, yet even though we've invested tens of
 6 millions of dollars in advanced treatment
 7 technology, that will likely not be enough to meet
 8 our water quality needs. We must have improved
 9 source water quality in the Delta.

10 In addition, we've completed an
 11 integrated resources plan which is an additional
 12 tens of millions of dollars in programs like
 13 conservation, water recycling, brackish water
 14 desalination and in banking. Yet even with that we
 15 will not be able to meet our supply needs.

16 I urge CALFED not to preclude planning
 17 for all facilities, including an isolated facility
 18 if your preferred solution does not work.

19 I appreciate this opportunity to speak.

20 MR. BODOVITE: I'm sorry.

21 MS. CLELAND: Thanks.

22 MR. BODOVITE: Vince Wong, Michelle
 23 Lasgoity, Roger Galleano.

24 MR. WONG: Good evening. I'm Vince
 25 Wong, assistant general manager of the Zone 7 Water

10

1 meeting required improvements in drinking water
 2 quality and set interim benchmarks to provide a
 3 method of gauging the program's successes.

4 During the last 20 years California's
 5 water supply and delivery system has suffered
 6 neglect and decline. The CALFED program offers no
 7 commitment to invest in much needed facilities to
 8 improve our water supply or water quality. CALFED
 9 must expedite the planning and implementation of the
 10 south Delta improvements which hold the greatest
 11 potential for increasing water supplies during the
 12 first stage of this program.

13 Earlier studies have demonstrated that
 14 an isolated conveyance facility had the greatest
 15 potential to improve water quality and provide
 16 fishery benefits. However, most of the preliminary
 17 work needed to proceed with such a project have been
 18 deleted from the current planning. Failure to meet
 19 water quality goals was one of the reasons for
 20 developing the isolated conveyance facility
 21 concepts.

22 Of particular concern to Zone 7 is that
 23 delivered water quality goals should include impacts
 24 of salts in the water user service area. Salt
 25 loadings to groundwater basins receiving Delta water

12

1 could be reduced significantly with an isolated
2 conveyance facility. CALFED must clearly set out
3 the conditions that will trigger a full assessment
4 of an isolated conveyance facility, the time line
5 for such an assessment and a clear process for
6 making a decision on whether to proceed with such a
7 facility.

8 And, finally, I'd like to comment that
9 we are encouraged by the recent meeting between Gray
10 Davis and Interior Secretary Babbitt. It's
11 imperative that they remain engaged in defining this
12 program to balance benefits to all parties.

13 Thank you.

14 MR. BODOVITZ: Thank you, Mr. Wong.
15 Michelle Lasgoity, Roger Galleano, Joe
16 Galleano.

17 MS. LASGOITY: I'm not sure if I'm tall
18 enough for this things.

19 Hi, my name is Michelle Lasgoity. My
20 family and I have a diversified agriculture
21 business, which began in the 1920s, primarily
22 operating in Madera County. Our products consist of
23 beef cattle, wine grapes, sheep, wool, cotton and
24 alfalfa.

25 Water development in the state of

13

1 California has not kept pace with the population and
2 land use growth over the past 15 years. In
3 addition, new federal guidelines adopted in 1992
4 drastically increased the price of farmer surface
5 water and took away over 800,000 acre-feet
6 historically used by farmers.

7 The consequence of these actions and
8 lack of action, both in a federal and state level,
9 has agricultural, environmental and urban interests
10 in a battle for scarce resource. The battle is
11 fierce, time consuming and expensive. If not for
12 the previous several years of above average
13 rainfall, the battle would be an all-out war with
14 agriculture the very likely victim.

15 The CALFED Bay-Delta Program initiated
16 several years ago by federal, state and other water
17 agents was to provide a process, to plan for
18 California's water future while addressing Bay-Delta
19 environmental problems.

20 Instead of looking to California's
21 future and the 21st century, the recently published
22 CALFED document seems to look backwards with its
23 proposal of taking water away from people through
24 idling productive land and yet without specific
25 commitment to developing new water storage.

14

1 This -- The issue is that California's
2 population and demands upon water supply are growing
3 at a 21st century rate. And, once again, the myriad
4 of environmental interest in the CALFED program has
5 held hostage any move towards creating any
6 additional storage to meet California's current and
7 future water needs.

8 California needs more water storage
9 capability. We must invest in this area in order to
10 satisfy all the demands upon our water resource and
11 maintain our state's economic viability, especially
12 in agriculture.

13 People throughout California benefit
14 from the state's highly productive farmland, whether
15 they work on the land, live in rural communities or
16 shop at a grocery store in the city. Agriculture is
17 the number one contributor to California's GDP and
18 consists of hardworking people trying to maintain a
19 way of life for themselves, their employees and
20 their families.

21 Actions that hurt our rural areas also
22 hurt urban interests and areas because thousands of
23 urban jobs involve moving and processing and
24 marketing farm products. People's way of life and
25 agriculture's economic vitality is threatened due to

15

1 the uncertainty of water storage and supply.

2 What does this mean to you? It means
3 that the most productive diversified agricultural
4 area in the United States will be sacrificed to
5 urban and environmental interests unless California
6 moves forward now to development water storage.

7 MR. BODOVITZ: Ms. Lasgoity, you're
8 through.

9 MS. LASGOITY: Thank you. One last
10 comment.

11 CALFED program must wake up to the 21st
12 century as the rest of us have and satisfy our
13 agriculture's water needs now.

14 Thank you.

15 MR. BODOVITZ: Thank you.
16 Roger Galleano, Joe Galleano, John
17 Beuttler.

18 MR. GALLEANO: Hi, my name is Roger
19 Galleano. I'm a farmer. The one thing that I do
20 have in common with everybody in this room is that I
21 eat.

22 CALFED should have, as a goal, the
23 protection and preservation of California's current
24 landscape as it exists while providing for the
25 future development which will soon be upon us.

16

1 Diverting water from one user to
2 another will only put off the real solutions to our
3 problem. The problem is the lack of real water for
4 the people of this state in short rainfall cycles.
5 We cannot turn back the hands of time with
6 development and the increased population.
7 New water development has been at a
8 virtual standstill, while environmental and
9 municipal needs have expanded greatly. If CALFED
10 cannot come to terms with the water storage we have
11 in wet or normal years to supply everyone's needs,
12 then all of California is heading for a train wreck,
13 both socially and economically, in terms of the next
14 drought.
15 Water transfers alone are not enough.
16 In my area, no water leaves our farm. There is no
17 water to clean up or reuse; it all goes to producing
18 the food we eat. Surface storage, either on or off
19 stream, in conjunction with groundwater banking, is
20 a necessity if CALFED will truly be successful.
21 Thank you.
22 MR. BODOVITZ: Thank you, Mr. Galleano.
23 John Beuttler is next, Jeff Miller,
24 George Tibbitts.
25 MR. BEUTTLE: I kind of feel like a

17

1 dentist. We're really close, here. It doesn't help
2 with the allocation of time, either.
3 I am John Beuttler. I'm the
4 representative from the California Sport Fishing
5 Protection Alliance, which is dedicated to trying to
6 save and restore California's fisheries.
7 Cutting to the chase. We feel that the
8 environmental document doesn't specify exactly how
9 much water above what is currently made available
10 will be allocated to restore the estuary's ecology,
11 and the public fishery resources that are dependent
12 on those flows. We think that the EIRS fails to
13 establish a clear plan of action and a deliverable
14 assurance on how and when such water will be
15 acquired and made available to flow through the
16 estuary into San Francisco Bay.
17 While good work has been done on the
18 ecosystem restoration program and all the plans --
19 all the plans in adaptive management concepts in the
20 world will not bring the fish back to the estuary
21 without the water necessary to restore the ecology
22 of this system.
23 Our cursory review of your 50-pound
24 document leads us to believe that there is no way
25 that water is going to be reallocated among the

18

1 current users and provided back to the estuary, and
2 we don't see a plan to acquire water and make that
3 water available to the estuary, and we don't see any
4 guarantees to do either of those things. Therefore,
5 I find it very difficult to conceive of restoring
6 the estuary without additional water and I think
7 that the EIR needs to address that point clearly.
8 In addition, the document fails to make
9 restoration of recent historical levels of abundance
10 of fisheries a goal. In fact, the document talks
11 about some concept of reaching sustainable levels,
12 but it never talks about restoring what the public
13 had before the water projects went on line. It's
14 our opinion that those are public trust resources
15 and their restoration, it would be a meaningful goal
16 for the EIRS to examine and evaluate. We don't see
17 that in the picture whatsoever and it causes us some
18 real concern.
19 In addition, those declines have cost
20 the public and the state of California some \$4
21 billion over the last 20 to 30 years. It continues
22 to have severe economic cost not to restore these
23 fisheries, yet we don't see that discussed in the
24 environmental document, where we do see other
25 economic factors explained.

19

1 We also believe that the EIS -- that
2 it's vital for the EIS to specify the flows for
3 restoration in addition to the flows for
4 sustainability.
5 MR. BODOVITZ: Mr. Beuttler, the time's
6 gone.
7 MR. BEUTTLE: I appreciate that.
8 I'll close my comments by saying that
9 we found a number of significant omissions in the
10 document and we will be providing our comments in
11 writing on those.
12 MR. BODOVITZ: Thank you, sir.
13 Jeff Miller, George Tibbitts, John
14 Garner.
15 Mr. Miller.
16 MR. MILLER: Yeah, I'll make up for
17 some time. I got a short deal.
18 I'd like to speak as a Colusa County
19 Farm Bureau president.
20 MR. BODOVITZ: Could you get a little
21 closer?
22 MR. MILLER: And as a farmer and, more
23 importantly, as a fourth-generation Californian. My
24 wife, brother, kids, nephews, the whole family all
25 work on this farm, as their ancestors did.

20

1 I'd like to comment on the absurd idea
2 of idling productive land. Taking away historic ag
3 water will impact people, a way of life and a
4 culture. Productive grounds produces safe food,
5 fiber, promotes the healthy environment for
6 wildlife, and I think the rice and the beans and the
7 safflower and other crops that I grow on my farm
8 could be right up there with any other forms of
9 conservation. The ducks hatch in the wheat, the
10 wildlife use our rice fields as habitats in the
11 winter, doves are eating our safflower as I speak.
12 I'd also like to ask the powers that be
13 at CALFED and in this room to open their minds and
14 hearts to one thing. The CALFED process, I think,
15 would be meaningless unless storage is in the
16 forefront of the process. No one in this room
17 should refute the fact that in the near future, with
18 the population growing as they are, California can
19 be in a continuous drought state and other parts of
20 this plan contribute nothing to this fact; it only
21 rearranges the short supply. I mean, that's all I
22 see, is rearranging what we have, which is going to
23 be short.
24 Storage is the only answer for the
25 environment and for the livelihoods of our area and

21

1 are more expensive and are going to be hard to adopt
2 and certainly aren't adoptable in the current
3 environment that agriculture faces with low
4 commodity prices.
5 Water transfers, also, are a necessary
6 component, but given the impacts on rural
7 communities, when you -- when you take water from
8 the land and ship it somewhere else, that is a grave
9 concern and needs to be minimized and considered
10 when adopting the complete solution.
11 My greatest concern with the document,
12 however, is that it does not emphasize water
13 storage -- and I know you've heard that plenty and
14 you're going to hear it time and time again tonight
15 and at your future hearings. But simply put, water
16 storage -- increased water storage has to be a
17 component of our future water needs, especially
18 considering the population increase that California
19 expects to have over the next 20 years.
20 Conservation and water transfer simply aren't going
21 to be enough.
22 And I'll close by stating that farmland
23 is a natural resource, just like water is and like
24 wildlife is and we have to bear that in mind when we
25 consider trading one natural resource for another.

23

1 our community and for the people of California into
2 the future.
3 Thank you.
4 MR. BODOVITZ: Thank you, Mr. Miller.
5 George Tibbitts, John Garner, Doug
6 Lovell.
7 MR. TIBBITTS: Good evening. My name's
8 George Tibbitts and I am a rice farmer in Colusa
9 County, and as a farmer I want to say I'm very proud
10 of the environmental and open space benefits that
11 those in my industry provide, not to mention the
12 habitat the farmland provides.
13 I'm here tonight because I have concern
14 that the document that we have to review is --
15 although it's meant to be comprehensive, it is not.
16 It is not sufficient to solve the water problems in
17 California.
18 Conservation, water transfers, yes,
19 those are necessary components to meet our future
20 water needs, but conservation in -- conservation --
21 I see the conservation use buttons here. Yes,
22 conservation works, but I want to say that farmers
23 have adopted all the easy conservation measures over
24 the past 10 or 20 years. Conservation measures in
25 the future are more expensive -- ones that are left

22

1 We don't have to do that when water storage,
2 particularly off stream water storage, is available
3 as a measure to solve all of our water needs.
4 Thank you.
5 MR. BODOVITZ: Thank you, Mr. Tibbitts.
6 John Garner, Doug Lovell, David
7 Nestmith, if I'm reading this right.
8 MR. GARNER: I'm John Garner. I'm a
9 rice grower from Northern California. Grow some
10 walnuts. And I'd like to just endorse what was said
11 here in the last couple speakers and continue on by
12 I'd like to focus on a broader perspective of
13 California agriculture and why it's not just a
14 natural resource, but I consider it and our area
15 considers it a natural resource, and I say that
16 because in your presentation you alluded to the fact
17 that California supplies over 50 percent of the
18 fruits and vegetables for the United States, and to
19 us to consider following ground before new storage
20 is of a national concern.
21 California's agriculture is probably
22 the most regulated agriculture in the world and the
23 reason for that is to provide the consumer with a
24 clean, safe product, and it's done through the
25 chemical regulations, but it's also done because

24

1 California's mediterranean -- The reason it's been
2 done here is because of the clean water that we are
3 blessed with, actually, because of the snowpack and
4 the watershed that we experience and, also, the fact
5 that we have a mediterranean-type climate, that we
6 can't really transport any other state in the United
7 States, and so we look at California agriculture not
8 only important -- very important to this state, but
9 also extremely important to the rest of the nation
10 for supply of clean, safe food.

11 And to fallow ground and take -- put
12 California agriculture in any type of jeopardy, to
13 me -- I've heard the comment say, well, we can just
14 buy our food from other countries and yet there's no
15 guarantee that the food you buy in other countries
16 have the same regulatory process that protects us
17 from the herbicides and the chemicals that are used
18 and protected against in California. And, also, as
19 far as the growing and the harvesting of crops in
20 the rest of the world, there's no guarantee that
21 those crops are grown or harvested with water that
22 we would consider clean.

23 And then the last point is to be
24 reliant on foreign food, especially our fruits and
25 vegetables, our fresh food, to be relying

25

1 economically, we could be easily held hostage to
2 that kind of thing.

3 And, so, at this point in time, I -- I
4 would like to reiterate the fact that if we can't
5 accomplish the environmental needs, the urban needs
6 and the agriculture needs in California, we really
7 do need -- with the existing supply, we really do
8 have to focus on storage because California
9 agriculture just isn't a California issue; it is a
10 national issue.

11 I thank you.

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

13 I know a number of you have come from
14 great distances tonight, Colusa County, Madera
15 County and others in the Bay Area. We appreciate
16 your coming and that's one reason we're trying to
17 let everybody go home as soon as possible. So we'll
18 try to stay with the three-minute rule.

19 Doug Lovell, David Nestmith, Gary
20 Maganaris.

21 MR. LOVELL: My name is Doug Lovell and
22 I appreciate the opportunity to provide comments.

23 As stated in the EIR, the purpose of
24 the EIR is to present alternatives for long-term
25 solutions to the following four problems: fish and

26

1 wildlife, water supply reliability, flood control
2 and water quality.

3 The EIR has been prepared pursuant to
4 the California Environmental Quality act and the
5 National Environmental Policy Act to provide a
6 public forum for evaluating alternative solutions.
7 Every one of the EIR alternatives calls for
8 maintaining or increasing water exports for
9 agricultural and urban consumption.

10 The EIR has missed the obvious, that
11 being just the opposite, to significantly decrease
12 exports. I believe the EIR is fundamentally flawed
13 by not including such an obvious alternative. The
14 breadth and scope of alternatives mandated by CEQA
15 and NEPA have not been satisfied and I believe, on
16 this point alone, the EIR will be judged deficient
17 in a court of law.

18 Inclusion of an alternative for
19 significantly decreased water export does not mean
20 it needs to be the preferred alternative. However,
21 exclusion of such an alternative does mean the EIR
22 has failed its legal mandate.

23 Significantly decreased water exports
24 from the Bay-Delta will result in significantly
25 increased flows through the Bay-Delta and directly

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1 satisfy three of the four stated objectives. First,
2 significantly decreased water exports will solve a
3 multitude of fish and wildlife problems; second,
4 significantly decreased water exports will result in
5 better water quality; third, significantly decreased
6 water exports will increase the reliability of water
7 supply.

8 As a licensed civil engineer in the
9 state of California with more than 20 years'
10 experience, I can unequivocally state that low
11 volume water export systems are inherently more
12 reliable than high-volume export systems.

13 Perhaps the CALFED program has
14 misinterpreted the primary objective with respect to
15 water supply. The program has inadvertently assumed
16 that water supply from the Bay-Delta needs to be
17 increased when, in fact, the objective states that
18 the reliability of water supply needs to be
19 increased.

20 The last objective regarding flood
21 control is not directly mitigated by decreasing
22 water exports. However, none of the existing
23 alternatives address flood control problems via
24 water export.

25 Simply put, all alternatives must rely

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1 upon program aspects -- other program aspects to
2 address this objective, including levee raising and
3 strengthening floodplain restoration and watershed
4 management. So there it is, the simple and obvious
5 alternative that satisfies the program objectives,
6 yet is missing from the EIR, significantly decreased
7 water exports from the Bay-Delta.
8 CALFED staff need to go back to the
9 drawing board, develop this alternative and evaluate
10 it according to the multitude of factors already
11 within the EIR. Even for those of you that do not
12 believe this is the preferred alternative, fairness
13 dictates that it be a considered alternative.
14 MR. BODOVITZ: Thank you, Mr. Lovell.
15 David Nestmith, Gary Maganaris, Paul
16 Petterson.
17 MR. NESTMITH: Sometimes I feel a
18 little bit like a member of a -- of a somewhat
19 dysfunctional family -- all of us in California
20 being a dysfunctional family -- squabbling over a
21 lot of issues that are important to each of us, but
22 ignoring the elephant in the middle of the living
23 room. I would like to identify my idea of what the
24 elephant looks like.
25 The elephant is a substantial lack of

29

1 and they made sure that water, whether it was
2 delivered through the surface or through wells, was
3 managed, counted and prioritized.
4 California does not have that. We're
5 facing an onslaught of growth, here, and on all
6 levels, and we have no integrated water management
7 system. For a desert state as heavily impacted by
8 growth as we are, this is pretty amazing, and not
9 appropriate.
10 Finally, there is a lot of an amazingly
11 productive agriculture land in California. We are
12 blessed with farmers -- as we have seen here
13 tonight -- and an agriculture system which is
14 amazingly fruitful. What we do not have in this
15 state is a system by which we prioritize
16 agricultural land. We need to provide irrigation
17 water to much of the agricultural land that does not
18 get it.
19 But there are some places -- and I
20 believe, for instance, the Panoche fan where you add
21 water and get selenium, maybe one of the those
22 places and other agricultural areas, probably fairly
23 small areas, but places where there is a lot of
24 water to be added to flush, where we can prioritize
25 what land needs to be --

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1 serious water conservation programs within the
2 CALFED system, and I have three examples to give
3 you. One is water meters in Central Valley cities.
4 I know this is a very controversial issue. Those of
5 us in the Bay Area who have tiered water rates and
6 water meters are amazed when we find that many of
7 the cities have in their charters in the Central
8 Valley that they are not allowed to have water
9 meters. This is something that has to change.
10 When the first two speakers who came to
11 speak before you tonight talked about water --
12 needing more water for their water districts and the
13 agriculture folks have come and talked about needing
14 more water storage, what we -- what we need to have
15 is a way of measuring water and there are hundreds
16 of thousands of acre-feet that could be saved if
17 Fresno and Modesto and Sacramento and the other
18 eastern Central Valley cities had water meters and
19 we had tiered water rates.
20 Secondly, Arizona, several years ago --
21 couple decades ago, actually -- decided that they
22 had a water problem. The major thing -- One of the
23 major actions that they took was to undertake an
24 integrated groundwater and surface water management
25 program. They put water meters on all the wells,

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1 MR. BODOVITZ: Mr. Nestmith, the time
2 is gone.
3 MR. NESTMITH: Thank you. I will
4 finish.
5 We need to prioritize land that needs
6 to be taken out of production and focus our
7 agricultural resources.
8 Thank you.
9 MR. BODOVITZ: Gary Maganaris, Paul
10 Petterson, Melissa Petterson.
11 MR. MAGANARIS: Good evening. I come
12 to you tonight not with economic concerns, but with,
13 really, concerns for the environment. I'm a San
14 Francisco native, born and raised out by the ocean,
15 and I've seen the environment go from bad to worse
16 over the years and I'm coming to you tonight as a
17 member of United Anglers and the California Sport
18 Fishing Protection Alliance.
19 I do want to mention that I concur with
20 everything that John Beuttler has said.
21 Particularly, I want to emphasize my concern with
22 the fact that the plan does not allocate a specific
23 amount of water to be dedicated to estuary
24 restoration, and I would like to see that added to
25 the plan. Also, I would like to see, specifically,

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1 a indication of when the water will be delivered and
2 where the water will come from.

3 I'd also like to briefly mention the
4 fact that I have been fishing for striped bass in
5 the San Francisco Delta and Bay Area for years --
6 actually about 30 years -- and I want to mention
7 that I really think CALFED should consider striped
8 bass as an important species to be recognized. I
9 believe the fact that they are being treated as a
10 predator upon salmon is not a legitimate issue and
11 that you should consider striped bass as you're
12 looking at the water delivery for this plan.

13 That's all. Thank you.

14 MR. BODOVITZ: Thank you, sir.

15 Paul Petterson, Melissa Petterson, Paul
16 Wenger.

17 MR. PETERSON: Yeah, I'm Paul
18 Petterson, speaking from and behalf of the San
19 Francisco Chapter of the United Anglers of
20 California. I'm also a high school teacher and I
21 teach science and industrial tech at South San
22 Francisco High School.

23 A lot of my students have expressed
24 concern -- I do have some students that partake in
25 fishing and so forth -- about what's happening with

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1 the environment. To get to the point, we want to
2 see that the water allotment for the restoration of
3 the Bay-Delta system is kept moving forward.

4 Specifically, myself, I enjoy striped
5 bass fishing and I've done so for 35 years and my
6 father and grandfather fished for the same fish, and
7 aside from the fact that it's just a sport fish,
8 it's a valuable economic resource. It generates a
9 lot of revenue for tourism, party boat skippers,
10 tackle shops, tackle manufacturers, which generates
11 a lot of sales tax revenue for the state of
12 California. So, there's also an economic
13 valuability there also.

14 And I'd like to see, you know, the --
15 the fact that when we have water conservation in San
16 Francisco and the peninsula, that the rest of the
17 state would partake in water conservation,
18 especially in low water years and so forth, and
19 provide for the fish.

20 Aside from the striped bass, whatever
21 goes on in the Delta and the Bay does affect the
22 ocean because the San Francisco Bay Area has a
23 variety of species of anadromous fish -- those being
24 fish that can go from salt to fresh water and back
25 and forth -- the salmon -- and there's several

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1 species of salmon -- the steelhead, the sturgeon --
2 a lot of people aren't aware that sturgeon actually
3 go in the ocean also -- and the striped bass. So
4 there's a lot more besides sport fishing and
5 commercial fishing interest there.

6 So I hope that you take all this into
7 account and provide water for habitat restoration so
8 that my children and grandchildren can enjoy the
9 same sport that my grandfather did.

10 Thank you.

11 MR. BODOVITZ: Thank you.

12 Melissa Petterson, Paul Wenger, Jeff
13 Miller.

14 MS. PETERSON: Hi, my name is Melissa
15 Petterson. I'm a junior at Oceana High School in
16 Pacifica. After nine months of sitting in a
17 classroom staring at the ocean, I look forward to
18 the summer when I can go fishing with my dad, and
19 I'd like to continue doing this for 10, 20, 30,
20 until I'm too old to hobble down to the beach with
21 my fishing pole, and, so, the -- I'm concerned and I
22 would like to see the continuation of water flow to
23 the fisheries and through the Bay so -- because the
24 fish go through the Bay, and whatnot, and -- I would
25 like to continue fishing for the rest of my life.

35

1 And this an important thing, I guess, so -- Thank
2 you.

3 MR. BODOVITZ: Thank you,
4 Ms. Petterson.

5 Paul Wenger, Jeff Miller, Brad Lange.

6 MR. WENGER: Good evening. My name is
7 Paul Wenger. I'm a farmer from Modesto and the
8 second vice president of California Farm Bureau
9 Federation.

10 Conservation works for California
11 farmers. We have made constant and consistent
12 improvements under water efficiency. In fact, total
13 water use on California farms is now less than it
14 was 30 years ago while our total production has
15 increased by 67 percent.

16 The conservation is not a limitless
17 source of new water for California. Plants need a
18 certain amount of water to produce a crop and
19 reducing water to farmland can affect the ecology of
20 the farm. Conservation has consequences. As
21 agriculture has switched to micro-irrigation, we've
22 seen many times the areas that have not had salt
23 problems before now have salt problems when salt
24 rises to the ground when you don't have the copious
25 amounts of water to push the salts down. We also

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1 see problems of groundwater recharge problems
 2 because you don't have that water that percolates
 3 down and recharges the groundwater.
 4 We will work through those problems and
 5 being even more efficient, but we believe CALFED
 6 should place greater emphasis on development of new
 7 water supplies. Those new water supplies will be
 8 crucial for California's environment, especially
 9 during dry years. CALFED should accelerate plans
 10 and keep more water in storage during wet years so
 11 we'll have it available for the environment and
 12 people when our next drought hits.
 13 You may hear tonight the old myth that
 14 farmers use 80 percent of California's water. You
 15 know, of course, that that's not true. According to
 16 the Department of Water Resources, two-thirds of the
 17 precipitation California receives each year stays in
 18 the environment through evaporation and used by
 19 native plants. You know that the runoff into river
 20 and streams, more than 30 percent stays in the
 21 environment as outflow to the ocean. You know that
 22 of the remaining runoff, 46 percent is dedicated to
 23 the environment, 43 percent to farms and 11 percent
 24 to urban uses.
 25 California farms are a natural resource

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1 give you six minutes as a result, but all I can do
 2 is three.
 3 MS. MILLER: You know, I can sum this
 4 up pretty quickly, here.
 5 MR. BODOVITZ: Okay.
 6 MS. MILLER: I'm a mother, a wife. I
 7 live in Colusa County, and I have always considered
 8 myself a steward of the land.
 9 My husband spoke earlier. We have the
 10 safflower that the doves are eating. We grow rice
 11 and we grow beans. We're business people. We run a
 12 farming operation.
 13 I have a different concern. I'm
 14 currently president of my local school board and
 15 what I will tell you is that the economic base of my
 16 community is completely dependent upon the
 17 agriculture community and economy. Nearly
 18 70 percent of our students come from families
 19 considered low income or migrant farm workers. Well
 20 over 90 percent of our student base derived their
 21 income exclusively from agriculture.
 22 My community will be economically
 23 devastated without a reliable source of water. I
 24 would ask that additional water storage capabilities
 25 for the state of California become an integral part

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1 of global importance and CALFED must minimize its
 2 impact on that resource. The CALFED plan relies too
 3 heavily on taking land and water out of agriculture
 4 production. That will have an impact that starts in
 5 California's rural communities, but ripples through
 6 to our cities as well.
 7 For example, the top exports from the
 8 Port of Oakland are fruits and vegetables, \$1.4
 9 billion worth. Actions that take farmland out of
 10 production will affect not only farmers and farm
 11 workers, but the working people of Oakland and other
 12 cities. CALFED must minimize its impact on farmland
 13 and improve water supply to benefit both the
 14 environment and people.
 15 Thank you.
 16 MR. BODOVITZ: Thank you, Mr. Wenger.
 17 Jeff Miller, Brad Lange, Brenda Miller.
 18 MS. MILLER: Good evening. We have a
 19 little confusion. Somehow I must have written down
 20 Brenda Miller as Jeff Miller.
 21 MR. BODOVITZ: Okay. You're Brenda.
 22 MS. MILLER: Yeah, so I've signed
 23 Jeff's name so often, I guess. So I apologize for
 24 that. I'm really quite good at it.
 25 MR. BODOVITZ: Well, I wish I could

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1 of the CALFED Accord.
 2 Thank you.
 3 MR. BODOVITZ: Thank you, Ms. Miller.
 4 Brad Lange, Linda Eveland, Mike
 5 Vukelich.
 6 Brand Lange. Okay. We'll try again in
 7 a minute.
 8 Linda Eveland. Linda -- E-V-E-L-A-N-D,
 9 if I'm mispronouncing. I'm sorry.
 10 Followed by Mike Vukelich and Roberta
 11 Borgonovo.
 12 MS. EVELAND: I'm Linda Eveland. I'm
 13 also from Colusa County, and I'm here mainly as a
 14 concerned citizen. I'm a native of California.
 15 I understand this is an enormous
 16 project that everyone is undertaking, but I feel
 17 there's some very basic needs that need to be met
 18 with every person in this room and in this state.
 19 Those three needs are water, food and shelter.
 20 The proposals written to date are not
 21 conducive to our ag communities. We cannot afford
 22 to take land out of production or decrease their
 23 supply of quality water. We are looking to double
 24 the population of this state in the future, yet cut
 25 back production in agriculture land and cut back our

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1 water supply to agriculture. I don't quite
2 understand how those two calculate out.
3 This program will have a huge impact
4 upon our food supply. I'm not willing to accept the
5 importation of my food from countries that don't
6 have the standards required of our growers here in
7 California.
8 I find it interesting that your
9 documents list the amount of water that will be
10 distributed to the three major components being
11 addressed -- agriculture, environment and the urban
12 populations -- but they don't -- the amount of water
13 that will be going to agriculture will be the only
14 one that will be decreased in the future. That
15 didn't make a lot of sense to me, also, especially
16 when our population is going to be doubling the way
17 it's predicted.
18 I hope that you will consider all these
19 factors tonight and look at the importance that
20 you're all putting upon this state and what you do
21 to it.
22 Thank you.
23 MR. BODOVITZ: Thank you, Ms. Eveland.
24 Mike Vukelich, Roberta Borgonovo,
25 Michael George.

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1 MR. VUKELICH: I'm Mike Vukelich. I
2 come from west Contra Costa County. I was born
3 there, 69 years ago, lived there all my life. I've
4 seen -- Contrary to popular belief, I've seen the
5 environment tremendously improve in my 69 years.
6 In 1908 my grandfather came to
7 Richmond. When he came there was two million people
8 in California. Today there's 33 million in
9 California, and some of the people in this room,
10 when their -- when their grandchildren are still
11 alive, we're going to see 100 million people in
12 California. We have to have water. The key thing
13 is more water storage.
14 I know many years ago we thought that
15 we could save the wild rivers, and all that water
16 would be for -- for nature, which is great, but we
17 can't do that anymore. We have to look for all the
18 water we can get, but we need to have balance. We
19 need the habitat, we need to have the
20 environmentalists on the left and the
21 environmentalists on the right have to get together.
22 We have to come up with a long-range program so that
23 we can make our state a better place to live.
24 Quality of life is very important.
25 There's no reason for us to suffer. If we have to

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1 suffer, okay, but if we don't have to suffer,
2 there's no reason to suffer. We need to have
3 balance and we need to get real and have common
4 sense.
5 I heard a rumor that up to -- from
6 500,000 acres to 900,000 acres may be put into this
7 program -- I guess it went off -- may need to be put
8 into this CALFED program taken out of production,
9 which is wrong. We have the best farmland and the
10 best weather in the whole world. We can produce
11 food for so many, many millions of people and I
12 think we need to do it.
13 I think that this idea that we have to
14 have everything every time is wrong. It's time to
15 get real. It's time to have balance. It's time for
16 us to get together. We need water storage. We need
17 to -- the fish that live in the dams, there's -- I
18 heard there was 800 fish can live in a dam in the
19 same amount of water it takes for one river fish.
20 And that's -- a river fish above the dams are great.
21 River fish below the dams are great, but we need to
22 have reservoirs and it's very important, if we don't
23 have the more reservoirs, we're going have water
24 fights like we've never had before. And like one of
25 the gentlemen said earlier, we have -- it's very,

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1 very important that we look at the statistics as
2 they really are. Agriculture uses less water now
3 than they did before --
4 MR. BODOVITZ: Mr. Vukelich, the time's
5 gone.
6 MR. VUKELICH: Okay. Thank you very
7 much.
8 MR. BODOVITZ: Thank you, sir.
9 Roberta Borgonovo, Michael George, Hal
10 Carlstad -- I hope I'm pronouncing it right.
11 Roberta.
12 MS. BORGONOVO: My name is Roberta
13 Borgonovo, and I'm representing the League of Women
14 Voters of California.
15 First of all, we'd like to acknowledge
16 the tremendous amount work that's gone in to
17 producing this document. We think it is an
18 improvement over the March 1998 draft, but we think
19 much work remains to be done before the record of
20 decision.
21 Our primary concern is the restoration
22 of the Bay-Delta ecosystem. We think increased
23 freshwater flows to protect fish and wildlife and
24 ensure water quality for humans and the environment,
25 especially in dry years, are critical to this goal.

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1 We think CALFED needs to better articulate how these
2 flows would be acquired and maintained and that
3 assurances for guaranteeing these freshwater flows
4 should include limits on the amount of water to be
5 exported through or around the Delta.
6 We think that CALFED needs to meet its
7 objectives through a primary emphasis on
8 nonstructural solutions that reduce demand on the
9 system -- for example, ecosystem restoration,
10 conservation, reclamation, reoperation of the
11 existing system, pollution prevention and drinking
12 water treatment.
13 These approaches will be the least
14 damaging environmentally and should be optimized
15 during the first seven years of the program before
16 the decision is made to build new or expanded
17 surface storage canals or conveyance systems.
18 We know that CALFED has a number of
19 working groups that are trying to strengthen the
20 programs in ecosystem restoration, agriculture and
21 urban water use efficiency, water quality and
22 watershed work. We think these programs, these
23 efforts should go forward, they should -- the
24 results should be incorporated into the final
25 documentation and that there should be adequate

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1 that CALFED needs to strengthen its efforts to
2 include this broader community and its planning
3 effort, decision making and program
4 implementation -- for example, it could prioritize
5 funding in actions for programs in these communities
6 of color and low-income areas with investments in
7 community-based conservation programs that have been
8 very successful in Southern California.
9 MR. BODOVITZ: I'm sorry, the three
10 minutes goes quick.
11 MS. BORGONOVO: Okay. I'll submit the
12 rest of my comments in writing. Thank you.
13 MR. BODOVITZ: Thank you very much,
14 Ms. Borgonovo.
15 Michael George, Hal Carlstad, Ron Gaul.
16 MR. GEORGE: I'm Michael George. I'm
17 the president of the Western Water Company. Our
18 company acquires, develops and markets water
19 throughout California and the western United States.
20 Our customers include urban water districts,
21 agriculture users, as well as governmental and
22 environmental agencies. In fact, we're the first
23 private company that has successfully completed an
24 ag'd/urban water transfer accessing public
25 conveyance facilities and we're the sponsor of

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1 funding for these efforts that is at least
2 equivalent to the amount of money expended on
3 studies and preparatory work for new surface storage
4 and conveyance.
5 The water quality program is a special
6 concern. We think that CALFED should broaden the
7 water quality program and establish the objective of
8 improving water quality of the tap, not focus solely
9 on water quality of the pumps. We think that CALFED
10 should put significant resources into achieving
11 public health protection for water quality via tap
12 using a cost effective combination of alternative
13 source, water source, control and treatment
14 technologies.
15 We think it's very important for CALFED
16 to establish an environmental baseline that includes
17 full implementation of the Bay-Delta Accord water
18 quality standards, the Endangered Species Act, the
19 Clean Water Act, the Central Valley Project
20 Improvement Act and should also incorporate the
21 Trinity River flow decision.
22 We think that CALFED needs to
23 strengthen the environmental justice and tribal
24 assets section of the document and should analyze
25 both urban and rural justice concerns. We think

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1 SP506, a bill pending in the legislature to clarify
2 and implement the state's water wheeling statute.
3 In light of brief three minutes, I
4 would like to concentrate my comments on the area in
5 which we have specific expertise, which is the water
6 transfer element of the CALFED program. We
7 appreciate the acknowledgement in the document that
8 water transfers are one of the integral parts of an
9 overall solution to California's water problems, and
10 we have three specific suggestions.
11 First, to clarify and accelerate the
12 water transfer element; second, to reinstate the
13 commitment to develop interim water transfer rules,
14 which was taken out from the -- from the prior draft
15 to the current draft, and; finally, and perhaps most
16 importantly, to increase the agency support for the
17 water transfer element and to have real teamwork
18 among the agencies in implementing it.
19 I'll expand on each of these very
20 briefly. First of all, to clarify and accelerate
21 the water transfer program. We need to emphasize
22 the need for voluntary, north/south and ag/urban
23 transfers.
24 It's very easy to say -- as this
25 document continues to say -- that there are a lot of

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1 transfers that go on. The fact is that the -- the
2 changes in water use that would allow us to make a
3 decision as to how much more storage we need and
4 what kind of uses there are depend on figuring out
5 whether water transfers are a viable part of the
6 solution, and, therefore, we need to eliminate the
7 burdensome procedures involved with those water
8 transfers while preserving all the appropriate
9 protections.

10 We need to clarify the rules on what
11 water can be transferred and we need to insist on
12 economic access to public conveyance facilities to
13 facilitate those water transfers.

14 And, finally, we need to differentiate
15 between Department of Water Resources and the US
16 Bureau of Reclamations roles on the one hand as
17 regulators and on the other hand as competitors for
18 water, that is junior appropriators in the system.

19 We need to establish interim transfer
20 rules. That was an element in the draft Phase II
21 document that was released in December. It seems to
22 be missing from this document. We wonder why.

23 Those interim transfer rules will help
24 clarify issues, allow for adaptive management of
25 transfers to test, troubleshoot and refine and

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1 prepare California for the next drought. It's the
2 only way to adequately explore whether transfers
3 work in lieu of a slew of new costly and potentially
4 environmentally damaging facilities.

5 Finally, agency teamwork. The agencies
6 need to cooperate to allow water transfer rules that
7 actually work and to streamline the process for
8 making that happen.

9 MR. BODOVITZ: Okay. Thank you,
10 Mr. George. Sorry, the three minutes are gone.

11 MR. GEORGE: All right. Thank you very
12 much.

13 MR. BODOVITZ: Hal Carlstad, Ron Gaul,
14 Isla Gentry.

15 MR. CARLSTAD: Yeah, I'm Hal Carlstad,
16 and I'm a Earth Firster.

17 And some people were downwind when the
18 government did testing with atomic bombs and they
19 were the victims of being downwind.

20 I live in Contra Costa county and I'm
21 down river and that water quality and the quantity
22 coming down is not enough to sustain a decent
23 environment in the San Francisco Bay. Henry Clark
24 was here talking a little while ago and I remember
25 40 years ago catching fish between Richmond and

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1 Rodeo. Every one of those fish had tumors on them.
2 Something happened to the quality of that water that
3 was coming down that river and the rivers into the
4 San Francisco Bay that was killing those fish.

5 Now, there's six of you up there. If
6 you bring a significant other, we'll have 12 people
7 and we could have the Last Supper. I'll provide
8 some nice chardonnay wine and you can either bring
9 your own fish or you can eat the fish from the San
10 Francisco Bay. It's your choice.

11 You can do something about the
12 environment. You can be earth first -- means the
13 earth first comes first -- and if we don't have an
14 earth, we don't have a life. We need to sustain
15 life and you have that responsibility and you have
16 that opportunity. I hope you take it.

17 Thank you.

18 MR. BODOVITZ: Thank you, Mr. Carlstad.
19 Ron Gaul, Isla Gentry, Scott Bruner.

20 MR. GAUL: Hi, I'm Ron Gaul and I'm the
21 Northern California regional representative of the
22 Recreational Fishing Alliance. We are a national
23 marine conservation group representing the interests
24 of saltwater anglers, the marine tackle industry and
25 the marine boating industry.

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1 I think it's important to note that no
2 fresh water that flows into the ocean is not wasted.
3 Not one drop. There are many species that depend
4 upon a flow of fresh water for migratory purposes --
5 striped bass, salmon, sturgeon. There are many
6 species in the Bay that rely upon the mixture of
7 fresh and salt water to provide sustenance to
8 plankton, plants that they in turn depend upon.

9 Not only do we have the economic
10 important striped bass and salmon and sturgeon
11 fishery, there's the halibut, the leopard shark,
12 many other species. California expenditures in the
13 recreational fishing industry in 1996 was over \$7
14 billion. That's according to American Sport Fishing
15 Association and US Fish and Wildlife study.
16 Hundreds of millions of dollars of sales tax,
17 federal taxes come from that seven billion go
18 directly into the government coffers.

19 Many people in the Bay who fish from
20 jetties and piers do it on subsistence basis.
21 Gentleman here earlier spoke to the needs of inner
22 city people of color. You go to any pier or jetty,
23 look at the people who are there fishing, look how
24 many fish they're taking. They're not doing it for
25 sport. They're there to take home food. Many of

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1 them immigrants from Asia, Mexico and many
 2 African-American families get their food that way.
 3 The health and the -- The health and
 4 the toxicity of chemicals in the Bay is very much
 5 dependent on what you will decide upon. Please keep
 6 that in mind. While agriculture is important, the
 7 recreational fishing industry is vastly important,
 8 and even though the fishery in the Bay and the Delta
 9 has diminished over the decades, \$7 billion for
 10 statewide, say how many hundreds of millions of that
 11 is for the Bay and the Delta. We don't know. I
 12 don't know. I could dig up those stats. But the
 13 fishery is dwindling. Please don't let it dwindle
 14 any more. There's a lot of money at stake as well
 15 as the environment.

16 Thank you.

17 MR. BODOVITZ: Thank you, Mr. Gaul.
 18 Isla Gentry, Scott Bruner, Chad Hardt.

19 MS. GENTRY: Good evening. I am Isla
 20 Gentry. I am a native Californian, born and raised
 21 here in Oakland, California. I'm here as a
 22 concerned citizen, this evening.

23 I spoke to you guys back in October, I
 24 believe, and I'm frightened for this young lady over
 25 here, if she's still here, that says that she wants

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1 little girl -- my father always bought bottled
 2 water -- but I'm afraid for those people that can't
 3 afford to buy bottled water. One day I might not be
 4 able to afford it. One day you might not be able to
 5 afford it.

6 So I would really caution you and hope
 7 that you would consider our health, especially of
 8 people in the African-American community, as well as
 9 everybody's health is very important.

10 I'm -- You know, I'm getting more and
 11 more irritated as I go through this process because
 12 I don't see anybody's face up there that looks like
 13 mine. I didn't see anybody's face on this tape that
 14 you all showed that looked like mine. That is of
 15 grave concern to me because it means to me that my
 16 voice is not being heard and that's not okay. It's
 17 just not okay. It's not acceptable. Because I'm
 18 sure there is someone that looks like me that has
 19 the intelligence and the intellect that knows this
 20 environmental business and this aspect of
 21 environment that you all are doing that could sit
 22 here at the table and give you some -- a different
 23 point of view that you have not considered.

24 So I would -- I would just hope that
 25 you would take my comments to heart and do something

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1 to fish for a long time -- for the rest of her life
 2 she put it I believe. I'm scared for her because
 3 this gentleman mentioned about the fish with the
 4 sores on them. I caught some of those fish and as
 5 far as the health concerns go, I am scared for her
 6 and for my grandchildren and for their children.
 7 I'm afraid. And I hope that means something to you
 8 because many of you may have children and may have
 9 grandchildren.

10 If you live here in the state of
 11 California you ought to be scared because something
 12 needs to be done about the pollutants in the water,
 13 something needs to be done about conserving water
 14 and misuses of water, and -- I'm just scared to
 15 death. I'm stressed out about everything, and I
 16 have to worry about drinking water, something that
 17 comes out of the tap that I have to pay for. I have
 18 to worry about that as well.

19 I have to buy a bottled water because
 20 I'm afraid to drink the water out of the tap. I
 21 don't think it's safe. That concerns me. Many
 22 people can't afford to buy bottled water. They have
 23 to rely on the tap water. And they don't know what
 24 they're drinking, most of them. So, I'm afraid.

25 I drank bottle water since I was a

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1 about it. And be scared for yourselves and for your
 2 children.

3 MR. BODOVITZ: Thank you, Ms. Gentry.
 4 Scott Bruner, Chad Hardt and Sally
 5 Light.

6 MR. BRUNER: Hi, my name's Scott
 7 Bruner. I work for Clean Water Action. I'm also a
 8 Nature Conservancy member and I've been speaking to
 9 a lot of people about the CALFED process.

10 We've been doing a lot of canvassing,
 11 letting people know about CALFED and about how the
 12 process works, how you guys decide where freshwater
 13 flows are going to go in California, and I can say
 14 that it's easily one of the most funny issues to
 15 talk about people -- and one of the most volatile
 16 issues because people feel very strongly about their
 17 fresh water, especially here in Northern California.

18 And the one thing that I definitely
 19 wanted to convey, that they certainly let me know,
 20 is they find it very -- that it's -- they find it
 21 very reprehensible that we would consider having to
 22 foot the bill for more dams and more canals without
 23 first exploring the options of water -- water
 24 conservation. It doesn't seem to -- certainly not
 25 to Clean Water Action, certainly not to myself, that

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1 those have been adequately explored before we go on
 2 to water storage, canal and reservoir issues, and I
 3 think they'd be happy to hope that you guys would
 4 consider that.

5 Thanks.

6 MR. BODOVITZ: Thank you, Mr. Bruner.
 7 Chad Hardt, Sally Light and Gilbert
 8 Bendix, out of 28.

9 Chad Hardt, Sally Light, Gilbert
 10 Bendix.

11 MR. HARDT: Hello. First of all, I'd
 12 like to state my name is Chad Hardt. I'm a resident
 13 here in San Francisco and I came today to speak
 14 because I oppose the construction of costly dams and
 15 canals along the Bay-Delta, especially at the
 16 expense of taxpayers. What I do support is
 17 aggressive across-the-board water conservation
 18 policies.

19 I ask the agri businesses in the
 20 Central Valley to implement more efficient
 21 irrigation techniques such as drip irrigation and,
 22 secondly, I ask those who benefit economically from
 23 water diversions to fund these programs in full.
 24 This burden should not fall solely on the taxpayers.
 25 And, lastly, I urge you, CALFED, to

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1 of democracy and the process of what's going on with
 2 CALFED in the sense that those of us out here in the
 3 community, all of us, statewide -- and I understand
 4 it's a large state and we have many different
 5 interests and it's all a struggle to be heard before
 6 you. However, the persons who are on the short end
 7 of the stick economically, and here it gets into
 8 environmental justice issue, really never seem to
 9 get heard and I'm very concerned that they're not
 10 being heard now.

11 I really feel -- I know that we heard
 12 earlier during the Q and A session about
 13 transparency on the advisory council. And I'm
 14 thinking that perhaps to assess what seems to be a
 15 lack so far in what your process has been, to make
 16 sure that communities of color in both rural and
 17 urban settings are heard from, is that perhaps you
 18 can do something about the advisory council process,
 19 maybe have working groups in Northern and Southern
 20 California both or perhaps to add people to what you
 21 have already going.

22 I can think of wonderful -- I mean, we
 23 have a really rich community of very well-informed
 24 activists and intellectuals just within the Bay Area
 25 that I can think of who would be wonderful to hear

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1 adopt a policy that will ensure enough freshwater
 2 flow through the Bay-Delta to protect the precious
 3 ecosystem there, and one also that ensures
 4 sufficient water supply for future generations of
 5 Northern Californians.

6 Thank you very much.

7 MR. BODOVITZ: Thank you, Mr. Hardt.
 8 Sally Light, Gilbert Bendix, Cori
 9 Traub.

10 MS. LIGHT: Good evening. Excuse me.
 11 My name is Sally Light. I'm actually -- I live in
 12 Albany, but I'm here tonight on behalf of Tri-Valley
 13 CARES, Communities Against a Radioactive
 14 Environment. I'm the nuclear weapons program
 15 analyst. They're based in Livermore and we're part
 16 of the larger circle or circuit of environmental
 17 organizations in the Northern California area.

18 Our group does actually hold two grants
 19 from the USCPA to monitor environmental cleanup at
 20 Livermore lab and that involves a lot of work on
 21 groundwater, but what I'm here tonight to speak to
 22 are some threshold questions that have been raised
 23 by various people earlier and I had a specific
 24 suggestion.

25 I'm really concerned about the issues

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1 from, including people such as the wonderful Henry
 2 Clark that you heard from earlier. And, also,
 3 CRLA -- California Rural Legal Assistance -- these
 4 people have intimate knowledge of what latino farm
 5 workers throughout the whole state -- which has a
 6 crossover, you know, to the whole farming community.

7 All of these things are really
 8 important and you must do something to shore up this
 9 lack and that's what I would like to see you do, to
 10 actually not just hear us, but to act on it.

11 Thank you.

12 MR. BODOVITZ: Thank you, Ms. Light.
 13 Gilbert Bendix, Cori Traub, Marguerite
 14 Young.

15 MR. BENDIX: I'm Gilbert G. Bendix.
 16 I'm a California licensed civil, mechanical and fire
 17 protection engineer and retired water system manager
 18 and since my retirement I have been a consultant to
 19 numerous public jurisdictions. I'm currently an
 20 elected office holder as a director of the Kensing
 21 Fire Protection District.

22 I have been spared the effort of
 23 preparing for tonight's meeting. Thanks to Jack
 24 Hoffbuhr, the executive director of the American
 25 Water Works Association, whose works appear in the

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1 current issue of the Journal of the American Water
2 Works Association. I will quote only a few
3 sentences, but I hope you will read the whole
4 article in the August 1999 issue of the Journal of
5 the American Water Works Association.
6 Quote, it is estimated as much as
7 60 percent of the water was drawn for irrigation is
8 lost to evaporation and ditch leakage before it can
9 be used. Clearly, it is important that current
10 irrigation practices be examined and improved,
11 benefit farmers and future generations who need
12 water also for eating and drinking.
13 That brings us to another sensitive
14 subject, the value of water. If water has no or
15 little value, then it will be wasted without a
16 second thought. As to what value of water
17 increases, so does the attention towards effective
18 use. For example, Germany has the highest price for
19 water in western Europe and North America, and the
20 lowest use per person. On the other hand, United
21 States was the least expensive water, has the
22 highest per capita use. The same situation exists
23 in agriculture, but to an even greater extent. End
24 of quote.
25 Now, it's -- it would appear strange

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1 for a professional civil engineer, who's been
2 involved in the development of major capital water
3 projects, to say that we, at this point, should not
4 be committing to more dams and conveyance
5 facilities.
6 Peripheral canals, under whatever
7 euphemism we use for them, are not in order when
8 60 percent of the water is going to waste. I can
9 attest it, as I drive through California today, that
10 we're evaporating water in cursory farm areas and
11 see the sprinklers going full blast in midday. The
12 state's capital has no water meters.
13 It is not time to build more storage
14 and conveyance facilities.
15 MR. BODOVITZ: Thank you, Mr. Bendix.
16 Cori Traub, Marguerite Young, Herb
17 Pekonen, if I'm pronouncing that right.
18 Ms. Traub.
19 MS. TRAUB: Hi, name is Cori Traub and
20 I'm a project director with Clean Water Action.
21 I'd like to speak about CALFED's plan
22 to deal with mercury pollution. We're concerned
23 that the water quality program plan on mercury
24 focuses entirely on the remediation of mines. While
25 mines are a significant source of mercury, other

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1 sources are barely touched upon on the plan.
2 The plan calls for, quote, determining
3 the relative contributions of various sources,
4 mercury mines, hydraulic mining debris and recycling
5 from depositional areas, end quote. But what about
6 mercury containing products, waste water discharges
7 and urban runoff, and nowhere does the plan discuss
8 the many airborne sources of mercury, such as cement
9 kilns, oil refineries, incinerators and diesel
10 trucks. The plan to study the mercury program needs
11 to thoroughly deal with all sources of mercury.
12 Secondly, the plan indicates that there
13 will be five years of data collection and evaluation
14 before remediation and risk management strategies
15 are developed, yet we already know that mercury
16 levels throughout the Bay and Delta are too high and
17 fish are unsafe to eat. Many people, especially
18 those who are economically disadvantaged, depend on
19 mercury-laden fish today and the ecosystem continues
20 to deteriorate as fish and animals show high mercury
21 levels.
22 There's no reason to wait five years
23 before making policy recommendations and
24 implementing programs to begin to get mercury out of
25 the wave stream and out of the air. The amount of

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1 mercury that gets into the Bay and Delta can be
2 reduced by implementing pollution prevention
3 programs, tighter air pollution standards, product
4 labeling, take back programs and education.
5 We know mercury is a severely toxic
6 element that causes neurological damage, so let's
7 not miss this opportunity to get started on cleaning
8 it up.
9 Thank you.
10 MR. BODOVITZ: Thank you.
11 Next are Marguerite Young and Herb
12 Pekonen. And after them we'll give our court
13 reporter a moment to get circulation back in her
14 hands and we'll take a ten-minute recess.
15 The first speaker after the recess --
16 it really will be ten minutes -- is Jerry Robinson.
17 So Ms. Young, then Mr. Pekonen and then
18 the ten-minute recess.
19 MS. YOUNG: Hello. My name is
20 Marguerite Young. I'm the California director of
21 Clean Water Action, but I'm not going to speak as
22 the California director of Clean Water Action
23 tonight because you'll be getting written comments
24 for me and they'll be extensive. I'm going to speak
25 instead as a native Californian.

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1 I was born in San Francisco. My father
2 was a fisherman, my grandfather, grandmother and
3 aunts are farmers in the state. We have a long
4 tradition of caring about the environment and that's
5 why I work on these issues in my professional life.
6 I think -- And I speak as a mother of a one-year-old
7 son.
8 There are choices that we have to make
9 coming down the road, and the CALFED plan is our
10 choice -- is our opportunity to make a choice for
11 the future that recognizes that we can meet the
12 needs of our farms, our families and our environment
13 if we think bigger than we've been thinking.
14 You know, folks tonight have been sort
15 of stuck in their -- you know, farmers want more
16 water, environmentalists want no dams and more
17 water, and I think we need to think a little bit
18 outside the box and start thinking about how we can
19 look at this -- the way we have our water plumbed in
20 the state and how to put the highest quality water
21 to the use for the highest quality needs and how we
22 can conserve water and reuse it, recycle it, look to
23 industrial recycling as a huge water saving and
24 profit potential in water management and also look
25 towards real pollution prevention, preventing

1 for these new homes or is it time to start
2 considering desalinization.
3 Thank you.
4 MR. BODOVITZ: Thank you, sir.
5 Well, I have 8:15 on my watch. We'll
6 resume at 8:25 sharp with Jerry Robinson, the first
7 speaker, followed by John Koetsier, followed by Rick
8 Veldstra. 8:25.
9 (Off the record at 8:15 p.m.)
10 (Back on the record at 8:23 p.m.)
11 MR. BODOVITZ: I appreciate this is
12 rushing everybody and we've got a long way to go
13 tonight, and in fairness to the people yet to speak,
14 we'd like to get going again.
15 Okay. Jerry Robinson, followed by Rick
16 Veldstra, followed by Kevin Fondse, I think. I'm
17 sorry. If the writing isn't clear, I'm not doing
18 well with the name.
19 MR. ROBINSON: I'm Jerry Robinson. I'm
20 from Stockton. I live and farm in the Delta. I had
21 a question before we get started. We found out
22 tonight that our south Delta improvement workshop is
23 being held on the same night as the last hearing in
24 Sacramento on September 22nd and a lot of us that
25 have interest in both areas would like to go to

1 pathogens from getting into our water supply so we
2 can avoid costly treatment, preventing and changing
3 the way that we manufacture products in order to
4 keep pollutants out of the water and improve water
5 quality in the estuary.
6 That's all I'm going to say. Thank
7 you.
8 MR. BODOVITZ: Thank you, Ms. Young.
9 Herb Pekonen.
10 MR. PEKONEN: I'm Herb Pekonen,
11 representing the Apple Valley fly-fisherman. And in
12 listening to this discussion this evening I concur
13 with many of those who spoke before me regarding the
14 shortage of water. And I kind of relate water to a
15 rubber band. Sounds to me like we have it stretched
16 to the breaking point, and the question is how much
17 more will it stand before it breaks.
18 And then again, Contra Costa County is
19 where I am located and I'm most familiar. When I go
20 driving in the areas, all the new construction going
21 on, every house requires water. Where's this water
22 coming from? It doesn't seem to be in anything that
23 you folks are predicting, other than more efficient
24 use of water. Is it that much that we're going to
25 be more efficient in that we'll have enough water

1 Sacramento and see our legislators. We'd like to
2 get that Tracy meeting changed to a later date, or
3 least a date that doesn't conflict with the
4 September 22nd.
5 MR. BODOVITZ: Okay. Mr. Ritchie,
6 here, is listening to what you're saying.
7 MR. RITCHIE: We're going to start
8 working on it tomorrow.
9 MR. BODOVITZ: All right. Thank you.
10 MR. ROBINSON: I've lived in the Delta
11 all my life and we are under the impression that the
12 Delta Protection Act was supposed to protect the
13 Delta and send only surplus water exported from the
14 Delta to Southern California, and that was for
15 beneficial uses of agriculture, urban, environment
16 and fish, and only what was left over was supposed
17 to be surplus, and we've been moving away from that
18 for 50 years and we're coming to a breaking point
19 where we're going to -- the rubber band is going to
20 break as somebody said.
21 We're talking about storage and I know
22 storage is a hotbed issue with many people, and what
23 little storage is being talked about off stream and
24 recharging groundwater is not going to do a lot of
25 good when we're looking at pumping from 20,000

1 acre-feet a day out of the Delta to 30,000 acre-feet
2 a day with this plan and we're going to have to look
3 at some massive storage and decide what we're going
4 to do, not -- maybe even beyond this group. In the
5 last half of this century, how big of a population
6 are we going to have in this nation and how well do
7 we want to eat and how cheaply do we want to eat.
8 And that's going to be maybe a bigger thing than
9 just this CALFED.
10 And, finally, I want to talk a little
11 bit about desalinization. I think regions of the
12 state, especially along the southern coast, should
13 become more regionally independent of the State
14 Water Project through desalinization, further
15 reclamation. I know most every area in the state's
16 doing a really good job, but this CALFED process is
17 throwing billions of dollars around and I think much
18 more of that ought to go into making regions of the
19 state more self-sufficient.
20 And for people -- We're talking about
21 agriculture reclamation. The Central Valley, both
22 north and south in the state of California, is using
23 and reusing and reusing and reusing and reusing
24 water and that's why the Delta is where it is today.
25 We're getting poor quality water with not as much

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1 clean water to Los Angeles.
2 The hidden agenda of the ARB was to
3 show that they had the power to get things done. In
4 their case, clean the air at any cost. This cost
5 California up to 75 cents more per gallon for
6 unleaded and substantial damage to our drinking and
7 ground water from MTBE contamination.
8 The hidden agenda of CALFED is to build
9 the isolated facility at any cost. All the public
10 meetings, resurers and PR are only a smoke screen to
11 divert attention from this fact. All the feel good
12 environmental projects to clean the water for the
13 fish and restore the environment are smoke screens.
14 They are all but guaranteed to fail because their
15 failure is necessary to trigger CALFED's ultimate
16 goal of building the peripheral canal.
17 This deception must not be allowed to
18 go unchallenged. Saying they are saving the fish
19 and the environment, CALFED is ultimately planning
20 to sacrifice the Delta, turning it into a cesspool
21 and environmental wasteland, unfit for the family
22 farmer.
23 Another CALFED deception is that the
24 fish flow releases from new facilities are for fish
25 and Delta water quality. In reality, it is new

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1 outflow as we should have.
2 Thank you.
3 MR. BODOVITZ: Thank you, Mr. Robinson.
4 Rick Veldstra, Kevin Fondse, Kenny
5 Watkins.
6 MR. VELDSTRA: I'm a farmer in San
7 Joaquin County. I'm here to protest the CALFED
8 plan. It would be an economic, environmental and
9 agricultural disaster.
10 The best way to illustrate this is to
11 compare the CALFED plan to the California Air
12 Resources Board's actions regarding MTBE and
13 gasoline.
14 My conclusion, CALFED is to water as
15 MTBE is to gasoline. The ARB created an energy and
16 environmental crisis in California by its dictates
17 regarding MTBE. CALFED is a similar poison pill
18 that will be force-fed to Delta farmers, California
19 agriculture and even Northern California cities as
20 area of origin rights are being diluted.
21 The ARB sacrificed clean groundwater in
22 its experiment to clean the area. CALFED sacrifices
23 900,000 acres of farmland, between 1.9 and 4.5
24 million acre-feet of agriculture water and a
25 free-flowing Delta for their experiment to export

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1 water source for LA. When the fish flow starts, the
2 pumps turn on. I challenge CALFED to document what
3 percentage of water released for fish ever makes it
4 to the San Francisco Bay.
5 The cost is too high. The cost is our
6 state's ag economy, our jobs and livelihood. The
7 cost to the Delta is its very lifeblood, its water.
8 It is asking too much from the Delta to provide
9 drinking water for two-thirds of the California
10 population. The concept itself defies logic.
11 Solving California's water problem
12 requires new storage, not double dipping the Delta
13 or ag water transfers. The whole CALFED process
14 needs to be scrapped. Overlying an intertangled
15 state and federal bureaucracies leaves the average
16 Californian vulnerable to the whims of someone who
17 does not even live here.
18 Thank you.
19 MR. BODOVITZ: Thank you, Mr. Veldstra.
20 Kevin Fondse, Kenny Watkins, Heather
21 Robinson.
22 MR. FONDSE: Hello. My name is Kevin
23 Fondse. I'm a farmer located in the south side of
24 the San Joaquin County and I'm the first vice
25 president of the San Joaquin Farm Bureau Federation.

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1 I'm speaking to you tonight on behalf of our
2 membership of over 4,300 families in the San Joaquin
3 County area.

4 CALFED's basic mission is to coordinate
5 a plan to assure reliable high-quality water for
6 California's people while addressing Bay-Delta
7 environmental problems. In order to have its supply
8 of high-quality water, CALFED must create additional
9 water storage to meet this goal. Water in the San
10 Joaquin County is depleting both underground as well
11 as having limited storage capacity for surface
12 water.

13 CALFED will have a negative impact on
14 the San Joaquin County agriculture if this
15 cooperative effort by state and federal
16 bureaucracies continues down its current path.

17 Under this current draft proposal,
18 EIS/EIR, agriculture is expected to feed more and
19 more people with less land and less water. Instead
20 of maintaining the current flow agriculture receives
21 for purposes of crops that feed both urban and rural
22 residents in California, the water will bypass
23 agriculture for other purposes such as fish studies
24 and similar projects.

25 The impacts to California agriculture

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1 will be atrocious. Food costs will surely increase
2 because less food will be grown locally, imported
3 produce will fill our local supermarket shelves
4 making our food less safe because of unknown uses of
5 pesticides.

6 Actions that take farmland out of
7 production will affect farmers, farm workers, truck
8 drivers, cannery workers, warehouse workers, people
9 who operate small businesses in rural California and
10 consumers who benefit from a healthy, locally
11 produced food supply. Agriculture and our economy
12 cannot survive if water cannot be provided for our
13 crops. California's water storage system needs to
14 be expanded to allow additional yielding storage
15 that will increase water availability in all uses.

16 Environmental uses of water in
17 California already take 46 percent of all stored
18 surface water. How much more must CALFED steal from
19 agriculture? Agriculture will continue to be
20 threatened if water that can be used for agriculture
21 is diverted for experimentation of fish studies and
22 salt intrusion. This plan must be brought into line
23 with common sense. We need more water in
24 California, more storage north and south of the
25 Delta.

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1 CALFED is aware of the growing need for
2 urban water supply and urban water quality as the
3 population grows. Agriculture, which is the number
4 one industry in San Joaquin County and California,
5 was never considered for an increasing need of water
6 to produce food and crops as California prepares to
7 grow during the next century. CALFED must enhance
8 water supplies to ensure that we have enough water
9 for everyone, including agriculture.

10 Thank you.

11 MR. BODOVITZ: Thank you, Mr. Fondse.
12 Kenny Watkins, Heather Robinson, Adam
13 Strunk.

14 MR. WATKINS: Hello. I'm Kenny
15 Watkins. I'm the second vice president of the San
16 Joaquin Farm Bureau Federation. I also am the
17 fifth-generation farmer/rancher from eastern San
18 Joaquin County.

19 I attended the hearing in Stockton.
20 After listening to three hours of testimony from
21 local water districts, county board of supervisors,
22 the City of Stockton, farmers and the environmental
23 interests, it affirmed that there's only one
24 solution to our state's water problems -- more
25 water. The CALFED process thus far has only used

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1 smoke and mirrors to disguise the fact that you are
2 planning to take water away from someone and give it
3 to someone else.

4 I am challenging CALFED to make the
5 decision that will solve everyone's water problem by
6 creating new storage. CALFED has spent millions of
7 dollars already without a real solution to our water
8 needs. The three hours of testimony in Stockton
9 illustrated that all interests -- environmental,
10 farmers, city and counties -- all want more water.

11 CALFED needs to identify new storage
12 facilities that will provide us all with the water
13 for now and into the future. CALFED needs to spend
14 its money creating support for substantial new
15 storage. CALFED needs to secure the funds and build
16 these new facilities.

17 CALFED must return to its basic
18 mission, which is to coordinate a plan to assure
19 reliable high-quality water for California's people
20 while addressing Bay-Delta environmental problems.
21 All this can be solved with more water, storage and
22 supply.

23 This nation was built by people with
24 the ability to make the difficult decisions which
25 formed this nation and its future. CALFED, you have

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1 the mission, the support and the obligation to solve
2 California's water problems for our future. I
3 challenge you to have the guts and foresight to make
4 this decision. History will remember this CALFED
5 process as a dismal failure or a tremendous success.
6 How do you want to be remembered? Give California
7 urban, rural and environment the water it needs to
8 flourish.

9 Thank you.

10 MR. BODOVITZ: Thank you, Mr. Watkins.
11 Heather Robinson, Adam Strunk, Dana
12 Haasz.

13 MS. ROBINSON: Hello. My name is
14 Heather Robinson. I am a fourth-generation farmer
15 in the Delta, San Joaquin County -- Stockton,
16 California, to be exact. I believe I kind of have a
17 unique perspective, because I am both a farmer and I
18 live in the Delta.

19 I heard very conflicting testimony this
20 evening, and I understand the difficulties with
21 which you are greeted by at each of these hearings
22 and I do sympathize with your situation, but I do
23 think that perhaps we need to refocus -- because
24 this is such an ominous task, perhaps we need to
25 refocus our attention and what really is this CALFED

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1 Bay-Delta Program.

2 Sounds to me as if it is a program
3 we've identified there are problems in the Bay-Delta
4 areas. Because we are focussing on the Bay-Delta --
5 you'll hear me say this multiple times -- I think
6 that there are a few things that we absolutely
7 cannot do because this is a Bay-Delta program. The
8 first of which you've heard conflicting stories this
9 evening, but I think you really need to hear us when
10 we say we absolutely cannot have an isolated
11 facility. The damage that that would do to the
12 Delta is absolutely catastrophic. I can't think of
13 anything that would hurt the Delta worse. And if
14 this is supposed to be the CALFED Bay-Delta Program,
15 by all means, please do not do that.

16 I understand that there are urban
17 issues, there are other water users in this state,
18 but I do think that we need to focus our ideas and
19 our solutions for the Bay-Delta. We really need to
20 make other areas of this state that may be water
21 deficient, we need to focus on making them more
22 water self-sufficient. I've heard some -- I've
23 heard conservation. I've heard desalinization. I
24 really think that desalinization is one of our
25 better options.

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1 The Bay-Delta simply cannot support the
2 entire California's water needs. We need more
3 storage, we need more sources of water. We have an
4 exploding population and we simply cannot do it with
5 existing water supplies. I lived in Los Angeles. I
6 went to college there. I never saw an empty
7 swimming pool. So I know that there are some other
8 efforts that we need to make, but, please, please,
9 do not build this isolated facility because it will
10 be the death knell for the Bay-Delta.

11 Thank you.

12 MR. BODOVITZ: Thank you, Ms. Robinson.
13 Adam Strunk, Dana Haasz and Arthur
14 Feinstein.

15 MR. STRUNK: Hi, my name's Adam Strunk.
16 I have lived here in California and the Bay Area my
17 entire life.

18 Now, I wanted to start by saying that
19 Albert Einstein, who some people think was a pretty
20 bright guy, once said that you cannot solve a
21 problem by the same methods with which you created
22 it. Well, I was in the bathroom about an hour ago
23 and I heard some water running. Well, turns out the
24 toilet was running. The flapper valve was broken.
25 People wonder where our water problem came from.

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1 We're wasting our water. This is the sort of thing
2 we need to fix.

3 Now, what's the current paradigm?
4 What's the current way we're creating all these
5 water problems? We're building dams and we're
6 diverting rivers. There were no clean water
7 problems before we were damming rivers. There were
8 no clean water problems before we were diverting
9 rivers. There were no problems until we got here.
10 If we try and repair these problems with more dams,
11 if we try and repair these problems with more
12 diversions, we're going to create more problems.
13 It's pretty simple. Albert got it. Why can't we?

14 Now, to start with, mother nature is
15 very good at cleaning herself. How does she do
16 this? She does this with free-flowing rivers. The
17 water in free-flowing rivers is clean.
18 Unfortunately, California, out of all the rivers,
19 has one left. We've dammed all the rest.

20 We don't need more dams. We don't need
21 more water storage. We need to be efficient. If we
22 had, say, torn down some dams with the CALFED
23 process -- which is a very clever idea -- we might
24 be able to restore some fish flows. More fish, more
25 fishing; more fishing, more good food; more good

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1 food, less heart attacks. Just a little idea. And
2 then I think the fisherman might appreciate not
3 having their fish stock decline simply because we
4 need to take all the water out of there and waste
5 it.

6 How do you do this? You raise the
7 prices. You start charging a real price on water.
8 Now, to start with, domestic users are paying too
9 little. If we started paying a real price, if we
10 started paying a volume-dependent price, simple
11 economics dictates that people will use less.

12 Now, the water is heavily subsidized
13 that goes to agriculture. I know the agricultural
14 interests wouldn't agree with this, but we charge
15 about one-tenth of what it costs us to produce an
16 acre-foot of water, to actually deliver this to
17 them. There's no reason for that. We waste water.
18 They have no reason to conserve it, so they don't.
19 It's really that simple.

20 What do we need to do? We need to
21 start being efficient with our water. Now, how do
22 you do this? You shift to efficient irrigation.
23 You shift to efficient toilet. You start imposing
24 quotas if you have to. I was in Marin County when
25 we had the drought back in the '80s. We lived on 50

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1 reuse, landscape acreage, evaporation versus
2 transpiration, and so on.

3 What isn't clear, however, is how this
4 data will be incorporated into the supply and demand
5 balance. The result of this research will no doubt
6 affect CALFED's assumptions regarding supply
7 reliability, but whether it will be factored into
8 the assessment of the integrated storage plan
9 options isn't obvious in the document.

10 In that same vein, CALFED finally
11 acknowledges in this draft that demand reduction is
12 not simply a supply option -- that is, reduction
13 demand can be used to offset the needs of a growing
14 population. So even if conservation doesn't create
15 a new supply of water, it can potentially be used in
16 the place of infrastructure options to meet the
17 needs of future populations.

18 However, again, it is unclear how and
19 whether CALFED incorporates this into their
20 estimates of future demand. As a result, the
21 decisions made as part of the integrated storage
22 plan are not based -- are based on incomplete and
23 inaccurate data.

24 What the CALFED document needs to do is
25 to go beyond acknowledging these issues in theory to

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1 gallons of water a day. It works. Nobody starved,
2 nobody died. It worked. It was very simple.

3 The time of the pork barrel is over.
4 Do not turn this into a pork barrel project. Do not
5 let special interests seize this as a way to get
6 more publicly subsidized projects.

7 Thank you.

8 MR. BODOVITZ: Thank you, Mr. Strunk.

9 Arthur Feinstein. That's you? Arthur
10 Feinstein. Rogene Reynolds --

11 MR. BRANDT: That's Dana Haasz.

12 MR. BODOVITZ: I'm sorry, Dana. I'm
13 sorry, Dana Haasz. Then Arthur Feinstein, I'm
14 sorry, then Rogene Reynolds. Sorry.

15 MS. HAASZ: That's okay.

16 Well, I'm Dana Haasz, and I'm with the
17 Pacific Institute. My comments are specific to the
18 water use efficiency technical appendix.

19 First, there are a few things I was
20 happy to see in this draft. The first of the
21 actions develop legislation requiring measurement of
22 water use, the use of '95 data rather than '90 data
23 to estimate ag conservation potential and the
24 development of an information gathering program that
25 will fill some very large data gaps such as base and

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1 including them in their demand calculations. And
2 that if there -- if they are to make an informed
3 decision regarding supply reliability -- I keep on
4 moving away from that.

5 Lastly, CALFED is still being
6 conservative in estimating the potential for demand
7 management. It's just one example, the CALFED
8 alternative for indoor residential water use reduces
9 use to between 50 and 55 gallons per capita per day,
10 using 55 in their calculations. In the document it
11 refers to the residential end use studies, 52
12 gallons per capita per day finding as their source.
13 However, I looked that up on the Web a couple hours
14 ago and the end use study actually estimates
15 potential as 49.6 gallons per capita per day, and a
16 five GPCD difference doesn't seem important except
17 it's a 150 million gallon per day when you're
18 talking about 30 million people. So -- And that's
19 just one example.

20 In conclusion, I urge CALFED to be more
21 aggressive in its conservation potential estimates
22 and to incorporate all these values in their
23 assessment of future demand, assessments of supply
24 reliability and infrastructure requirements.

25 Thank you.

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1 MR. BODOVITZ: Thank you, Ms. Haasz.
2 Arthur Feinstein, Rogene Reynolds, Bill
3 Reynolds.
4 MR. FEINSTEIN: Hi, I'm Arthur
5 Feinstein, executive director of the Golden Gate
6 Audubon Society.
7 You know, CALFED boasts that it's
8 doing -- breaking new ground, it's treating water
9 issues in a new way, and yet your answer is the old
10 way, dams and the peripheral canal.
11 We talk about bringing all the agencies
12 together for the first time to address water issues
13 and to come up with new solutions and yet your
14 answer is the same old answer -- we'll toss money at
15 it by building dams and the peripheral canal.
16 You're not talking any of the hard
17 measures that are necessary to solve our problems.
18 The problem with the Bay and of the estuary is the
19 lack of water. A little flush for a week or two
20 during the year is not the same as our system has
21 evolved with, which is water, not just a little
22 flush one week or two of the year.
23 You're not going to solve the problem.
24 You might move some fish from here to there, but the
25 habitats themselves are going to be degraded and

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1 don't demand it. Best management practice is
2 volunteerism. You have all the agencies together,
3 but you don't take the hard steps of demanding
4 meters in Sacramento, demanding conservation
5 everywhere in the state. It's pretty please, but no
6 we have to do it. You have a recipe for failure as
7 we've had for the last -- however long these
8 projects have been going on.
9 Our environment is going to continue to
10 decline and you are not the answer unless you go
11 back and try and take some hard steps, make it
12 happen, give the Bay some more water, enforce
13 conservation around the state, then maybe you're on
14 the right track, but on the track you're right now
15 on, you're not going to do anything except status
16 quo, continually decline.
17 Thank you.
18 MR. BODOVITZ: Thank you.
19 Rogene Reynolds, Bill Reynolds, Mike
20 McKenzie.
21 MS. REYNOLDS: Good evening. I'm
22 Rogene Reynolds. I live in the south Delta one mile
23 north of Old River in San Joaquin County. My
24 family's been there since 1883. I'm not going to
25 address water issues as much tonight as I am going

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1 degrading and eventually those fish are going to
2 die, whether they move up or not, because their
3 habitat won't be there. Suisun is an example where
4 it's turning more salt.
5 We comment on this eight years ago, 10
6 years ago, at the Bay-Delta hearings. There are a
7 couple of endangered plants, there's a whole suite
8 of animal and plant species that are dependent upon
9 brackish water that's turning saline.
10 We've recently had some hydrologists
11 analyze the Bay-Delta Accord figures on what would
12 be the impact of using the numbers for water for
13 salinity that we're going to be working under under
14 CALFED and they project that it will turn
15 increasingly saline.
16 You will not be doing anything for
17 Suisun. Those endangered plants are going to be
18 gone, those birds and animals that are dependent
19 upon the brackish marshes are going to be gone
20 because they need water. You're not giving them any
21 water, except a little flush once in a while.
22 You're missing the point. Dams,
23 peripheral canal, it's not what we need. It's not
24 going to be the answer to California's water
25 problems. You talk about conservation, but you

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1 to address CALFED's plan for land retirement.
2 The EIR -- and I'll quote -- says that
3 the estimate of land area affected by the ecosystem
4 restoration program in the Delta region is
5 111,600 acres. The San Joaquin River region is 4300
6 acres. That's not equitable and it's not
7 implementable.
8 CALFED says there will be -- thank
9 you -- no redirected impacts, but listen to this.
10 The affects on agriculture in the other State Water
11 Project and Central Valley Project service areas are
12 expected to be small. Substantial conversion of
13 agricultural land in the Delta region could shift
14 some production to desert areas in Southern
15 California such as the Imperial Valley.
16 I ask you, what sense does that make?
17 I object to it emotionally and I object to it
18 practically.
19 According to the Delta Protection
20 Commission in place right now in the Delta,
21 currently there are approximately 671,000 acres in
22 the Delta. 527,300 acres are in agriculture. There
23 are already 82,845 acres in habitat or uncultivated
24 ag. How much more does CALFED want of our land?
25 CALFED is balancing the water needs of California on

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1 the backs of Delta farmers.
2 Thank you.
3 MR. BODOVITZ: Thank you, Ms. Reynolds.
4 Bill Reynolds, Mike McKenzie, Alexandra
5 Myers.
6 If you would come forward when your
7 names are called, we'd probably save a little bit of
8 time.
9 Mr. Reynolds.
10 MR. REYNOLDS: Good evening. I'm Bill
11 Reynolds. I'm a banker in San Joaquin County.
12 I'm concerned, particularly, that the
13 report as presented indicates that over a hundred
14 thousand acres of Delta farmland is proposed to be
15 idled. I think that's unacceptable. The economic
16 impacts are significant, but there seems to be no
17 plan to mitigate any of these.
18 You list some of them very clearly
19 state that they are an economic problem, but say you
20 have no legal responsibility to address those
21 issues. I think you have an absolute
22 responsibility, certainly a moral responsibility, to
23 address any harm you do to the Delta that benefits
24 others. One of your solution principles is clearly
25 involved.

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1 You have a program that is concerned
2 with reallocating a limited water supply.
3 Agriculture seems to be the clear loser and this is
4 a continuation of a long-term trend. Agriculture
5 throughout the state has given up considerable water
6 over the last 10 or 15 years.
7 There are mutually exclusive goals that
8 cannot be met without more storage. Moving more
9 water south of the Delta causes salt intrusion,
10 which leaves Delta water quality much poorer.
11 However, you can't revive the Delta by taking away
12 water. And the San Francisco Bay estuary's included
13 in that.
14 Water quality is going to be hard to
15 maintain at any level with continuing growth in
16 California. It's going to cost a lot more than
17 we're used to paying. It's going to take different
18 levels of water treatment. We need to get that
19 through.
20 The report as presented is clear the
21 San Joaquin River is a very poor source of water.
22 It's been dammed and replumbed throughout the years.
23 There is no water, no flow. The San Joaquin River
24 needs to be rewatered. That doesn't get addressed
25 in your report very well at all. Razing Friant Dam

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1 sounds like a good idea at this point.
2 We have no assurances that water
3 quality will be maintained. The assurances are very
4 poor. Quite frankly, we don't trust what's been put
5 out there now. Please remember that the health of
6 the Delta and its water quality is depended on
7 maintaining what's called a common pool -- you've
8 heard that before -- and respecting the area of
9 origin water rights.
10 Agencies that want to build the
11 peripheral canal remind me of the classroom bully
12 pushing to the head of the line at the water
13 fountain. No one has a right to better water
14 quality than is shared or presently have -- we have
15 in the San Joaquin Delta. We need to get better
16 together.
17 Thank you.
18 MR. BODOVITZ: Thank you, Mr. Reynolds.
19 Mike McKenzie, Alexandra Myers, Mary
20 Haake.
21 MR. MCKENZIE: First thing I'd like
22 to -- My name's Mike McKenzie. I live in Contra
23 Costa County.
24 First thing I'd like to address is a
25 small issue that -- nobody's even mentioned it, but

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1 I think it's rapidly becoming critically important,
2 and that's in environmental restoration portion of
3 the document you talk about studying invasive
4 species. I think you need to take a stronger stance
5 and a better position on that.
6 We talked about the study of, you know,
7 and -- ballast water and things like that, and we
8 need to -- you know, ships dump in their ballast
9 water. If you look at past practices, what it's
10 brought on, you know, is right now we're looking at
11 a distinct possibility of this whole process being
12 moot because the only thing that pumps at Clifton
13 Court are going to be pumping is mitten (ph) crabs.
14 You know, so that aside, I'd like to
15 add my voice to the others that have spoken about --
16 with concerns of the serious deficiencies in the
17 program as far as water conservation measures and
18 land retirement. I think we talked about retiring
19 land in the Delta.
20 I think you need to look at -- In the
21 '70s, when the State Water Project went on line,
22 there was all kinds of things happened. You can
23 call it what you want -- fraud, greed, corruption.
24 We brought a lot of water under -- I mean, a lot of
25 land under cultivation with cheap water that should

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1 never have been brought under cultivation. I mean,
 2 now we're paying the consequences of that with salt
 3 buildup in the shallow soils. You know, those
 4 lands, Class 6 lands, should never have been brought
 5 under cultivation. We need to look at retiring
 6 those lands. You know, San Luis drain, there's
 7 nothing been addressed, really, about what's going
 8 to happen when that ends up in the Delta.

9 So those are some of the things I think
 10 we need to go back and address and come out with a
 11 stronger conservation ethic for the water. That is
 12 it.

13 MR. BODOVITZ: Thank you, Mr. McKenzie.
 14 Alexandra Myers, Mary Haake, Nancy
 15 Flores.

16 MS. MYERS: I would like to introduce
 17 myself as Alexandra Myers, citizen of this great
 18 state of California. And I would just like to take
 19 a few months -- excuse me, a few moments -- we don't
 20 have that much time left -- to mourn the tragic life
 21 of profit for our corporate farmers in this state.
 22 Need to cut to the chase and weigh the pros and
 23 cons.

24 Sure, various conservation measures
 25 would save 10 to 30 percent of our water use in each

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1 of industry, farmers and cities with no quality of
 2 life or economic sacrifice of any kind. Sure,
 3 leaving nature alone to survive beautifully as it
 4 has for billions of years until we screwed with it
 5 for the last couple of thousands -- a blip on the
 6 biological timescale -- would assure a few things,
 7 such as species survival, ecosystem health, water
 8 quality and thus setting the precedent for survival
 9 of all human life on this planet.

10 Sure, we could not destroy our home on
 11 this planet through diversion and live as happy and
 12 spiritually connected as life beings, but why would
 13 we want to do that when we could get more corporate
 14 profit and more money? After all, that's what's
 15 important is getting more power and more stuff,
 16 right?

17 Oh, and one more thing -- or maybe a
 18 couple -- we need to grow more rice in the desert
 19 and keep polluting and make sure that we don't
 20 impose any population control of any kind.

21 I see I have a few moments left. Just
 22 in case you couldn't tell I was being sarcastic, in
 23 a quest for a perfect world where we have ultimate
 24 control and have conquered nature, we have
 25 succeeded. The world is at the point of death. We

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1 have particulate pollution in icebergs in
 2 Antarctica.

3 I want to take this chance to ask you
 4 who in God's name you are to murder my future
 5 children? My greatest fear is not of drugs or of
 6 not going to college. My greatest fear is that as
 7 an activist of Clean Water Action I go to doors and
 8 tell folks we are out talking to folks who are
 9 worried that our children won't have water to drink
 10 and they say they don't care. I wonder if these
 11 people are even people, if they're even alive, if
 12 they even have brains that we think with.

13 There are some very simple ways that we
 14 could stop killing our planet, but why would we want
 15 to do that when we could get more money?

16 MR. BODOVITZ: Nancy Flores, Dana
 17 Lonza, Juan Barragan.

18 MS. HAAKE: Hi. Thank you. That's
 19 fine. My name is Mary Haake. I'm a volunteer with
 20 the San Francisco Bay chapter of the Sierra Club and
 21 chair of the Water Policy Committee.

22 As the millennium turns, we find
 23 ourselves at a crossroads. Either we change our
 24 relationship with the natural world now and in a
 25 hurry or the planet Y3K greets will be a wasteland.

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1 It is in context that we can best appreciate the
 2 tremendous opportunity of CALFED. Will this already
 3 revolutionary effort lead to a fundamentally
 4 reoriented approach to California water management
 5 or a modified business as usual strategy? Knowing
 6 that the country and indeed the world has followed
 7 California's example of radical water development,
 8 the decisions made by CALFED will affect far more
 9 than our state.

10 Given what's in the CALFED plan just
 11 released, the bad news is that it recommends new
 12 storage as a solution to water demand to be assessed
 13 over an initial seven-year period. New dams and dam
 14 enlargements are the backup to any water supply
 15 shortfall which occurs despite recommended
 16 conservation measures. Dam planning will proceed so
 17 that building can begin immediately if conservation
 18 goals are not reached.

19 This approach fails to provide the
 20 commitment necessary to carry through on available
 21 conservation measures. It's like asking a teenager
 22 to work hard and save money now, even though their
 23 trust fund will be available in seven years. This
 24 is not a new vision for California's water. It is
 25 more of the same ultimate reliance on hugely

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1 expensive and environmentally destructive dams which
2 the taxpayers will have to subsidize.

3 The people of California expect more
4 than this and can achieve more than this. If the
5 supply of water was limited this day to what we
6 already have, Californians have the ingenuity not
7 only to adapt, but to thrive. Conservation
8 strategies including water metering in all our
9 cities, irrigation efficiencies, recycling and
10 retirement of marginal toxic producing farmland can
11 all contribute to the solution of California's water
12 supply needs.

13 The people of California can respond to
14 our millennial crossroads by leading the world away
15 from the precipice of environmental destruction
16 towards an acceptance of the limits of resources and
17 the challenge of living within those limits. CALFED
18 needs to say, no money for planning new dams.

19 Thank you.

20 MR. BODOVITZ: Thank you, Ms. Haake.
21 Nancy Flores, Dana Lonza, Juan
22 Barragan, Michael Warburton, followed by Al Medvitz,
23 followed by John King.

24 MR. WARBURTON: My name's Michael
25 Warburton, and although I have a number of different

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1 We have a chance to -- to do things
2 with -- We've got to be careful about what we're
3 talking about buying and selling. You know, it made
4 sense in labor, you don't own the person when you
5 pay them a wage.

6 I see I'm not -- I've got very little
7 time left. But I got a chance to correspond with a
8 retired appellate judge who is very distinguished.
9 He spent more than 20 years on the California bench.
10 I share your apprehension over the erosion of public
11 trust doctrine, but have had real trouble generating
12 any confidence that, as our political system
13 continues to degenerate into a mere formula for
14 enriching those with enough -- those with enough to
15 pay for further enrichment, there's any real hope.

16 When an appellate judge says something
17 like that, we need to worry. And I'm glad that
18 every citizen of the state of California has
19 standing to sue, but I am sad that I'd have to
20 appear before judges appointed by, you know, the
21 whole legacy of Reagan -- Reaganism, but in the
22 past --

23 MR. BODOVITZ: Mr. Warburton, the
24 time's gone. Thank you.

25 MR. WARBURTON: Okay. Sorry. Yeah.

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1 ways I serve in different communities, I think I'm
2 coming here mostly as father of a young daughter
3 who's going to have to live with whatever comes out,
4 and grow up with it, and also as a California
5 citizen who I guess had the misfortune to study the
6 public trust doctrine in law school.

7 We haven't heard very much about it --
8 it wasn't mentioned in the film -- but when people
9 hold water rights in the state of California, they
10 don't own the water, and a lot of the discussion
11 involves buying and selling water. The water
12 belongs to the public, and it's always been subject
13 to a public trust and I see this as a -- a very
14 important framework in law for adjusting to changing
15 circumstances.

16 When hydraulic miners were essentially
17 using water to carve off the mountains in the
18 Sierras, they said, we are the economy of
19 California. We've got a way of using water. We are
20 the heritage of California. Right now, agriculture
21 is speaking almost as the miners spoke in 1884 when
22 I guess there was a Walker decision where it was
23 decided that, you know, washing all the silt down
24 into the navigable waterways of the state was not in
25 the best interests of the public.

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1 Anyway, glad to see the public side.

2 MR. BODOVITZ: Al Medvitz, John King,
3 Greg Karras.

4 MR. MEDVITZ: My name is Albert
5 Medvitz. I farm with my wife Jean McCormick on land
6 which borders the Sacramento River near Rio Vista.
7 The farm has been in the same family for more than a
8 hundred years. We are a certified organic farm and
9 produce lamb and wool, small grains and oil crops.
10 I'm also a member of the board of directors of the
11 California Farm Bureau Federation and represent
12 Solano, Contra Costa, and Alameda counties to that
13 board.

14 I am here to strongly protest recent
15 actions by the National Fish and Wildlife Service
16 and CALFED administrators which undermine the
17 integrity of the CALFED process. The actions taken
18 by both the National Fish and Wildlife Service and
19 CALFED to prematurely purchase land for the North
20 Delta Liberty Island Wildlife Refuge, before the
21 necessary review processes have been completed,
22 undermines the integrity of this process.

23 In 1997, the National Fish and Wildlife
24 Service was allocated \$8 and a half million from
25 CALFED to acquire Liberty Island -- about 4700 acres

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1 of land -- to convert to a wildlife refuge. This
2 was in the very early stages of this CALFED review
3 process. As we all know, the National Fish and
4 Wildlife Service is not permitted to complete a
5 purchase of land until all the appropriate
6 environmental reviews are completed. Obviously,
7 these environmental reviews must consider the
8 impacts of land conversions and water uses on local
9 farmers, local economies and local communities in
10 the context of the entire CALFED program.

11 Faced with delay, rather than pursuing
12 the approach course and delay purchase until the
13 necessary reviews and mitigation strategies were
14 developed, the National Fish and Wildlife Service,
15 with full cooperation and recognition from CALFED
16 administrators, is in the process of transferring
17 its grant, \$8 and a half million, for the purchase
18 to the Trust for Public Lands, with an additional
19 \$600,000 set aside to the TPL to cover unexpected
20 maintenance costs, such as repairing levee breaks.
21 I also understand that about \$200,000 of incidental
22 expenses is involved. This action was approved at
23 the first CALFED public policy group meeting just a
24 short time ago, few weeks ago.

25 National Fish and Wildlife Service and

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1 King. I come from Placer County. And though I'm
2 not directly involved in farming, I do work in
3 related ag industry.

4 I'd like to mention two concerns this
5 evening with the current CALFED document. One has
6 to do with fallowing of lands, farmlands. The other
7 has to do with the lack of emphasis on storage.

8 Agriculture is tremendously important
9 to California, some \$26 billion worth of ag economy.
10 It's been estimated that one in 10 jobs is tied to
11 farming, important jobs. As we heard earlier, the
12 Port of Oakland, here, 30 percent of their products
13 consist of ag products that flow through the port,
14 here. Again, important jobs. For every \$1 billion
15 in agricultural income in the state, some 25,000
16 jobs are generated.

17 When we talk about fallowing lands, it
18 has important ramifications to California and its
19 future. We've lost some very valuable growing
20 regions in California for other reasons. The
21 population growth in Southern California, we've lost
22 our orange groves. We've lost some important food
23 growing regions -- the Santa Clara Valley -- due to
24 population spread. In the Delta, we're talking
25 about fallowing lands that grow valuable crops such

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1 CALFED are deliberately skirting important
2 N-E-P-A -- NEPA -- and CEQA review processes in the
3 initial stages of transforming the Delta and
4 dramatically altering the social ecology and the
5 economy of the region.

6 The transformation of the Delta will
7 remove hundreds of thousands of acres of farmland
8 from production. No productive activities will
9 replace these losses. Conservative estimates of 1
10 to \$2 billion per year in lost production and
11 processing will have dramatic impacts not only on
12 the local communities, like Rio Vista, Alton and
13 Antioch, but also on ports like Oakland, Stockton
14 and Sacramento.

15 MR. BODOVITZ: Mr. Medvitz, the time is
16 gone.

17 MR. MEDVITZ: Okay.

18 It is inappropriate and it's a
19 violation of the spirit and intent of CALFED to
20 skirt the necessary and appropriate review
21 processes when the costs are so high.

22 Thank you.

23 MR. BODOVITZ: John King, followed by
24 Greg Karras, followed by Doug Wallace.

25 MR. KING: Thank you. My name is Jack

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1 as asparagus and tomatoes. We can't afford to lose
2 this valuable farmland and important jobs to land
3 fallowing.

4 The other issue has to do with planning
5 for future storage. California has tremendous
6 potential during wet years to store more water, to
7 give added flexibility to the California water
8 system. Important water, not only for agriculture,
9 but for fish and industry mews.

10 I'd like to close by saying the motto
11 that has been established for the whole CALFED
12 process is getting better together. I think it's
13 important that all -- all walks of life in
14 California share in this getting better together and
15 much of this can be accomplished by watching exactly
16 what is done, not allowing excess fallowing of land
17 and planning for our future water needs.

18 Thank you.

19 MR. BODOVITZ: Thank you, Mr. King.

20 Greg Karras, Doug Wallace, Steve Evans.

21 MR. KARRAS: Thank you. I'm Greg

22 Karras, with Communities for a Better Environment.

23 We're an urban, environmental health and justice

24 organization, in the Bay Area here and Los

25 Angeles -- It's late and I'll make three points real

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1 quickly.

2 First, it's a mistake to write off San
3 Francisco Bay as a food resource. You've heard a
4 lot of talk about this. Just a couple of quick
5 facts. The US EPA has ruled that dioxin pollution
6 is a high priority violation of water quality
7 standards throughout the Bay, specifically because
8 of the health threat to subsistence anglers. The
9 National Environmental Justice Advisory Council, the
10 national authority on environmental justice, has
11 specifically ruled that this, in this Bay, is an
12 environmental injustice.

13 This Bay was once the major commercial
14 fishing center on the West Coast. As I understand
15 your proposal, you would ignore both dioxin and, in
16 fact, the food chain. And I wonder how you could do
17 that legally, morally, in any way, when you're
18 dealing with nothing if not water and food resources
19 in this whole decision.

20 Second, it's a big mistake to plan for
21 the continued waste of about 90 percent of the water
22 that's used by industry. And we know this and your
23 staff Steve Ritchie knows a lot of how we know this
24 because we figured it out at more than a hundred
25 plants while he was with the Regional Water Board,

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1 here. By preventing pollution and doing it right,
2 we got, also, 90 percent, on average, of the water
3 and it was the cheapest water you'll ever see
4 because it payed for itself quickly and it cut
5 pollution.

6 Number three, you at CALFED, I don't
7 believe, can do that because you can't make industry
8 prevent pollution because there's no teeth in your
9 process. So it's a huge mistake, not just
10 enviromental injustice, but practically dumb for you
11 to shut out the communities as I think I've heard
12 your staff say you will do unless you reconsider
13 including our urban core.

14 We know we can conserve water and
15 prevent pollution because with communities we've
16 been doing it, but to offer that water to the
17 process we need to have the environmentally and
18 economically underprivileged communities being able
19 to do that, so, please, please, give our communities
20 money so that we can be a real part of this.

21 Thank you.

22 MR. BODOVITZ: Thank you, Mr. Karras.
23 Doug Wallace, Steve Evans, Nancy Nadel.
24 MR. WALLACE: My name is Doug Wallace
25 and I'm speaking for the East Bay Municipal Utility

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1 District tonight, with 1.2 million customers in
2 Alameda and Contra Costa counties.

3 Since before the beginning of CALFED,
4 East Bay MUD has taken an integrated resources
5 management approach to water and natural resources.
6 In addition to support for levee maintenance in the
7 Delta and local watershed management, East Bay MUD
8 has made significant contributions in water use
9 efficiency and natural resource enhancement -- for
10 example, despite a 26 percent increase in the number
11 of accounts serviced since 1968, East Bay MUD's
12 total water consumption today remains about the same
13 since that time -- as at that time.

14 East Bay MUD invests more per capita in
15 its water conservation program than any other large
16 water agency in the state. We're committed to
17 saving 35 million gallons a day through conservation
18 by the year 2020, as well as recycling another 22
19 million gallons a day by that time.

20 We've also invested heavily in
21 protecting the Mokelumne River, which is our major
22 source of water, and restoring the salmon fishery
23 there. In fact, the Mokelumne is one of only three
24 Central Valley streams where the fish doubling goal
25 has been achieved for salmon.

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1 The success story that Mokelumne is at
2 some risk though because of the proposed division --
3 diversion at Hood, which would empty out the
4 Mokelumne River at the central Delta and then
5 potentially service the major conveyance channel to
6 the export pumps. We're very concerned about the
7 potential negative impacts on the fall-run chinook
8 from the screened intake and canal through Hood and
9 from the proposed Joint Point of Diversion at the
10 export pumps. We strongly urge CALFED to identify
11 and implement mitigations for these projects before
12 their implementation to preserve the gains made in
13 restoring the Mokelumne fishery.

14 We urge CALFED to fund a study to
15 determine the real cost of water which would perhaps
16 be variable according to water, your type, season
17 and geographic location. This would incorporate all
18 market externalities. This could provide a rational
19 basis for determining the economically optimum level
20 of funding for conservation and reclamation
21 projects, projects that might not be locally
22 cost-effective, but that could yield a regional or
23 statewide benefit.

24 We're aware that CALFED is seriously
25 considering user fees to pay for its significant

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1 portion of the CALFED Bay-Delta Program. East Bay
2 MUD will carefully scrutinize any such proposal to
3 ensure that our rate payers' interest are protected.
4 If CALFED proposes a fee that reflects
5 user benefits, it must further develop its system of
6 crediting to include the many actions that East Bay
7 MUD has voluntarily taken on the Mokelumne River, as
8 well as actions by other water users which have
9 enhanced ecosystem values in the Bay-Delta
10 watershed.
11 East Bay MUD is working with San
12 Joaquin County interests on potential groundwater
13 projects in that region and we believe the
14 groundwater storage offers significant water supply
15 benefits at lower cost and with much less
16 environmental impacts than other types of storage.
17 Finally, we would urge CALFED to
18 clarify how it proposes to assure regulatory
19 certainty for water users, which will be linked to a
20 broadly supported ecosystem restoration program
21 before the record of decision. In the face of these
22 challenges, we remain strongly committed to working
23 with CALFED and the other stakeholders to develop a
24 balanced, community-inclusive program.
25 MR. BODOVITZ: Thank you, Mr. Wallace.

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1 Steve Evans, Nancy Nadel, Heather
2 McCormick.
3 MR. EVANS: Hello. I've Steve Evans
4 and I'm a third-generation Californian and I've
5 lived in the Bay Area since about 1967, and I'm also
6 the information services manager for the Ecology
7 Center of Berkeley, and I'd like to start my remarks
8 with the observation that Bruce Babbitt may have
9 been a little bit premature when he said that the
10 long war is at last over.
11 I think that, you know, like you people
12 have the sort of great misfortune of becoming the
13 battleground here, and I think we've heard a lot of
14 that going on today. And I think that, you know, in
15 wartime it's always the disadvantaged, it's the
16 powerless and it's those without resources who tend
17 to lose and, of course, the environment doesn't
18 really have very much money to spend, and I have a
19 great fear that the winners, especially in times of
20 drought, will be those who have the resources to pay
21 for water and I would really like to see this plan
22 have guarantees for the environment. There's not
23 enough guarantees.
24 There's not enough attention given to
25 water quality, and the -- the other disadvantaged

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1 people -- I mean the disadvantaged people who aren't
2 really mentioned in here -- are the farm workers who
3 have to, you know, like put the pesticides on the
4 fields which then go into the water systems and
5 become a problem with water quality, and I'd like to
6 see programs that address that -- address pollution
7 at the source.
8 I mean, perhaps we could, instead of
9 building new dams, make programs to give farmers,
10 especially small farmers or organic farmers, which
11 is more labor intensive -- we heard a lot about
12 employment in agriculture and I think we're aware
13 that, you know, big agri business doesn't employ as
14 many people as small organic farms. If we could put
15 incentives and inducements in for that level of
16 farming and perhaps give money for conservation
17 measures that cost too much for those small farmers,
18 that would be an excellent measure as well.
19 Thank you very much.
20 MR. BODOVITZ: Thank you, Mr. Evans.
21 Nancy Nadel.
22 MR. WAN: Hi.
23 MR. BODOVITZ: Whoops, sorry.
24 MR. WAN: My name is Danny Wan. I'm a
25 member of East Bay MUD and I'm speaking -- going to

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1 read a statement from Councilmember Nancy Nadel.
2 Also, I have a card and I'm going to combine the two
3 of us together so we can save some time.
4 MR. BODOVITZ: Good. Okay.
5 MR. WAN: I'm Danny Wan and speaking --
6 going to be speaking for Councilmember Nancy Nadel,
7 who represents west Oakland. I sit on East Bay MUD
8 board of directors board and I represent east
9 Oakland as well as Alameda and flatlands of Oakland
10 and west Oakland as well, so we do represent -- we
11 elected officials do represent some of the inner
12 city districts and urban areas that we've been
13 hearing about.
14 I want to first read the statement from
15 Councilmember Nadel and I want to just maybe have
16 time to tell you a little about what the citizens --
17 I hear the voters saying about our water policy in
18 the state.
19 Councilmember Nadel says, the
20 construction of a peripheral canal project added to
21 the June revision is very disturbing, particularly
22 because it was not in the December draft and there
23 was not sufficiently commented upon. Once again,
24 the plan is not proposing the needed and achievable
25 efficiencies as an expectation of the agriculture

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1 industries.
2 The process should also require a type
3 of residential water project in the Central Valley
4 communities so successfully modeled by the city of
5 Davis. Using Proposition 82 funding, Davis has
6 estimated that the project will eventually reduce
7 per capita water consumption by 20 percent. Demand
8 reduction and conservation must continue to be the
9 centerpiece of any plan. No municipality in
10 California should have unmetered water service.
11 The Oakland City Council will be
12 considering a resolution supporting the protection
13 of San Francisco Bay and Delta estuary.
14 In connection to that, when I ran for
15 election for East Bay MUD, that is the one thing
16 that the citizens do ask, is that will we -- when
17 ask citizens who spend money in rates, for
18 conservation devices are very expensive end
19 measures, and then we ask them -- they object at
20 first. Well, you explain to them that these are
21 necessary, these times in California, and then the
22 next question is, well, what is everybody else in
23 the state doing about it? And we have a hard time
24 explaining that within certain communities in
25 California does not meter their water use and yet

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1 our customers pay a three-tier water rate based on
2 consumption.
3 I think it is time that we consider
4 water conservation measures first so that we can
5 justify for voters like mine, in my district, before
6 we consider spending more of our money and my
7 customers' money on concrete and more projects that,
8 for East Bay MUD at least -- and I won't speak for
9 the board -- but the rest of my board -- has not
10 paid off when we try to pursue a concrete project
11 for the last two 20 years. I think some of you may
12 know what I'm talking about.
13 So -- And I think it is time that we be
14 smart and not waste any more time in pursuing
15 unrealistic solutions when we could be spending our
16 energy and time right now into water recycling and
17 conservations, more concentrated effort, that East
18 Bay MUD, if it had done 30 years ago, by now we
19 probably not -- may not have this problem any more.
20 Thank you very much.
21 MR. BODOVITZ: Thank you, Mr. Wan.
22 Heather McCormick, Hank Hanig, Paulette
23 Lagana.
24 Heather McCormick, Hank Hanig, Paulette
25 Lagana, followed by John Martin, followed by Sam

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1 Dolcini.
2 MS. LAGANA: Good evening. My name is
3 Paulette Lagana and I represent CAP-IT -- Community
4 Abatement of Pollution and Industrial Toxins -- and
5 we provide environmental education to the east
6 county communities of Bay Point, Pittsburg and
7 Antioch, a combined population of 150,000 people.
8 We all live on the Delta. We look at the Delta
9 every day.
10 We encourage you to consider the
11 following: Water conservation works; secondly,
12 restoration of -- of the fish population and the
13 ecosystem in the Delta is quite important to all of
14 us. Restoration of water quality through an
15 effective pollution prevent program is of equal
16 importance. In fact, it's more than equal; it's
17 extremely important.
18 Where I live in east county, we have 30
19 industrial facilities, including eight existing
20 power plants and two proposed power plants. All of
21 these industries are located on the shoulders of the
22 Delta. They all use water. And we have great
23 concerns regarding groundwater contamination and the
24 effects of these industrial processes on the Delta.
25 Fourth, please include dioxins in your list of

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1 contaminations of concern.
2 In conclusion, we ask you to restore
3 water quality by preventing pollution -- by
4 preventing pollution and improving treatment
5 techniques and by developing a priority program to
6 eliminate dioxin from the Delta.
7 Thank you on behalf of the
8 environmentally disadvantaged. Thank you.
9 MR. BODOVITZ: Thank you, Ms. Lagana.
10 John Martin. John Martin, Sam Dolcini,
11 Arlene Wong.
12 MR. MARTIN: I'm John Martin, and
13 having grown up on my family's dairy in a community
14 where cows outnumber people 30 to one, I always knew
15 that I wanted to grow up and be in California
16 agriculture. And when I graduated from college I
17 saw an employment in the animal feed business as a
18 way to help finance my personal entry into
19 production agriculture.
20 Now through this occupation that I
21 realized just what an effect that our agriculture
22 has on the economy. You see, part of my job is to
23 assist in animal feed export. Now, the company I
24 work for markets all of its exported feed through
25 this port of Oakland.

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1 Now, in fact, you're probably aware
2 that agricultural products make up about a quarter
3 of the \$10 billion export industry in this port of
4 Oakland. That's \$2.5 billion annually. And we're
5 talking about products such as feed grains, mixed
6 animal feeds and concentrates which are processed
7 here as well as compressed alfalfa and cubes. These
8 processes not only are processed here, but also
9 depend on those ingredients grown in Central Valley
10 in an area affected by the CALFED plan.

11 Now, if the economists estimate that
12 every dollar generated in production agriculture
13 turns over five times in the local economy, now
14 wouldn't it also stand to reason that any reduction
15 in their revenue would have a fivefold affect as
16 well?

17 Imagine, if you will, the affect in
18 transportation, transloading, warehousing, if we
19 idle that land that produces the products which are
20 marketed worldwide through this port of Oakland.
21 Field harvest to processing, to merchandising and
22 transportation, the agriculture products are
23 contributing to California's economy.

24 Taking productive ag land away from
25 farmers and agri business is akin to telling Detroit

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1 that you're shutting down their best raw steel
2 producing sites. Now, I'm afraid the California
3 CALFED plan will have repercussions beyond
4 agriculture itself.

5 We've got other options for improving
6 our wildlife habitat on private lands and assuring a
7 reliable water supply for California and, as it
8 stands, the current proposal, I feel, will be
9 detrimental to agriculture and businesses like those
10 in the Port of Oakland that rely on agriculture.

11 Thank you.

12 MR. BODOVITZ: Thank you, Mr. Martin.
13 Sam Dolcini, Arlene Wong, Russ Wilson.

14 MR. DOLCINI: Good evening, and thank
15 you much for the opportunity. And you're to be
16 commended on your patience here this evening. I'll
17 be as brief as possible.

18 I come to you this evening as a
19 concerned citizen, fifth-generation California
20 native, family whose history dates back to before
21 Abraham Lincoln was even president of the United
22 States.

23 I am also employed as a food production
24 specialist. Our family's been involved in
25 agriculture and producing food since the 1850s.

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1 Being here that long it's given us the opportunity
2 that our family has greatly expanded and diversified
3 and there's doctors, lawyers, laborers and writers
4 amongst our family which gives, when we meet as a
5 family, the opportunity to discuss issues very much
6 like the whole statewide community with a variety of
7 perspectives. The one thing that comes to light
8 time after time is any program that idles farmland
9 will be -- has the potential to be a great disaster
10 and storage must be considered.

11 For the one concept to consider is the
12 fact that farmers really don't use water. They take
13 seed, soil, water and combine it. It is the
14 consumer that consumes the food that is the actual
15 end user of the water. And, in that regard, as we
16 see the water that comes down the Delta, likewise,
17 the food, as it travels from the farm through the
18 infrastructure, the state creates numerous jobs, as
19 you've heard mentioned here earlier.

20 Likewise, this evening, we've also
21 heard a lot of talk about conservation, and, yes,
22 conservation has its role. In some regards we've
23 seen great respect and success with things like low
24 flow toilets, but at the same time we've also seen a
25 black market develop for the old fashion style that

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1 seemed to work better.

2 Anything that lessens our food
3 production capabilities and makes us dependent on
4 foreign food, I think, is a step in the wrong
5 direction and a very dangerous step to take, as we
6 saw in the 1970s, when we realized our dependence on
7 Middle Eastern oil and were unable to provide our
8 own. At that point in time, Jimmy Carter suggested
9 every one of us turn our heaters down five degrees
10 and wear a sweater to keep our homes warm. That
11 will work when you're short of oil, but when you're
12 short of food, I don't think the sweater will do
13 well for supper.

14 Thank you very much.

15 MR. BODOVITZ: Thank you, Mr. Dolcini.
16 Arlene Wong, followed by Russ Wilson,
17 then we'll take another very short break.

18 Ms. Wong.

19 MS. WONG: Good evening. My name is
20 Arlene Wong and I'm a resident here in Alameda
21 County and I work at the Pacific Institute. I
22 wanted to address my comments this evening to
23 CALFED's impacts on communities, framed in terms of
24 environmental justice analysis.

25 Well, I can appreciate the limits of

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1 assessing impacts in a programmatic document.
2 CALFED must go farther in its analysis of potential
3 environmental justice impacts. It correctly
4 identifies farm workers and agri business workers as
5 a specific population that may be adversely
6 affected, but it needs to extend this analysis to
7 identify other environmental justice communities
8 that may be affected by its programs.
9 I'm concerned that this will go forward
10 to a record of decision without acknowledging
11 responsibility to identify and address these
12 impacts. For example, the potential impacts of the
13 water quality program in your chapter on
14 environmental justice is assessed in terms of the
15 potential of land retirement to impact agricultural
16 jobs. It does not contain an analysis of how water
17 quality in the Delta or Bay waters may adversely
18 affect the communities along these waters, who rely
19 on it as a place where they live, work, play and as
20 a source for food -- many of them communities of
21 color.
22 The history of these communities in
23 dealing with burdens from industrial pollution,
24 pesticides and other toxics demands that CALFED
25 carefully assess the water quality and other impacts

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1 on these populations.
2 Water quality improvements must extend
3 beyond the areas that feed into diversion intakes.
4 They must be more regional in scope to ensure water
5 quality improvements for all communities along the
6 delta, river and bay waters. It must not miss the
7 opportunity to work with these communities who are
8 dealing with these issues every day.
9 This narrow focus limits the
10 opportunity for CALFED to be a leader in regional
11 solutions and improvements across its program areas,
12 and a way to benefit communities across these areas.
13 Thank you.
14 MR. BODOVITZ: Thank you, Ms. Wong.
15 Russ Wilson.
16 MR. WILSON: I'm -- I'm Russ Wilson.
17 I'm a member of the Golden Gate Audubon Society
18 Conservation Committee.
19 Tonight in the video presentation there
20 was considerable emphasis on habitat restoration,
21 which is fine, but there's no mention of habitat
22 destruction, which is a byproduct of this program.
23 Riparian habitat, which supports the most
24 diversified representation of bird life, would be
25 destroyed, destroyed by the inundation of rivers,

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1 creeks, streams and other bodies of water that are
2 dammed. That is not restoring ecological health.
3 Certainly, the health of the Bay, which
4 is already in bad shape, would be further diminished
5 by the diversion of fresh water. It needs more
6 fresh water to restore its ecological health, not
7 less.
8 MR. BODOVITZ: Thank you, Mr. Wilson.
9 It's 9:30. We'll resume at 9:40 sharp.
10 (Off the record at 9:30 p.m.)
11 (Back on the record at 9:38 p.m.)
12 MR. BODOVITZ: Just to let you know a
13 little logistics problem, I don't know how long
14 we'll be going, but a number of us have cars parked
15 in the garage across the street which closes at 11,
16 and in the interest of not spending the entire night
17 here, we'll take a break about 20 minutes of 11,
18 which will allow people to move cars as quickly as
19 we can get that done. If we let our reporter go
20 first so she can get her car out and return, then
21 we'll resume as soon as she's back. But that --
22 We've got an hour, so let's see how we're doing at
23 20 minutes to 11.
24 Pat Gannon is first, followed by Mardi
25 Leland, followed by Rebecca Kaplan.

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1 No Pat Gannon, okay. Mardi Leland,
2 Rebecca Kaplan, followed by Allen Chan.
3 MS. KAPLAN: Well, I guess that means
4 I'm up.
5 Hi, my name is Rebecca Kaplan and I
6 work for State Assembly Member Audie Bock who
7 represents the 16th Assembly District which includes
8 Oakland, Alameda and Piedmont, and I, myself, live
9 in Oakland. And I just think, you know, it's really
10 interesting the question of where are we going to
11 get this water and where's the more water going to
12 come from.
13 I'd like to say that I very much
14 believe in supporting our local farms. I was very
15 happy to see so many members of our local California
16 farms here tonight to speak out on issues that they
17 care about, and I want to encourage everybody here
18 to continue to support our local farms.
19 I'm very pleased to be able to say that
20 about 90 percent of the food I buy comes from very
21 near here within California from local farms, and I
22 think that, you know, one of the questions that was
23 raised by a lot of the farmers is the inability to
24 afford more conserving methods because they're
25 afraid they'll have to compete with food from other

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<p>1 countries that have even fewer regulations than we 2 have, and so for those of us who really care about 3 conservation, I would encourage us to support our 4 local farms, especially our smaller local farms, so 5 that they can afford to change their approach to 6 something that uses more conservation.</p> <p>7 In terms of conservation, in general, 8 I'm really glad that you are all working on this 9 report. I'm sure it's a thankless task. And I want 10 to encourage you to really consider conservation 11 much more than you do. For those who say it's not 12 possible, we know that that's not true. We know 13 that every other country on the planet manages to 14 use less water per capita than we do, so to say it's 15 not possible is -- well, flies in the face of 16 reality.</p> <p>17 So I would encourage you to look more 18 strictly at conservation. There's a lot more we can 19 do. We can use a lot more what's called graywater 20 systems and other ways of recycling water.</p> <p>21 Human beings are the only mammal 22 foolish enough to pee in our drinking water. We 23 take water, we filter it, we clean it, we 24 chlorinate, we clean it again, and then we pipe it 25 into toilets. I realize that's not something that</p> <p style="text-align: right;">125</p>	<p>1 MS. KAPLAN: -- and I hope that you 2 will seriously consider dioxin in your study.</p> <p>3 Thank you very much.</p> <p>4 MR. BODOVITZ: Thank you, Ms. Kaplan. 5 Allen Chan, followed by David Briggs, 6 followed by Tim Quinn.</p> <p>7 MR. CHAN: Hello, my name is Alan Chan. 8 I was born in San Francisco and I've lived here in 9 the Bay Area my entire life.</p> <p>10 I have several concerns about CALFED's 11 Bay-Delta plan. I'm concerned that this plan has 12 not adequately explored the options of improved 13 groundwater management and water conservation, and 14 instead has focussed on building more dams. I'm 15 concerned about the plan's affect on water flow and 16 how that will affect the delta's ecosystem. I'm 17 concerned about water pollution and that the plan 18 does not include dioxins in its list of contaminants 19 of concern. I'm concerned if the environmental 20 justice issues are being fully addressed.</p> <p>21 I strongly encourage CALFED to 22 thoroughly revisit all of these issues before 23 proceeding with its plan.</p> <p>24 Thank you.</p> <p>25 MR. BODOVITZ: Thank you.</p> <p style="text-align: right;">127</p>
<p>1 can change over night, but since this is a long-term 2 view, it's something we could start thinking about. 3 Maybe the water that comes out the back end of the 4 dishwasher could be used to fill the toilet instead 5 of the water that already got cleaned and purified 6 for drinking.</p> <p>7 I also want to strongly suggest that we 8 don't consider or begin instruction on any more 9 dams. The statement that, well, we just need more 10 water -- unfortunately, there isn't more water, and 11 if you build a dam, you're just diverting water from 12 another source such as trees or wildlife or other 13 places. So to say to build dams to get more water, 14 well, dams don't get more water, they just move it.</p> <p>15 So I want to encourage you to look at 16 ways to conserve both so that people will have good, 17 clean water to drink and to keep the farmers having 18 enough water. If all of us conserve, then we can 19 all have enough.</p> <p>20 And, finally, on a personal note, I 21 want to say that both my mother and my aunt came 22 down with breast cancer this year and there's a lot 23 of evidence that that's because of dioxin --</p> <p>24 MR. BODOVITZ: I'm sorry to stop you 25 here.</p> <p style="text-align: right;">126</p>	<p>1 David Briggs, followed by Tim Quinn, 2 John Negretts.</p> <p>3 Mr. Briggs.</p> <p>4 MR. BRIGGS: Good evening. Dave Briggs 5 with the Contra Costa Water District.</p> <p>6 CCWD has always been concerned with the 7 health of the estuary and the Delta as a drinking 8 water source and as an important and diverse 9 ecosystem. The Delta -- CCWD's sole source of 10 water, part of our service area is actually in the 11 Delta, so it's something that is actually part of 12 our district in every way. Within the CALFED 13 process CCWD's role has been active, constructive 14 and, most importantly, hopeful.</p> <p>15 Tonight I have two brief comments 16 related to the EIS/EIR. CCWD will be submitting 17 substantial written comments later, of course. The 18 first point -- Well, first, let me state that I 19 appreciate the complexity of the CALFED task, 20 certainly. There are many competing needs and 21 beneficial uses. There are no easy solutions or it 22 wouldn't be in this quandary right now.</p> <p>23 The first point, I want to commend 24 CALFED for integrating drinking water quality into 25 its planning efforts. Previously, the impacts and</p> <p style="text-align: right;">128</p>

1 benefits to drinking water quality were mostly
2 incidental -- that is, after visions for the
3 preferred alternative were designed and evaluated
4 mostly for water -- water supply reliability, and/or
5 ecosystem enhancement, the drinking water quality
6 parameters of concern were evaluated after the fact,
7 and it's great to see that they're taking this on in
8 much proactive manner.

9 This is probably easiestly seen or
10 manifested in the establishment of the drinking
11 water, the Delta Drinking Water Council, which CCWD
12 looks forward to participating in. The water
13 quality parameters of concern which I'm referring to
14 are salinity and organic carbon.

15 The second point I want to make related
16 to the EIS/EIR is we want to encourage the
17 evaluation for the potential of additional ground
18 and surface water storage increases -- additional --
19 additional ground and surface water storage to
20 increase system flexibility, to improve conditions
21 for Delta fisheries that are of concern, and, most
22 importantly, to evaluate how additional storage can
23 improve drinking water quality.

24 The cost effectiveness of these
25 facilities is obviously part of the mix and needs to

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1 be factored in, and my comment in this area is,
2 basically, we want to see the continuation of this
3 evaluation for additional facilities with this
4 perspective of system flexibility, drinking water
5 quality, protection enhancement and ecosystem
6 enhancement as well.

7 Thank you. Good night.

8 MR. BODOVITZ: Thank you, Mr. Briggs.
9 Tim Quinn, John Negretts -- sorry --
10 and Bob Raab.

11 MR. QUINN: My name is Tim Quinn. I'm
12 deputy general manager of the Metropolitan Water
13 District of Southern California. My region of the
14 state has been referred to at least a couple of
15 times this evening.

16 I have to use some of my precious
17 seconds to commend you for your perseverance and
18 your attention at this late hour.

19 I want to make two points. The first,
20 for you and for the audience, is to underscore some
21 of the profound changes in California water that we
22 believe can contribute to the success of CALFED, and
23 the second is to underscore some actions that we
24 would urge CALFED to take immediately.

25 With regard to the first point, much

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1 has changed since 1985, when I first started in this
2 business, and nowhere are those changes more
3 profound than in the attitudes and water management
4 strategies of Southern California.

5 With respect to the Bay-Delta
6 ecological resources, in 1992 Metropolitan strongly
7 supported and worked for the passage of the Central
8 Valley Project Improvement Act. In 1994 we, were
9 amongst the leaders in creating the Bay-Delta Accord
10 which dedicated more than a million acre-feet of
11 water for environmental purposes.

12 In that same year our rate payers
13 provided the first \$30 million for ecosystem
14 restoration projects. In 1996, our primary
15 political goals were the passage of state and
16 federal legislation that grew that \$30 million to
17 more than a billion dollars for ecosystem
18 restoration.

19 Meanwhile, in Southern California,
20 we're engaging in an \$8 billion program putting our
21 money where our mouth is in new water management
22 attitudes. Two billion for reclamation and
23 desalination, a billion for conservation, two
24 billion to keep the Colorado River aqueduct full,
25 another three billion for water management and

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1 storage programs to shift our demands away from the
2 dry times when the system is stressed to the wet
3 times when stress is less.

4 The impact of those programs is
5 dramatic. In 1985 we projected that in a future
6 drought year we would need our full entitlement of
7 two million acre-feet of state project water. It
8 was going to be about 40 percent of our total needs.
9 Today we expect to use only about a third of our
10 state project entitlement and it's about 12 percent
11 of our future drought year demands. Those changes
12 make the success of CALFED possible today when it
13 wouldn't have been possible 15 years ago.

14 We urge action now. Just a few things
15 we'd like to see happening. First, a program to
16 improve source water quality for urban drinking
17 water purposes; second, implement the South Delta
18 Program; third, negotiate an Environmental Water
19 Account that works not only for environment but for
20 water users; fourth, adopt regulatory assurances
21 that protect the urban and ag economies against
22 unexpected adverse impacts in the future; fifth,
23 make a decision about groundwater and surface water
24 storage soon, consistent with the ISI.

25 Last, let me emphasize that for

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1 Metropolitan success is not measured in whether you
2 build an isolated facility or not. We want better
3 water quality, but we want it through the lowest
4 cost means possible, and if that means an isolated
5 facility, fine. If it doesn't, that's fine. But we
6 urge action now that benefits both the environment
7 and the economy of California.

8 Thank you.

9 MR. BODOVITZ: Thank you, Mr. Quinn.
10 John Negretts, followed by Bob -- John
11 Negretts?

12 UNIDENTIFIED SPEAKER: He has gone.

13 MR. BODOVITZ: Bob Raab followed by
14 Bill Emmington, followed by Cynthia Johnson.

15 MR. RAAB: I'm Bob Raab. I'm
16 representing San Francisco Estuary Project and the
17 Save the San Francisco Bay Association.

18 The EIR addresses one of its key points
19 is to modify the timing and magnitude of flows to
20 restore the ecological processes and improve
21 conditions for fish, wildlife, plants, so forth, in
22 the Bay-Delta system.

23 I've been on the advisory council for
24 four years and it didn't take me very long to start
25 speaking at the council meetings and saying, I feel

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1 like I'm a member of the Delta Advisory Council.
2 When is the Bay going to show up? And that is
3 manifest in the EIR.

4 And one of the important things that
5 has never gotten addressed is the need for baseline
6 flows into the bays as well as the rivers and the
7 Delta. Bruce Babbitt recently came on line saying
8 that he thought was essential that we have baseline
9 flows. He wasn't speaking just of California, he
10 was speaking nationally, but taking us in, also.

11 The San Francisco Estuary Project has
12 adopted a -- a priority for the next five years of
13 working toward getting a baseline flow standard for
14 San Francisco Bay, which it does not now have. It
15 has an X2 standard for Suisun, which is some help,
16 but it's not adequate.

17 And, also, the Marin County Board of
18 Supervisors has recently adopted a resolution of
19 support for baseline flow and it's asking every city
20 council and every board of supervisors in the nine
21 counties of the Bay Area to do likewise.

22 So the point is, here, that you, CALFED
23 and the policy group, will be hearing from the Bay
24 Area in one way or another about getting baseline
25 flows.

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1 Thank you.

2 MR. BODOVITZ: Thank you.

3 We have Bill Emmington, followed by
4 Cynthia Johnson, followed by Laura King.

5 MR. EMMINGTON: I'm a part-time Delta
6 resident. I know the area fairly intimately, that
7 is the point that the Sacramento River flows into
8 the Suisun Bay on the Solano County side.

9 At one time the natural flows of the
10 rivers flushed the slews and marshes of the Delta
11 naturally, prevented saltwater intrusion, and, in
12 fact, at some times of the year, the freshwater flow
13 velocity and volumes was so great that there was
14 fresh water up to three miles outside the Golden
15 Gate.

16 Because of necessary and competing
17 uses, the excessive water diversions and --
18 excessive water diversions, this has ceased to be
19 the case. In the interest of balance of water uses
20 and ecosystem maintenance, and/or recovery, water
21 management is necessary. The excessive but
22 necessary management is what I have a problem with.

23 I know most of you are familiar with
24 the Suisun Marsh, the vast aquatic bird habitat and
25 breeding area on the Pacific migratory flyway.

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1 Montezuma slew surrounds the marsh. It was a
2 free-flowing and tidally flushing waterway, from its
3 eastern mouth near the Montezuma hills and its
4 opening on the western side of the marsh close to
5 Benicia. This is no longer the case.

6 Recently, near the eastern mouth of the
7 slew, a salinity control structure or water lock was
8 built. This is a prime example of water management
9 necessary for eco maintenance. I suggest that
10 people who are interested in seeing the effect of
11 excessive water exports and requisite management
12 visit this water engineering monolithic project.
13 Montezuma is now -- is no longer a free-flowing
14 slew.

15 MR. BODOVITZ: Thank you,
16 Mr. Emmington.

17 Cynthia Johnson, Laura King, followed
18 by John Steere, Don Bartlett.

19 MS. KING: Thank you. Good evening. I
20 know it's late, so I'm going to be very short. I am
21 director of planning for the San Luis and
22 Delta-Mendota Water Authority, which is a large
23 umbrella agency in the San Joaquin Valley and we
24 serve 30 member agencies, agricultural districts
25 covering over a million acres. In addition, we

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1 serve the Grass and Water District, which is a
2 200,000-acre wetland refuge and last, but not least,
3 we serve the Santa Clara Valley Water District,
4 which is here in the Bay Area, it serves 600,000
5 urban residents and some of the Silicon Valley
6 companies.

7 I came here tonight -- I wanted to make
8 sure, here in Oakland, that we had a good
9 representation of the agricultural perspective on
10 CALFED, and I think you've already heard a lot of
11 that perspective, so I'm not going to go into what
12 our concerns are with CALFED. We'll be submitting
13 written comments and so you'll hear all about our
14 concerns.

15 I want, tonight, to emphasize three
16 aspects of CALFED that were actually very supportive
17 of -- the first is the ag efficiency program. It's
18 a very aggressive program that has some of our folks
19 somewhat concerned, but it's based on an incentives
20 approach and I predict that it will succeed much
21 more than any kind of mandatory efficiency program
22 would have. I think it will succeed beyond our
23 wildest dreams. So I'm very pleased to see that
24 program developing in that direction.

25 The second aspect of CALFED that we're

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1 very supportive of is the ecosystem program's
2 approach in trying to attack all of the different
3 factors that are causing problems for the ecosystem,
4 not just flows. We do have concerns about some of
5 the flows that have been talked about and people
6 have a lot of fears about those, but I want to
7 emphasize that we think that the programs looking at
8 other things -- for example, on base of species,
9 trees for temperature control and various other
10 things, are things that we think need to be looked
11 at as well as flows.

12 Last -- I see I'm running out of the
13 time -- the Environmental Water Account, that Tim
14 Quinn mentioned earlier, we see as a very promising
15 approach that will use water more efficiently and,
16 therefore, make more water available, both for the
17 environment and for water areas.

18 Thank you.

19 MR. BODOVITZ: Thank you.

20 John Steere, Don Bartlett, Roberto
21 Valdez.

22 MR. STEERE: Good evening. I want to
23 first appreciate CALFED's broad public outreach in
24 an attempt to be thorough and comprehensive to
25 bounce the many interests that are currently at the

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1 table, and also for really try to set a foundation
2 for science-based approach to planning for the
3 state's water's needs.

4 I'm director of the San Francisco Bay
5 Joint Venture, which is a 23-member agent of
6 agencies, nonprofits working in partnership for the
7 restoration and enhancement of the bay's wetlands
8 and creeks. Agencies such as the Regional Water
9 Control Board, EPA, Fish and Wildlife Service, Save
10 the Bay, Audubon, Sierra Club, et cetera, are on our
11 board of directors.

12 And we're also seeking to carry out the
13 habitat goals project, a unique partnership-oriented
14 plan that calls for the restoration of -- through
15 voluntary means of 60,000 acres of wetlands around
16 the Bay Area.

17 So, obviously, our concern is for the
18 restoration of the estuary, and the key to this is
19 the -- is the assurance of freshwater flows through
20 the Bay; otherwise, those efforts to enhance the
21 quality of life, retain the quality of life in the
22 Bay Area, and the restoration of these wetlands for
23 all the purposes they serve, from protecting and
24 enhancing the endangered species, providing for the
25 50 percent of the waterfowl that use the Pacific

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1 flyway that come through the Bay Area, two-thirds of
2 the shorebirds that use the Bay Area, which,
3 actually, I feel are given short shrift in the
4 CALFED proceedings with great emphasis on fisheries
5 and fisheries restoration, but not a very strong
6 emphasis on wetlands benefits for other wildlife
7 species such as the waterfowl which are critically
8 dependent upon the wetlands in the Bay Area for
9 their needs.

10 Suggest that we need to integrate our
11 collective thinking in order to achieve an
12 integrated solution that won't further sacrifice the
13 health of this estuary while also providing for the
14 other water -- the necessarily needs for crops and
15 people.

16 Water is -- in our environment is a
17 finite resource, and while the desire for more water
18 is understandable, it's also unrealistic. That
19 supply is limited and CALFED solution should affirm
20 and integrate that realization. It can't be
21 expanded without further degrading the Bay estuary.

22 With the prospect of additional
23 facilities, that would reaffirm the status quo
24 approach and this is not the kind of approach we
25 need. We need logic to resolving in a holistic

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1 fashion. So with the potential for so much more
2 water export, we really need to look at how we can
3 shore up rather than further degrade our water
4 resources in the Bay.
5 So I really would encourage that -- the
6 CALFED to really rethink its approach to
7 incorporating the Bay and the freshwater flows
8 necessary for the ecological restoration to
9 accomplish the mission of CALFED, which includes the
10 ecological health of the Bay-Delta.
11 Thank you.
12 MR. BODOVITZ: Thank you, Mr. Steere.
13 Don Bartlett. Don Bartlett. Roberto
14 Valdez.
15 MR. VALDEZ: My name is Roberto Valdez,
16 and I work in Oakland as a librarian and living in
17 Vacaville so that I'm speaking as a concerned
18 California citizen on this project.
19 I should say my son's here, is Gavin.
20 He's been enduring this evening with me.
21 My knowledge of the -- environmental
22 knowledge of the Bay-Delta has been primarily to my
23 son's scouting activities and science project and
24 have come to realize that -- the fragile natural
25 beauty in the Bay-Delta over the past three years.

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1 connections with the other libraries and, you know,
2 the schools, again to educate the public about this
3 important project.
4 Finally, I'd like to encourage that
5 you -- that we pursue extensively a water
6 conservation through water education rather than
7 environmental alteration in dealing with the
8 Bay-Delta.
9 Thank you.
10 MR. BODOVITZ: Thank you, Mr. Valdez.
11 Your son is the first person we've had at the
12 microphone in any of these hearings with the Pokemon
13 T-shirt.
14 Melissa Miller, David Schonbrunn, D.A.
15 Tuma.
16 MS. MILLER: Hi, I'm Melissa Miller.
17 I'm with California Trout and we're an organization
18 of over 5,000 fly-fishers. Our mission is to
19 protect and restore wild trout, native steelhead and
20 their waters in California.
21 We believe that better solutions are
22 available in the current CALFED Phase II
23 alternatives. We do not want to see more dams and
24 reservoirs built throughout the state. We want to
25 see CALFED use free market forces to encourage the

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1 Since July 1998, I have watched with a
2 growing interest the way -- the various ways that
3 CALFED has decimated -- decimated information about
4 the Bay-Delta program. For example, I've seen your
5 printed documents, your -- you know, your internet
6 site, and you -- I followed some articles and your
7 PBS program which you televised and also the --
8 the -- I heard some of your comments on the radio
9 recently, and I'm delighted to know that you came up
10 with a CD of that.
11 But since I am still not sure that the
12 public realizes the full impact that the -- that
13 this program's going to have on the Bay-Delta,
14 regardless whether you build a -- you know, whatever
15 sites of peripheral canal or the number of dams to
16 implement the Bay-Delta, I want to urge that CALFED
17 adopt a more aggressive, intensive approach,
18 publicity-wise, in educating the public about the
19 CALFED Bay-Delta Program.
20 Also, I would like to suggest that --
21 that you publicize regularly the CALFED Delta
22 program through the various mass media, rather than
23 just when you're having a public hearing, and you
24 work closely with California state library and the
25 California's Department of Education, with their

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1 development of new efficiencies in water use. We
2 want more reliance on water conservation to augment
3 the water supply and more reliance on groundwater
4 storage.
5 We do not want a peripheral canal to
6 solve water quality problems. We want water quality
7 problems solved at their source, not through
8 expensive engineered solutions. We want more water
9 provided for the restoration of threatened fisheries
10 and damaged watersheds without building new dams.
11 And, in addition, I wanted to add, the
12 woman who spoke from the League of Women Voters
13 mentioned tying the Trinity flow decision to CALFED,
14 and having it considered as part of CALFED, and I
15 have to say we work closely with the Friends of the
16 Trinity, and I can say very clearly that that's not
17 what they want, that's not what we want. The
18 secretary has everything he needs to make a decision
19 without tying it into CALFED and we certainly hope
20 that he'll do what's right. So, thank you.
21 MR. BODOVITZ: Thank you.
22 David Schonbrunn, D.A. Tuma, Richard
23 Izmirian.
24 MR. SCHONBRUNN: I come from Marin
25 County, where we've had a lot of experience with

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1 water shortages. As a member of Marin Conservation
2 League, I was active in the political process to
3 change our water district's focus from a traditional
4 plumbing orientation to an emphasis on water
5 efficiency. I'm pleased to report this approach has
6 been very successful.

7 The issues before CALFED are very
8 similar. A similar emphasis on efficiency will be a
9 critical part of a viable solution.

10 You've heard a lot of farmers tonight
11 demand an expanded water supply. Before that
12 happens, Central Valley cities are going to have to
13 be prodded into efficiency programs with water
14 meters. That's just basic.

15 CALFED has a big educational task ahead
16 of it, including such things as getting efficiency
17 going. I've heard a lot of very one-sided comment
18 here tonight and I feel that you have a very
19 important role in educating people towards these
20 multi-disciplinary and multi-pronged approaches.

21 On a more fundamental note, I'm
22 concerned that CALFED is not achieving an adequate
23 level of collaboration. The process has tiptoed
24 around an elephant in the middle of the room. Your
25 mission includes restoring ecological health of the

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1 Bay-Delta and, yet, you offer no agreement to
2 provide more fresh water to the Bay and Delta.

3 For this to be true, after four years
4 of CALFED, that's a strong message to me that ag and
5 Southern California interests are still not serious
6 about the ecological restoration mission of CALFED.
7 They seem to support it as long as it doesn't affect
8 them. This has got to stop.

9 Many environmental and citizens groups
10 will vigorously oppose any new facilities or
11 diversions until the Bay-Delta is protected. I'm
12 troubled by ongoing efforts to overturn CVPIA, which
13 have been very destructive of trust. If the parties
14 in CALFED really want a successful collaboration,
15 they're going to have to fully buy into the mission,
16 which means stopping the attempt to undermine CVPIA.

17 We can either cooperate or fight.
18 There must be an enforceable regime in place to
19 protect flows into the Bay and Delta. That's the
20 bottom line. It's a prerequisite to consideration
21 of additional storage.

22 Do the proponents of more storage
23 seriously think Northern Californians are going to
24 give them a blank check for diversions? There must
25 be a cap on diversions and guaranteed flows before

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1 there's any possibility of structures being built
2 that would allow unlimited amounts of flows to be
3 taken south.

4 Finally, the costs of restoration and
5 the costs of any infrastructure must be paid by the
6 entities that benefitted from this history of cheap
7 water and environmental degradation. This is not
8 appropriate for the taxpayers.

9 Thank you very much.

10 MR. BODOVITZ: Thank you,
11 Mr. Schonbrunn.

12 D.A. Tuma, Richard Izmirian, Henry
13 Clark.

14 MR. TUMA: My name is D.A. Tuma. I'm a
15 libertarian party candidate for congress in District
16 3. There was about 4,000 people voted for the last
17 candidate in '98 and I hope to speak on their behalf
18 and possibly a few more in the year 2000.

19 We have a different alternative. We
20 like to put forward to the people rather than
21 retiring farms and crossing our legs and just
22 holding it, we suggest that we retire a little
23 government. I stand corrected, retire a lot of
24 government.

25 Let me give you my Web site address.

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1 It's www.sacto.com/lps, and you can go there and
2 look for the candidates in the year 2000 and find me
3 and about 50 pages' worth of discussion on how
4 Hutchinson was just a microcosm of government
5 corruption. You can go from there to the Legal
6 Women Voters site where I posted an equivalent
7 lengthy discussion about how -- how much confusion
8 and just plain lies have been told by the
9 environmental community to get anything they can.

10 In fact, what you've heard tonight was equivalent of
11 Oliver Twist coming up to the operator of his
12 orphanage saying, please, Mister, can I have another
13 bowl of porridge?

14 Well, for -- for a country that's
15 supposed to be the home of the brave and the land of
16 the free, it's really pathetic to see this going on.
17 And I just -- And I'd like to see it quit.

18 Good night.

19 MR. BODOVITZ: Thank you.
20 Richard Izmirian, Henry Clark, Raymond
21 Yee.

22 MR. IZMIRIAN: Thank you. Good
23 evening. You guys are tough. Thanks for all your
24 attention.

25 My name is Richard Izmirian. I'm a

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1 member of the Bay-Delta Advisory Council,
2 representing the California Sport Fishing Protection
3 Alliance. I'm also a director of the Federation of
4 Fly-Fishers. I have a business in San Mateo and am
5 the grandson of a San Joaquin Valley farmer, which I
6 think is important for some reason.

7 Normally considered a fish guy, but
8 tonight I'm dusting off my old economics degree to
9 talk about the financing plan for the CALFED
10 program. CALFED has expended a lot of wind talking
11 about a market-based solution to California water
12 problems. My initial scepticism fell away as we
13 talked about internalizing the environmental costs
14 of water diversions and exports, the users paying
15 the real costs for the water being consumed or
16 degraded.

17 We talked about realistic pricing of
18 water by developing water markets through a
19 streamline water transfer system. I fantasized
20 about the individual farmer making microeconomic
21 choices, paying the marginal costs of newly
22 developed water supplies or perhaps choosing instead
23 to buy water from a willing seller, put in
24 subsurface drip irrigation or even selling water to
25 someone who might receive higher economic value and

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1 economic efficiency from the use of that water.

2 This is the engine that would drive the
3 water demand reduction program and maybe leave some
4 water in the system for fish to thrive in. Cries
5 for new water storage reservoirs would be a distant
6 memory.

7 Real markets don't have subsidies. We
8 can't have it both ways. The CALFED environmental
9 documents say that beneficiaries pay. Sounds good
10 until we read the definition of beneficiary. In the
11 CALFED lexicon, the public is a beneficiary of new
12 surface storage reservoirs because not all of the
13 water will be diverted to agriculture and MNI. The
14 documents indicate that the public is expected to
15 subsidize a substantial portion of the CALFED
16 program because the public benefits. So much for
17 internalizing the environmental cost of water
18 development.

19 The choice a water user will make on
20 whether or not to build a new reservoir will depend
21 very much on whether the user pays or whether the
22 public pays. The documents discuss a broad-based
23 user fee. If such a fee were dedicated to the
24 public benefits category, the of issue of who is a
25 beneficiary would disappear.

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1 My recommendation is that this
2 broad-based fee be used in lieu of taxpayer dollars
3 to fund the CALFED program for those costs that
4 cannot be directly charged to a water user. The fee
5 should be equitably charged on an acre foot basis.

6 The document suggestion that agriculture pay half
7 the rate of MNI in -- is another inequitable subsidy
8 for agriculture and will therefore hamper
9 market-based solutions for California's water
10 problems.

11 The aquapice (ph) continues to squeeze
12 California for every drop of water and every
13 possible subsidy. The fish should not have to pay
14 for their water. The aquapice already owes a huge
15 debt to the public trust and it's time for it to
16 start paying the debt.

17 Thank you.

18 MR. BODOVITZ: Thank you.

19 Henry Clark, Raymond Yee, Ivan Sturman.

20 MR. CLARK: Good evening. I'm Henry
21 Clark. I'm director of the West County Toxics
22 Coalition and environmental justice group.

23 I have a couple of points that I want
24 to address. Specifically, again, the environmental
25 justice issue here. We need to make this process

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1 inclusive. We need to get people from the
2 environmental justice community on your advisory
3 committees, as well as looking at the communities in
4 this area, also, that can benefit from this project.

5 As I indicated, in my community, in
6 north Richmond, you know, we have urban creeks, we
7 have marshlands, we have all of that. You're
8 talking about conservation. Well, it's not only
9 just people's toilets that we want to address, but
10 we want to also address the wasteful -- of farm
11 practices where water is wasted in large quantities.

12 We also want to address the issue of --
13 of environmental justice in terms of resource
14 allocation, not just having people on the councils
15 or on the committees. That's a first step. But
16 beyond that, ensuring that those are communities
17 have access to resources that they could participate
18 in projects like urban creek restoration or
19 marshland restoration.

20 In my community, we are the --
21 participated in one of the largest water
22 conservation projects in Northern California with
23 East Bay MUD and our community where we -- the East
24 Bay MUD water reclamation project that saved about
25 five million gallons a day of drinking water,

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1 potable water, that Chevron used in their cooling
 2 towers at the refinery and replaced that with
 3 treated water from the sewage treatment facility
 4 that's pumped out to the refinery.

5 So we've been involved in water
 6 reclamation and urban creek projects all along. But
 7 now that this process have come forward, we want to
 8 be involved because we have something to offer and
 9 this project could work out for the benefit of all
 10 of us in California, but it would have to be
 11 inclusive; otherwise, it won't work out right.

12 Thank you.

13 MR. BODOVITZ: Thank you, Mr. Clark.
 14 Raymond Yee, Ivan Sturman, Karen
 15 McPherson, Robert Erickson, Ken Dawdy, followed by
 16 Drew Caputo, followed by Nina Eloesser.

17 Those are the last cards I have.

18 MR. ERICKSON: I guess I'm the first
 19 one on the not missing list. I'm Robert Erickson.
 20 I'm a member of the board of directors of the Bay
 21 Institute and I'll be very brief.

22 We endorse the resolution adopted by
 23 the board of supervisors of Marin County which will
 24 be adopted by many more communities in the Bay Area
 25 and you'll be a recipient of those. And I want to

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1 can remember when I was able to catch fish from the
 2 Bay and eat them, and my grandchildren won't be able
 3 to do that. I can remember when I could ride my
 4 bike amongst orchards and open space, now it's strip
 5 malls. My grandchildren can't experience that.

6 I can remember when I shared with my
 7 students and my children the free-flowing Stanislaus
 8 River. It's gone now. Sometimes I worry that our
 9 children will be kind of like animals in a zoo.
 10 They won't realize what rich heritage their
 11 ancestors experienced.

12 So I just have a few questions. Is it
 13 true what I heard that in Israel they grow the same
 14 crops in somewhat the same climate at one half the
 15 per capita water use as we do here in California?
 16 If it's true, can we learn something from this
 17 experience? Is it true that much of the
 18 agricultural water is subsidized? Doesn't that
 19 discourage conservation, encourage waste? Seems
 20 like a lose/lose situation if that's true. If the
 21 government needs to throw money around, can they
 22 throw it in the direction of conservation instead of
 23 encouraging waste?

24 These are just some of my concerns. I
 25 haven't gotten involved in environmental issues much

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1 mention three specific parts of that resolution.
 2 One, there should be an assured defined flow of
 3 fresh water into San Francisco Bay, and; two, there
 4 should be maximum resources expended, including the
 5 financial resources necessary for water conservation
 6 and recycling and other aspects of efficient use,
 7 and that should include advances that are available
 8 and potential in the area -- area of water
 9 control -- I'm sorry, water quality control, which
 10 would be more effective and more satisfactory to us
 11 than a North Bay improvement facility.

12 And, finally, there should be an
 13 adequate allocation of dollars for the San Francisco
 14 Bay restoration.

15 Thank you very much for your late
 16 hours.

17 MR. BODOVITZ: Thank you, sir.
 18 Ken Dawdy, Drew Caputo, Nina Eloesser.

19 MR. DAWDY: Hi, I'm Ken Dawdy. I'm a
 20 long-time resident of the Bay Area. I've spent my
 21 60 years here, and I'm also a retired science
 22 teacher.

23 I think I've lived here long enough to
 24 see a serious degradation of the environment. It
 25 concerns me. It affects the quality of my life. I

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1 lately because I kind of lost the part of myself I
 2 think when some of these things were destroyed that
 3 I mentioned earlier. I hope the thinking has come a
 4 ways since those days. I'm not too sure, but I'm
 5 hopeful.

6 Thank you.

7 MR. BODOVITZ: Thank you, Mr. Dawdy.
 8 Drew Caputo, Nina Eloesser.

9 We'll come to you. We'll do something.
 10 Thank you.

11 MS. ELOESSER: Thank you. My name is
 12 Nina Eloesser, and I'm just speaking as an
 13 individual.

14 We need the water and the flow, the Bay
 15 needs water, small farmers need water, fish need
 16 water, and conservation works. We must save water
 17 wherever possible and increase the quality of water,
 18 increase for better drinking, have less pollution of
 19 the water. These steps are economical. There can
 20 be jobs created. Ecology and good water is
 21 absolutely essential.

22 I want very much to support some of the
 23 people who have spoken ahead of me, a man by the
 24 name of Steve -- I don't have complete names.
 25 Ms. Madonna was another. Audie Bock was another.

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1 Also support Ken Dawdy, who just spoke.
2 How long have I lived here? Other
3 people have spoken about this. I am a
4 fifth-generation native going all the way back pre
5 1850, so I know a bit what the water has looked
6 like, how much has been in the Bay.
7 I was shocked just yesterday to be with
8 parents and a child and down at Fort Point on the
9 Bay. Suddenly, the child ran and said, daddy,
10 daddy, I saw a bird, and I realized that there are
11 not birds on the Bay anymore. Why not? Probably
12 because there are fewer fish, less feed, so the
13 birds aren't coming.
14 It is definitely affecting the ecology
15 of the area, and unless we can go back, the people
16 will be gone too.
17 Thank you.
18 MR. BODOVITZ: Thank you, Ms. Eloesser.
19 Thank all of you for staying with all
20 of us. It's been a lively and informative hearing
21 and we appreciate your coming.
22 (Whereupon, the proceeding adjourned at
23 10:22 p.m.)
24
25

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1 CERTIFICATE OF REPORTER
2
3
4 I, JULIE R. HEAD, a Certified Shorthand
5 Reporter, RPR, CRR, hereby certify that the
6 foregoing proceedings were taken in shorthand by me,
7 at the time and place therein stated, and that the
8 said proceedings were thereafter reduced to
9 typewriting, by computer, under my direction and
10 supervision;
11 I further certify that I am not of
12 counsel or attorney for either or any of the parties
13 to the said proceeding, nor in any way interested in
14 the event of the cause, and that I am not related to
15 any of the parties thereto.
16
17 DATED: _____, 1999
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22 _____
23 JULIE R. HEAD, CSR 9399, RPR, CRR
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