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IN RE THE MEETING OF THE)
CALFED BAY-DELTA PROGRAM)
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ORIGINAL

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Antioch, California, Wednesday, September 8, 1999

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TRANSCRIPT OF PROCEEDINGS

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Reported by:
Theresa Aguilar, RPR, CSR
Certificate No. 10498

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IN RE THE MEETING OF THE)
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CALFED BAY-DELTA PROGRAM)
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Antioch, California, Wednesday, September 8, 1999

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The following proceedings were taken in the above-entitled mater on September 8, 1999, commencing at the hour of 7:00 p.m. at the NICK RODRIGUEZ COMMUNITY CENTER, 213 F Street, Antioch, California, before Theresa Aguilar, RPR, CSR, a Certified Shorthand Reporter of the State of California, having offices located at Antioch, California.

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APPEARANCES:

David Cottingham, Department of the Interior
Luana Kiger, Natural Resource Conservation Service
Walt Pettit, State Water Resource Control Board
Joe Bodovitz, Hearing officer
Mary Nichols, Secretary for Resources for the
State of California Resources Agency
Steve Macauley, Department of Water Resources
Walter Yep, Army Corps of Engineers
Perry Herrgesell, Department of Fish & Game

Also present:

Members of the public

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The following proceedings were had, to wit:

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MR. BODOVITZ: There may be one or two more people to join us. Some of them have had a busy day with the meetings in Sacramento. We expect one or two more people to join us.

Now, finally as to ground rules before we begin. As I'm sure you know, you may submit written comments of any length. And there's a leaflet on the table outside that explains how to do that, that is where you send them and what the deadlines are. And this hearing, as in all others, oral statements will be limited to three minutes. And to help you keep track of how you are doing with your three minutes, we have a little traffic light down here. When the 3

1 green is on, it means go. It means you have your
2 three, minutes. When the yellow light comes on, it
3 means you have one minute. When the red light comes
4 up, it means times up. Complete your sentence or in
5 all fairness similarly to all the people who would
6 like to be heard. In the interest of helping us move
7 us along, I will call three names at a time, that is,
8 the next three speakers. So if you are in the middle
9 of a row in the back and your name is called, it
10 would help us for you to move down to one of the
11 empty seats in the front to avoid the time with
12 people shuffling in and out of the seats in the
13 middle of the aisle. If all that's clear, let's
14 begin.

15 All the comments are being both recorded and
16 taken down by a court reporter, and will be
17 available, and indeed will be read by the people who
18 are not here tonight. So we'll begin.

19 First card is Mike McKenzie; second card, Doug
20 Mosebar; third, Larry Del Charo.

21 Mr. McKenzie, you have the first word.

22 MR. MCKENZIE: I hate being first. I'm a
23 licensed sport fishing guy, and I work the waters of
24 the Sacramento, San Joaquin rivers and Delta system.
25 The health of the river and Delta system is of great4

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1 importance to me. I have watched the steady
 2 deterioration of the repairing in habitat precipitous
 3 for the fisheries for the last 40 years. It's time
 4 for a change. We can no longer stand by and
 5 sacrifice what's left of economically important
 6 fisheries to the greed of corporate agri-business.
 7 The CALFED draft EIS/EIR and a preferred alternative
 8 do not lend one confidence that there will be any
 9 change for the good. What I gather from reading the
 10 three alternatives is their goals are to export more
 11 water from the Delta. We all know that water exports
 12 is what has destroyed the Delta and it's tributaries.
 13 The way to restore the system and stop further
 14 destruction is not by planning to export more water.
 15 In all fairness, I think CALFED should go back to the
 16 table and discuss a fourth alternative, which should
 17 have a stronger focus on water conservation,
 18 underground water storage, and a retirement of all
 19 marginal crop lands, thereby reducing water exports
 20 and increasing natural Delta outflow. The idea of
 21 the water falling freely through an estuary is
 22 wasted, unless it's flowing on to some corporate
 23 farmer's field is founded on greed, not rational
 24 thinking. If it were not for the subsidies granted
 25 the large landowners that underwrite the true cost of

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1 larger priority, dedicate more water to in stream use
 2 for fishery, and repairing our habitat restoration.
 3 It's time for those responsive to accept those
 4 responsibilities for proper management of public
 5 trust, waters, and wildlife. Thank you.
 6 MR. BODOVITZ: Thank you, Mr. McKenzie.
 7 Doug Mosebar, Larry Del Charo, Gary Sack.
 8 MR. MOSEBAR: First, I'd like to give the
 9 opportunity for Luana to introduce yourself. I don't
 10 think she got an introduction.
 11 MS. KIGER: Luana Kiger.
 12 MR. BODOVITZ: That's on my time, okay. I'll
 13 give you three minutes.
 14 MR. MOSEBAR: I'm willing to yield ten seconds
 15 if she needs it. Good evening. My name is Doug
 16 Mosebar. I'm a farmer in Santa Ynez. I'm one of the
 17 greedy farmers, I guess. I'm the first
 18 vice-president of the California Farm Bureau. You
 19 know, the majority of the farmers in California are
 20 small farmers, and then the majority of the corporate
 21 farms, that's often referred to, are family
 22 corporations.
 23 Three words in a CALFED document testified to
 24 the impact CALFED will have on California farmland.
 25 The three words are irreversible, irretrievable, and 7

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1 the water, entities like the Wetlands Irrigation
 2 District or current county water district could not
 3 exist. Without subsidies, the crops grown would go
 4 back to parts of the country where the economics work
 5 and the huge burden would be lifted off the backs of
 6 the taxpayers and the environment. Salt build up and
 7 soils and drainage water that is poisonous to most
 8 forms of life are problems caused by irrigation of
 9 lands that should have never been brought into
 10 production for any reason. Those that have lined
 11 their pockets with taxpayer's money now want the same
 12 taxpayers to build them a nice big drain to carry
 13 their poisonous leach water back down to the Delta
 14 that we are proposing to save.
 15 Does anyone remember Kesterson? There are
 16 those that think that wildlife enhancement is a duck
 17 with three beaks and four feet. What's wrong with
 18 this picture? Think about it. CALFED needs to
 19 correct the inequities in the past and present. More
 20 emphasis is needed on eliminating a massive subsidies
 21 that foster ways, also emphasize metering urban and
 22 residential water use in the central valley, thus
 23 encouraging real water conservation. Reject the idea
 24 of destructive damn building and promote ground water
 25 storage instead. Make retirement of marginal lands 6

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1 unavoidable. That's how CALFED describes the effect
 2 it's programs could have on 243,000 acres of
 3 productive farmland. Most of that land will be
 4 removed from production to accommodate fish and
 5 wildlife habitat or set back levees, quote unquote.
 6 In addition, CALFED may seek to control hundreds of
 7 thousands more acres through conservation easements,
 8 and other programs. If a developer came along with a
 9 plan to convert 243,000 acres of farmland to strip
 10 malls and subdivisions, I suspect many people in this
 11 room would be leading the charge of unmitigated urban
 12 sprawl. What CALFED proposes is habitat sprawl.
 13 Just as the cities should be discouraged from
 14 expanding on to prime farmland, so should CALFED be
 15 discouraged from removing land and water from
 16 agricultural production. CALFED's land acquisitions
 17 have already begun, but the agencies have not studied
 18 the environmental impact of this large scale land
 19 conversion. And CALFED has not look for alternative
 20 strategies that would minimize the conversion of
 21 farmland.
 22 CALFED has already purchased already more than
 23 4,000 acres of farmland for habitat without
 24 environmental review. CALFED is skirting or ignoring
 25 California environmental law by failure to study thi8

1 impact, and by its failure to identify alternatives.
 2 CALFED should conduct its habitat restoration work on
 3 existing and government-owned land. California
 4 farmland is a natural resource of global
 5 significance. CALFED should minimize its impact on
 6 farmland. Government already owns half of
 7 California's 100 million acres. Instead of taking
 8 water away from one region for use to benefit
 9 another, CALFED should work more quickly and more
 10 aggressively to create new water supplies for
 11 California. Only through new water storage can
 12 California meet the needs of its growing population,
 13 its farms, and environment, especially when the next
 14 drought hits, which we know it's inevitable. CALFED
 15 must minimize it's conversion of agriculture land and
 16 water, and work for creation of additional water
 17 storage. CALFED must prepare a balance plan that
 18 provides for the needs of people as well as fish and
 19 wildlife.

20 Thank you for the opportunity.
 21 MR. BODOVITZ: Thank you, Mr. Mosebar.
 22 Larry Del Charo, Gary Sack, Joseph Horn.
 23 MR. DEL CHARO: Good evening. My name is Larry
 24 Del Charo. I'm a third generation farmer on Sherman
 25 Island, just located in the Sacramento Delta. I'm 9

1 very concerned about the fate of the California
 2 farmer. We're an industry that everyone wants to
 3 tell us what to do, and how to operate from the
 4 government to the environmentalists, but we seem
 5 provide the world with a safe and reliable source of
 6 cheap food. My thoughts are, how are we going to
 7 feed all these people when this project wants to take
 8 up 250,000 acres of farmland. Once this ground is
 9 taken out of production, as was stated is
 10 irreversible and irretrievable, how are we going to
 11 feed these people? The soil is not a renewable
 12 resource. Once it's lost, it's lost forever. This
 13 report does not answer the question, where will the
 14 water go that once was used to irrigate this land.
 15 Will the water disappear like the small rural towns,
 16 churches, schools and businesses that depend on
 17 agriculture industry? Where would all those people
 18 live/work that depend on agriculture. We need to
 19 develop more water and additional damns in the
 20 mountains. Maybe even a concept would be to develop
 21 desalinization plants in the south, so they have the
 22 source of water that don't depend on the water up
 23 here on the Delta. The cost of this project could
 24 pay for these damns as well as maybe implement those
 25 plans in Southern California, and not loss of 10

1 agriculture ground. My last concern is with the loss
 2 of agriculture land, that we have to depend on
 3 foreign food. We don't -- excuse me.
 4 We do not want to depend on foreign countries
 5 for our food. We depend on them for oil. We do not
 6 have to stand in line for food as we did in the '70s
 7 for gas. We are a country of great independence and
 8 not one of dependency. Thank you.
 9 MR. BODOVITZ: Thank you, Mr. Del Charo.
 10 Gary Sack, Joseph Horn, Howard Bettencourt.
 11 MR. SACK: Good evening. My name is Gary Sack.
 12 I am a field representative of the California Farm
 13 Bureau Federation. I serve 15 county farm bureaus in
 14 North Central California. The farmers I serve have a
 15 high degree of concern with the CALFED proposal. The
 16 concerns are simply, number 1, there is a lack of
 17 serious discussion of surface water storage for
 18 California; and number 2, there is too much land
 19 being targeted to come out of production. There was
 20 a phrase being used by CALFED that through this
 21 process we all get better together. Farmers do not
 22 believe that they get better under the CALFED
 23 proposal. Farmers believe that you are trying to
 24 solve other problems by transferring those problems
 25 to them. 11

1 Conservation does indeed work. No one knows
 2 this better than farmers. According to the
 3 California Department of Water Resources, farmers use
 4 less water today than they did 30 years ago and
 5 produce 67 percent more crops in tonnage. The
 6 conservation is not a limitless source for new water.
 7 A plant needs a certain amount of water to produce a
 8 crop. Our crops produce wildlife habitat. Rice
 9 fields in Northern California act as a productive
 10 wetlands for migrating native birds and rodents and
 11 deers eat out of our alfalfa fields. Those same deer
 12 and raccoons and foxes come to our ponds to get
 13 nightly drinks. 75 percent of the wildlife habitat
 14 in California exists on privately owned land. That's
 15 amazing when you consider that the government owns
 16 nearly half the land in California. Farmers in
 17 California produce an abundant source of healthy food
 18 under the strictest regulations in the world
 19 maintaining California's production of fresh, locally
 20 produced, and inexpensive food shall be a priority
 21 for CALFED. You have heard from many farmers up and
 22 down the state about your proposal recently, and I
 23 certainly hope that you are listening and will
 24 respond to their concerns. These are family farmers
 25 who have a difficult time getting off their tractors 12

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1 in the middle of harvest to travel great distances to
 2 come to hearings. Farmers are concerned about their
 3 futures, but the crops they have to harvest won't
 4 wait.
 5 For the sake of farmers, the environment,
 6 consumers of healthy affordable food, you need to be
 7 serious about increasing the water storage for
 8 California in a meaningful way, and help keep the way
 9 and agriculture. Thank you.
 10 MR. BODOVITZ: Thank you, Mr. Sack.
 11 Joseph Horn, Howard Bettencourt, Louis
 12 Ginochio.
 13 MR. HORN: My name is Joseph Horn, and I'm a
 14 member of the California Striped Bass Association,
 15 and also a member of Citizens for Safe Drinking
 16 Water. We, in the Bay-Delta, are one of the most
 17 important places in this state, because this is where
 18 the water is. The state and federal water agencies
 19 haven't done a good job, and it seems like their only
 20 plan is to divert more water. The Delta has only so
 21 much water, and we can't send it all to Southern
 22 California. I keep hearing about the so-called
 23 development projects which will capture true flow
 24 flood water before it would reach the bays or the
 25 ocean. 13

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1 yacht club member, restaurant owner, farmer,
 2 homeowner, gardener, or anyone who uses water, I hope
 3 you are here tonight. Tell CALFED what you really
 4 think. Thank you.
 5 MR. BODOVITZ: Thank you, Mr. Horn.
 6 Howard Bettencourt, Louis Ginochio, Compy
 7 Compomizzio.
 8 MR. BETTENCOURT: I'm Howard Bettencourt from
 9 Livermore, California, member of the Alameda County
 10 Farm Bureau. I've been a farmer all my life. I'm
 11 third generation in my family, born and raised in
 12 California, lived in Alameda County for the past 70
 13 years, and we farmed in the valley, and have some
 14 irrigated land up there that we farmed, and with the
 15 population growing in California the way it is, if we
 16 don't put up some more storage, how are these people
 17 going to drink, take a bath, or have a place to live?
 18 They keep coming. We can't keep them out, but that's
 19 where a lot of our water is going. Thank you.
 20 MR. BODOVITZ: Thank you, Mr. Bettencourt.
 21 Louis Ginochio, Compy Compomizzio, Wayne Thomas.
 22 MR. GINOCHIO: I'll try to bring this down.
 23 First of all, ladies and gentlemen, thank you for the
 24 opportunity to speak on the subject and have serious
 25 impact on the lives of many farmers and ranchers in 15

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1 What is true flood flow? This flow has to
 2 reach the bay in order to keep our drinking water and
 3 our fish from further contamination. How long can we
 4 continue to export water and import valley run-off
 5 waste water from farmland? We in the Delta have to
 6 be on our guard at all times. No one will watch it
 7 for us. The south Delta program plan is a plan to
 8 operate a flow control structures or damns to keep
 9 the fresh water from the upper river from mixing with
 10 the San Joaquin Valley farm drain water, also fresh
 11 water for the pumps. It's to help to keep the toxic
 12 drainage water from being pumped back to their
 13 fields, and they keep putting more and more
 14 agricultural waste water in our drinking water.
 15 The general preferred program plan CALFED is
 16 to, is up to 3 million acres of surface and ground
 17 water storage up by Sacramento, and another 3 million
 18 acre feet in the south Delta near the aqueduct.
 19 What will the Delta farmers farm? Storage water?
 20 CALFED keeps saying the potential diversion channel
 21 at HUD is now part of the program, but it's still on
 22 the maps. Some 400 people were at the last meeting
 23 in Stockton and most of them were pretty upset. If
 24 you are a fisherman, a hunter, a boater, a swimmer, a
 25 harbor owner, bate shop owner, yacht harbor member, 14

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1 this county and in the area. I wish to add to what
 2 others have said and will probably say more tonight
 3 without too much repetition, that additional
 4 attention must be paid to the detrimental
 5 consequences that will accrue if this proposal goes
 6 forward without considerable changing. The solutions
 7 to water availability, quality assurance, and so
 8 forth, for all including farmers, and to humans too,
 9 metropolitan and industrial users, as well as the
 10 need of environment and habitat for all other
 11 dependent species lie in providing something for the
 12 preservation of all, not simply the denial of water
 13 of one element of God's creatures to the detriment of
 14 all others. To proceed with the proposal as
 15 currently presented, does little if anything to
 16 provide additional storage, as it's been pointed out
 17 tonight. And identify or utilize other sources not
 18 currently maximized or even recognized the adverse
 19 economic effects on the community, state and nation,
 20 let alone the farmers directly effected by taking
 21 farmland out of production. The domino effect of
 22 eliminating farmland will be felt at the local level
 23 by reduction in needs of goods and services of the
 24 farmers displaced by this scheme. Also farmers
 25 workers, local grocers, department store and so on, 16

1 depend upon those who make a living on farm and
 2 farming will disappear.
 3 The smaller production of food and fiber will
 4 also impact the state and national economy in that
 5 California agriculture contributes significantly to
 6 the balance of trade, especially in pacific rim
 7 countries with whom we exchange goods and services.
 8 While it may be difficult to quantify, it is a fact
 9 of life that farmers and their workers will be
 10 displaced. Other pertinent key factors of
 11 development of water as it relates to the development
 12 of additional water sources, most obvious are the
 13 northern rivers, like the Eagle, Van Ducen and Smith
 14 that Mr. Vucalich commented on in the open
 15 discussion, and that they are free flowing to the
 16 ocean with little utilization of that vast resource.
 17 To dismiss the potential source without further
 18 scrutiny is ludicrous. Arguments that, quote,
 19 "legislation has made their use impossible," just
 20 won't fly because legislation that made them
 21 untouchable, can also reversed if sufficient needs
 22 are existing and shown. Additional storage
 23 facilities need to be addressed as well. Transport
 24 facilities, be it cross Delta, canal, waterways and
 25 so on have been dismissed in the study. CALFED's 17

1 process must return to a course of action that will
 2 result in the system that provides benefit for both
 3 man and wildlife, farmers and fish, can both be
 4 winners.
 5 MR. BODOVITZ: Mr. Ginochio, I'm sorry you're
 6 doing great, but --
 7 MR. GINOCHIO: Okay. I'm fine, and that's the
 8 end of it. Please consider and thank you for your
 9 time.
 10 MR. BODOVITZ: Thank you, sir.
 11 Compy Compomizzio, Wayne Thomas, Tom Brumleve.
 12 MR. COMPOMIZZIO: Good evening. I'm with the
 13 California Striped Bass Association West Delta
 14 Chapter, and Citizens for Safe Drinking Water.
 15 One of the first things I want to bring up, you
 16 know, every time we go to the meetings, you have
 17 bottled water. Why the hell can't you drink the
 18 water we have to drink in Antioch? We got to drink
 19 the crap that comes down the river. I think you
 20 should be gentlemen enough or ladies enough to drink
 21 our water. And where the hell is Leshner Snow? If
 22 you can't take the heat, you better get the hell out
 23 of the kitchen.
 24 Our water has been taking water samples at salt
 25 slew and mud slew for several years. We do not get 18

1 paid for this. We've been following you guys around
 2 the state watching. We're seeing people more and
 3 more unhappy with your plans, and I think we ought to
 4 tell you "vamoose."
 5 Thank you.
 6 MR. BODOVITZ: I at least agree with your point
 7 about the bottled water. None of us up here is
 8 responsible for that, but from now on we'll be
 9 drinking what you'll be drinking.
 10 Wayne Thomas, Tom Brumleve, George Ambrose.
 11 MR. THOMAS: The name is Wayne Thomas. I don't
 12 have too much here to say. I don't irrigate any
 13 land. I run a cattle ranch in the hills. I'm on
 14 spring water there that's developed on the land
 15 there, and a couple of wells that service that, but I
 16 believe you should listening to the people here in
 17 agriculture that feed this state and feed this
 18 nation, and the ever growing number of people in the
 19 state and nation that need to be fed and they supply
 20 a cheap supply of food that's available for all
 21 there. I thank you.
 22 MR. BODOVITZ: Thank you, Mr. Thomas. Tom
 23 Brumleve, George Ambrose, Teresa Greenwell.
 24 MR. BRUMELEVE: I'm Tom Brumleve. I'm a cattle
 25 rancher up in the hills also, and I happen to be up 19

1 on Mt. Diablo. I'm kind of like Wayne Thomas. I
 2 don't drink any of the Delta water. I don't have
 3 access to it, so we're dependent upon springs, but I
 4 have been around agriculture a lot -- a long time,
 5 past president of local Contra Costa Farm Bureau
 6 Alameda Cattle -- Contra Costa Cattleman's
 7 Association. I'm currently president of the Resource
 8 Conservation District here in Contra Costa County.
 9 I would just like to add my voice to the need
 10 for more storage, because in my mind that equates to
 11 more supply. I was not satisfied with the question
 12 that proceeded -- or the answer to my question, that
 13 CALFED is limited to supplies or the better
 14 management of current supplies. Seems to me like
 15 there's a crying need in this state for more storage
 16 because that equates to more supplies. It will make
 17 management more practical whether it's for better
 18 flow through the Delta in the summertime for the
 19 benefit of the fish, or whether it supplies more
 20 water ultimately for use of the cities and
 21 agriculture. We've just got to have more storage
 22 because there is just a limit to how much you can
 23 serve and there's just a limit to how much you can
 24 accomplish by trying to take some away over here and
 25 to put some over there, so I hope you hear this 20

1 message.

2 MR. BODOVITZ: Loud and clear. Thank you.

3 We have two more members of the CALFED Policy

4 Committee who were joining us. Mary Nichols, the

5 State Resources Secretary, David Cottingham with the

6 US Department of the Interior, and we welcome them to

7 tonight's hearing.

8 George Ambrose, Teresa Greenwell, Dave Roche.

9 MR. AMBROSE: My name is George Ambrose, and

10 I'm from Solano County, across the bay. I've been

11 there for 70 years. It used to be that these

12 gentlemen from the Corps of Engineers used to take

13 care of pumping out the silt from all our slews and

14 everything went fine. The fish were there and they

15 came back. The dredging didn't bother the fishing.

16 For some reason or another the Corps of Engineers

17 doesn't have any money anymore, so now all of the

18 slews are silting up and the water that comes down

19 the local creeks have no place to go, but out across

20 the farmer's land.

21 You know, I have to agree with Mr. Brumleve

22 that we need more reservoirs. If it takes abolishing

23 this group and creating another one that will find us

24 more water with more reservoirs, I think that is a

25 better plan than anything that I have heard here thi21

1 evening. The fish and game has taken on additional

2 lands for habitat. They don't have enough money to

3 maintain what they have. You know, it gets

4 disgusting when governmental agencies come up with

5 more plans and they don't have the money to maintain

6 those plans. It's great to have ideas, but if you

7 don't have the money in back of it, you're lost. And

8 I can see that there's a little gray hair in some of

9 you here, and you've been around awhile. So maybe

10 you've been in those departments long enough to

11 realize that they don't have the money anymore, and

12 things cost more, so you are up a creek, but also the

13 taxpayers up the creek, because he's the one that

14 puts up the dollar for all of your jobs, and for all

15 these projects that you come up with. So think about

16 what you're doing to the farmer and the taxpayer.

17 Maybe we need another Boston Tea Party.

18 MR. BODOVITZ: Teresa Greenwell, Dave Roche,

19 Gerry Dinelli.

20 MS. GREENWELL: Hi. My name is Teresa

21 Greenwell. I don't represent anybody. I just have

22 lived in Antioch for about 19 years. And what I got

23 to say is when I first heard about the CALFED, I

24 thought, this is just another way for Southern

25 California to get more water, and that's the bottom 22

1 line on that project, and nothing I've read so far

2 has changed my mind. I would really like to have

3 water. I enjoy drinking. And I was sitting here

4 thinking that when I lived in Orinda with my parents,

5 I used to like drinking water. Now, I got to make

6 lemonade in order to drink the water, because of the

7 taste. And it bugs me to read about things like a

8 new Delta channel to take some water around the Delta

9 from the north and direct it to the support pumps in

10 the south. Well, why don't they take the water below

11 the last city in the Delta that's got to drink it,

12 and then maybe they will keep the water clean that we

13 got to drink, but if you are going to pull water from

14 above Antioch, and I am going to get stuck with the

15 run off that's left over, I mean, they don't let kids

16 and pregnant women eat fish that they catch out at

17 this Delta without limiting it. That's got to tell

18 any intelligent person that there is something wrong

19 with this water. And the more you pull out and leave

20 less for us in Antioch and Pittsburg to drink, the

21 more concentrated all that crummy chemical stuff is

22 that we put into our bodies. And then I read things

23 like, "Water use efficiency program encourages water

24 recycling and efficient use of water." Well, how

25 about requiring some meters in all those towns south23

1 of Northern California. I just read an article in

2 the paper, some community outlawed water meters. If

3 they don't have water meters in Southern California,

4 how are you supposed to economize and be sufficient

5 with water when you don't even regulate what people

6 are using down there? And you know, I've flown from

7 out of California out over the desert, and you know

8 what, there's a line where the green starts and the

9 desert stops. Farming desert? I mean, I have

10 nothing against farmers I support what they are

11 saying. They have been recycling and trying to be

12 efficient with their water, but I think it should be

13 logical use of land, and I think their ought to be

14 recycling programs that are mandatory for things like

15 illogically not having water meters. I'm upset.

16 Hope you got the message.

17 MR. BODOVITZ: Dave Roche, Gerry Dinelli, Cori

18 Traub.

19 MR. ROCHE: Good evening, and thank you for the

20 opportunity to speak this evening. I'm a father and

21 resident of the east county city of Brentwood which

22 of course is the states fastest growing city. And

23 I've seen the impact that the massive growth has had

24 both on the farmland and on the environment. If you

25 think we've seen impact over the last ten years due 24

1 to real estate development, we've seen nothing
 2 compared to what we're going to have going forward if
 3 the current CALFED proposal goes through as stated.
 4 Footing farmland will have a devastating effect, not
 5 only on farmers and ranchers, but a particularly
 6 harsh effect on those that gather their living either
 7 indirectly or directly off of agriculture, that being
 8 the farm workers, truckers, warehouse workers, and
 9 the like. The entire central valley from Bakersfield
 10 to Redding, their local economies are all supported
 11 by agriculture. And as good as the economic
 12 conditions are presently right now in the State of
 13 California by everyone's agreement, unemployment in
 14 the valley is still above 10 percent. Eliminating
 15 farmland, no matter where it is, is going to have a
 16 greater impact on these people's jobs. It is not
 17 uncommon for a farmer worker in Fresno -- Fresno
 18 County -- to work in the Sacramento valley, and
 19 simply put, they go where the jobs are.
 20 I strongly urge you to back the California Farm
 21 Bureau position on this. I encourage you to put
 22 people first and to use common sense on this very,
 23 very important issue. Thank you.
 24 MR. BODOVITZ: Thank you, Mr. Roche.
 25 Gerry Dinelli, Cori Traub, Terry Erlewine. 25

1 Water Action, because I'm hoping to create a cleaner
 2 California for my five-year-old son. My son is
 3 fascinated by water animals and learns everything he
 4 can about them. He loves to spend time in and near
 5 the water fishing, canoeing, and hiking, but my sone
 6 gets very angry when he learns about what's happening
 7 to the water and the beautiful natural areas that he
 8 treasures. It scares me to think of how many
 9 wetlands and healthy rivers that we have lost, and
 10 I'm looking to CALFED to restore hope. I'm certain
 11 that CALFED can protect and revitalize the Delta
 12 without putting California's farmers out of business.
 13 We can keep our farms and our economy vibrant and
 14 healthy while implementing more agricultural and
 15 urban conservation, fair pricing techniques, water
 16 transfers, market-based incentives and ground water
 17 storage. Let's break the old water management mold
 18 that's led to our damaged bay and Delta. My son asks
 19 me regularly if I've gotten the poison out of the
 20 water yet so the fish can be healthy. He's worried
 21 about it and we all should be. Let's avoid any
 22 further deterioration of our once vibrant Delta
 23 ecology and make sure this CALFED plan is one that
 24 children will thank us for.
 25 MR. BODOVITZ: Thank you. Terry Erlewine, 27

1 MR. DINELLI: Good evening. I'm Gerry Dinelli.
 2 I'm a third generation farmer here in the Delta. I
 3 agree that we do have a problem, a specific problem
 4 basically a lack of water supply. You're proposing
 5 to take out hundreds of thousands of acres of viable
 6 agricultural land, and I just can't even imagine the
 7 economic impact on the local economic agricultural
 8 community, as well as support something economies to
 9 say nothing of the taxpayers of California by taking
 10 hundreds of thousands of acres off the tax rolls. It
 11 seems to me that CALFED is going to the problem in --
 12 distributing the problem, taking away from
 13 agriculture and giving it to other programs. It
 14 seems to me that you have to go to the source of the
 15 problem, which is a lack of water supply and develop
 16 that through water storage, and the sooner the
 17 better, as far as I'm concerned. Thank you very much
 18 for your time.
 19 MR. BODOVITZ: Cori Traub, Terry Erlewine,
 20 Johanna Congleton.
 21 MS. TRAUB: Hi. My name is Cori Traub and I'm
 22 a project director with Clean Water Action. I spoke
 23 to you in Oakland about improving CALFED's mercury
 24 program, but tonight I wanted to express my very
 25 personal concerns about CALFED. I work for Clean 26

1 Johanna Congleton, Sara Mora.
 2 MS. ERLEWINE: Terry Erlewine, State Water
 3 Contractors. The State Water Contractors
 4 organization consists of 27 public agencies that hold
 5 the contracts or rights for water by the state water
 6 project. Member agencies of the State Water
 7 Contractors supply state project water for drinking,
 8 commercial, industrial and agricultural purposes to
 9 nearly 22 million people, about two-thirds of the
 10 state's population in Northern California, Bay Area,
 11 central valley, central coast and Southern
 12 California. State Water Contractors have
 13 participated in the CALFED process and the belief
 14 that it provides the best long-term hope for assured
 15 and reliable water quality and supply.
 16 We believe the success of CALFED will depend on
 17 its ability to balance improved water quality and
 18 water supply with improving Bay-Delta ecosystem and
 19 fisheries conditions. With the release of the CALFED
 20 program EIS/EIR, however, we are becoming
 21 increasingly concerned that CALFED is on track and
 22 achieved a balance and sustainable a long-term
 23 solution. In the past, the State Contractors and
 24 other Delta dependant water users have experienced a
 25 loss of more than 1 million acre feet of water. 28

1 Studies of the CALFED proposal show that the
 2 program might provide less than 200,000 acre foot of
 3 new water, and at best and could reduce supplies by
 4 up to 700,000 acre feet. In recent years, the
 5 contractors have aggressively implemented water
 6 conservation to compensate for these lost water
 7 supplies in the face of increased population. In the
 8 Bay Area, Santa Clara Valley Water District which is
 9 state contractor which has been successful for over
 10 11 years in maintaining its water levels, it's water
 11 use below their historical high. Similarly, State
 12 Water Contractor agencies in Southern California have
 13 successfully conserved more than 585,00 acre feet per
 14 year while experiencing significant population
 15 increases. However, it's the most cost effective
 16 water conservation methods are used, we have reached
 17 a point of diminishing returns for additional
 18 conservation.

19 Although conservation will definitely play a
 20 key role in the CALFED solution, and cannot solve the
 21 water supply problem on its own. Consequently,
 22 CALFED must set and aggressively pursue water supply
 23 goals to add additional water. The State Water
 24 Contractors are also concerned about the CALFED
 25 program, and the response to the new drinking water 29

1 that have been educating California residents on
 2 CALFED issues for the past couple years, and I wanted
 3 to let you know some of the public responses on some
 4 of the issues that you've raised.

5 I'm holding in my hand about 300 public
 6 comments we've collected. You should be getting
 7 about a thousand more in the mail, and I just wanted
 8 to highlight a couple of the main points included in
 9 these comments.

10 First and foremost, Californians do not want to
 11 see the construction of more damns, canals, and
 12 expanded reservoirs, and they especially do not want
 13 to pay for them. Water conservation should come
 14 first. Agriculture uses almost 85 percent of the
 15 developed water in the state, so perhaps if some of
 16 the farmers that weren't fully implementing
 17 conservation techniques, if they could invest in more
 18 irrigation efficiency and other techniques, that
 19 could have a huge yield for the water supply and
 20 reliability program.

21 In addition, if you deem it absolutely
 22 necessary to build these surface structures, then
 23 those that will benefit, such as large corporate
 24 agri-businesses, et cetera, should pay for them.
 25 Second, we've been educating residents that live 31

1 quality requirements that are likely to be
 2 implemented in the near future. Without water
 3 quality improvements in the Delta, agencies with
 4 water supplies from the state water project are faced
 5 with having to spend millions of dollars to build and
 6 operate costly new water treatment facilities to meet
 7 safe drinking water standards.

8 In addition to increased costs, lower Delta
 9 water quality also reduces the potential for waste
 10 water recycling programs that are key element in
 11 State's water management. CALFED must develop a
 12 comprehensive timetable for meeting required in
 13 improving drinking water quality. Finally, we were
 14 encouraged at the recent meeting between governor
 15 Davis and Interior Secretary Babbit.

16 We appreciate your serious consideration of our
 17 comments.

18 Thank you.

19 MR. BODOVITZ: Thank you, Mr. Erlewine.
 20 Johanna Congleton, Sara Mora, Doug Lovell.

21 MS. CONGLETON: Hi. My name is Johanna
 22 Congleton. I'm the program assistant for Clean Water
 23 Action. I'm speaking to you on behalf of our
 24 organization as well as the 50,000 members we have in
 25 California. We have a staff of dedicated canvassers30

1 along the Delta here in Antioch, Martinez, Pittsburg,
 2 and they have witnessed personally the decline of the
 3 Bay-Delta ecosystem. And let me tell you they are
 4 not happy about it. The CVPIA, Central Valley
 5 Project Improvement Act, legally calls for an
 6 additional 800,000 acre feet of water to flow through
 7 the Delta, and the public wants to know how CALFED
 8 will guarantee that.

9 Finally, we need to have a stronger pollution
 10 prevention program. The Bay-Delta is so contaminated
 11 that it's listed on the EPA's 303 D list of impaired
 12 waters due to everything from mercury to pesticides.
 13 There are people that fish out of the bay to feed
 14 their families that are literally poisoning
 15 themselves by the toxins they are consuming through
 16 the fish.

17 I'd just like to read a comment we received
 18 from a 14-year-old child recanting an experience that
 19 he had four years ago. Imagine you're ten years old.
 20 You go on a long expected fishing trip with your dad.
 21 You're out all day and catch a few fish. You go home
 22 expecting a large fish dinner. Instead, you find out
 23 that you can only half a fish and your pregnant mom
 24 can't have any. The next day your brother is sick.
 25 How would you feel? How would you feel? Clean Wate32

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1 Action and our members are confident that you'll
 2 members will be able to address these issues.
 3 And which one of you guys wants the public
 4 comments?
 5 MR. BODOVITZ: Thank you.
 6 Sarah Mora, Doug Lovell, Larry Ward.
 7 MS. MORA: My name is Sarah Mora, and I'm the
 8 executive director for Contra Costa County Farm
 9 Bureau here in the county. According to the
 10 California Department of Water Resources, we keep
 11 hearing that California uses 80 percent of the
 12 State's water. That's untrue. Of that renewable
 13 water supply and most of the water used is used for
 14 environmental purposes. The State says 46 percent of
 15 the water supply is dedicated to the environment;
 16 agriculture uses 43 percent, and urban uses
 17 11 percent. People throughout California benefit
 18 from the State's highly productive farmland, whether
 19 they work on the land, live in rural communities, or
 20 shop in local grocery stores. Actions that hurt our
 21 rural areas hurt our cities too, because thousands of
 22 urban jobs involve moving, processing and marketing
 23 farm products. People in the cities need affordable
 24 high-quality food production produced on California
 25 farmland. 33

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1 person in this room that can creatively carve up that
 2 pie to satisfy all the competing interests.
 3 CALFED is faced with the inevitable, yet
 4 essential, tasks of balancing the priorities for the
 5 competing interests, the competing interests of
 6 agricultural, urban, commercial, and ecosystem needs.
 7 And I would like to encourage CALFED for my own
 8 personal perspective to emphasize the ecosystem needs
 9 or we'll effectively after tonight have to call it
 10 ecosystem sprawl or habitat sprawl. I realize that
 11 my emphasis and my vote for the ecosystem is not
 12 without consequence. And I want to carry my full
 13 share of the consequences of that vote. I for one
 14 look forward to paying higher prices for my
 15 agricultural commodities, prices that reflect the
 16 true interest or the true cost of providing water,
 17 and the true cost of competing in a global economy
 18 with that higher water price. I want to pay higher
 19 prices for my urban water, again prices that reflect
 20 the true cost of developing that water. In essence,
 21 I am willing to make the sacrifices that it takes to
 22 balance the interests and provide for the ecosystem.
 23 Thank you.
 24 MR. BODOVITZ: Thank you, Mr. Lovell.
 25 Larry Ward, Paulette Lagana, Bob Searle. 35

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1 Farmers, industries, and urban dwellers will
 2 continue to improve the efficiency of water use, but
 3 an improved deficiency can't offset the huge increase
 4 in demand, even by California's rapidly increasing
 5 population. We must add to the total water supply to
 6 meet the water and food needs of our people.
 7 Farmers and ranchers in California provide
 8 important environmental open space and habitat
 9 benefits. Farmers already participate in numerous
 10 voluntary habitat enhancement programs, yet the heart
 11 of the CALFED's programs promotes permanently
 12 retiring hundreds of thousands of acres of productive
 13 farmland, which would decimate farm communities.
 14 CALFED must assure that there is enough water
 15 available to meet all needs. Thank you.
 16 MR. BODOVITZ: Thank you, Ms. Mora.
 17 Doug Lovell, Larry Ward, Paulette Lagana.
 18 MR. LOVELL: My name is Doug Lovell and I'm a
 19 fishing guide in the Delta, and I've had the
 20 opportunity to experience those environments with
 21 hundreds of people over the years. The CALFED
 22 process is fraught with disagreement, but I think
 23 there's at least one thing we can all agree on, and
 24 that is mother nature only provides a certain amount
 25 of water to the Bay-Delta, and there's not a single 34

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1 MR. WARD: Thank you, ladies and gentlemen.
 2 I'm Larry Ward, a 28 year resident of Pittsburg and
 3 president and program director of United Anglers of
 4 California. First of all, I'd like to thank the
 5 CALFED group for keeping us informed throughout this
 6 process, and allowing us access through the state
 7 holders groups. We were able to sit at the tables
 8 and hear these things being crafted and formulated.
 9 That's a big deal to us. Thank you very much for
 10 that.
 11 I would, however, like to make a few
 12 observations, and I'm going to make it brief. I will
 13 submit a written commentary. I was interested to see
 14 in your video that Interior Secretary Babbit claimed
 15 that the war is over. Obviously, he's not out here
 16 in the trenches with you folks today. We're happy to
 17 stay focused on the environmental ailment of this
 18 process, and we're happy to see that it's been
 19 assigned to equal footing in status in this
 20 quadrangle of concerns. It's the people's resource,
 21 and it's only protected by governmental, state and
 22 federal agencies. We don't have big gigantic
 23 associations or municipalities to help us in this
 24 process. To the means with this that we can see an
 25 end to unseen diversions in the Delta, a better 36

1 control of municipal waste discharge, control of
 2 pollution from agricultural run off, like this San
 3 Luis drain fiasco, unreasonable pumping of water to
 4 the south, which degrades the entire environment out
 5 there, and a concentration on development and
 6 promotion of recreational uses of the Delta. We
 7 applaud this process.

8 However, even of the best of intentions have
 9 unintended consequences, and we urge you to monitor
 10 to effects on fish populations as you proceed with
 11 each of these elements, because each one of these as
 12 you left them there, they are not separate. They all
 13 interact and they all cross over, so as you do one
 14 thing, another thing is going to happen. And we urge
 15 you, also as United Anglers, no more damns in
 16 California. We don't need any more damns. Thank you
 17 very much.

18 MR. BODOVITZ: Thank you. Paulette Lagana, Bob
 19 Searle, Jean Ward.

20 MS. GORDON: Good evening. I'm a member of
 21 Cap-it, which is the Community Abatement of
 22 Pollutions and Industrial Toxins. Our President,
 23 Paulette Lagana, couldn't be here tonight, so I'd
 24 like to read a statement for her.

25 MR. BODOVITZ: And your name is? 37

1 MS. GORDON: My name is Eileen Gordon, and I
 2 signed in for Paulette. We're an environmental
 3 education organization serving the communities of Bay
 4 Point, Pittsburg, and Antioch. We have concerns on
 5 several issues regarding the proposed program. One
 6 is that we restore drinking water quality treatment
 7 by improved treatment and delivery system and by
 8 funding water shed restoration programs. Another is
 9 that pollution prevention programs that are effective
 10 and enforceable, and which will focus to eliminate
 11 toxins and pesticides at their source. A third
 12 concern is zero dioxyn in the bay and Delta by
 13 including dioxyn in your list of contaminants of
 14 concerns. Another one is to improve ground water
 15 management to protect rural and urban environments,
 16 another is to restore the ecosystem. Fresh water
 17 flows are critical for the healthy drinking water for
 18 people and for healthy habitants for plants and
 19 animals. A sixth concern we have is to employee
 20 water conservation technologies, and methods for
 21 industries, farmers and cities that can reduce water
 22 use by 10 to 30 percent with no sacrifice of economic
 23 output or quality of life.

24 Another concern we have is that there be no
 25 peripheral canal and no new damns until the 38

1 alternative solutions are explored, and studies are
 2 made on the effects of the environment. Lastly, we'd
 3 like to express a concern about environmental justice
 4 impacts of this program, and the need to do more
 5 studies on the effect of low income and communities
 6 of color. Thank you so much for letting us speak
 7 tonight.

8 MR. BODOVITZ: Thank you.
 9 Bob Searle, Jean Ward, Anne Blandin.

10 MR. SEARLE: Good evening. My name is Bob
 11 Searle. I'm the owner of Pacific Coast Anglers here
 12 in San Ramon. I'm here to voice my concerns
 13 regarding the CALFED Preferred Program Plan. As I
 14 understand it, CALFED has undertaken the
 15 responsibility to restore the Delta's ecosystem and
 16 it's fisheries, this includes the striped bass,
 17 steelhead, not just salmon. The report says it will
 18 restore these fisheries, but it does not say how it
 19 will accomplish this. It does not say where the
 20 water is going to come from, nor does it say how and
 21 where they plan to acquire it. It does not say how
 22 much water is needed for a healthy ecosystem, and it
 23 does not say, and for that matter how they plan to
 24 implement this undertaking.

25 Like many other retail sporting good 39

1 businesses, I make my living based on the health of
 2 these fisheries. The DFG published a report almost a
 3 decade ago in the Unanimous Fisheries Report 89-03.
 4 It stated that the decline in the central valley
 5 alone cost the local businesses an estimated three
 6 billion dollars. That was done a decade ago. I
 7 wonder what that cost is to date.

8 And finally I'd just like to conclude that I've
 9 looked at -- one of the things I wanted to say is
 10 that for all the farmers that are here tonight, I'm a
 11 vegetarian. Me and my family want to thank you very
 12 much. Keep up the good work. I would like someone
 13 some day to tell me why in the central valley we're
 14 growing such water intensive crops. I don't
 15 understand that. I don't understand why we're
 16 growing rice. At what it costs a bushel to grow, we
 17 can't recoup that on the world market, and who's
 18 subsidizing these in between? That's a puzzle to me.
 19 I believe that just through conservation we can find
 20 enough water to save these fish in the Delta. So
 21 thank you.

22 MR. BODOVITZ: Thank you.
 23 Jean Ward, Anne Blandin, Hampton Kennon and
 24 Steve Mello.

25 MR. WARD: I'm Jean Ward. I am representing -40

1 no. I am a member of the Delta group of the Sierra
 2 Club, but tonight I'm speaking as a private citizen
 3 and a resident of Brentwood. The old axiom
 4 "location, location, location," doesn't seem to be
 5 true in the case of good drinking water. I live in
 6 Brentwood. We're located on the confluence of the
 7 Delta. We live right at the water source of drinking
 8 water for many areas. We have pipes flowing with
 9 fine drinking water going off in many directions for
 10 long distances and short distances from our town, yet
 11 our water is not desirable for drinking. Most of us
 12 buy our drinking water. It seems to be that in this
 13 first world country we all ought to have good
 14 drinking water. Brentwood is a small, fine town
 15 located at an abundant water source, yet we do not
 16 seem to have what it takes to procure good drinking
 17 water. Continuing to ship large quantities of water
 18 away from us will further prevent us from having this
 19 basic human right. Thank you for listening.

20 MR. BODOVITZ: Thank you.
 21 Hampton Kennon, Steve Mello, Chris Parkes.
 22 MR. KENNON: I'll pass.
 23 MR. BODOVITZ: Okay, Mr. Kennon. Steve Mello,
 24 Chris Parkes, Mike Vukelich.
 25 MR. MELLO: I'm Steve Mello, Delta farmer and 41

1 state, where is that water going to come from? I
 2 think there needs to be more on-stream storage as
 3 well as additional off-stream storage. Off-stream
 4 storage needs to be south the state and federal
 5 pumps. This off-stream storage is critical as
 6 fisheries recovery will not occur until pumping is
 7 ceased during periods of critical environment in need
 8 in the Delta.

9 I'm very concerned about the fact that state
 10 and federal agencies that are signitores to and
 11 participants in the CALFED process are carrying out
 12 projects that accomplish CALFED goals while bypassing
 13 the proper public review that is required of CALFED.
 14 There needs to be better coordination. To mitigate
 15 the loss of the farmland on the Delta due to
 16 ecosystem restoration, agricultural conservation,
 17 easements should be bought by CALFED in the Delta.
 18 To guarantee a certain critical mass of farm acreage
 19 for our farm support industry and communities as well
 20 as tax basis for special districts that provide the
 21 services that we need. No predetermined time line
 22 should lead to the construction of an isolated
 23 facility. However much time is necessary to
 24 implement and evaluate and to adjust all possible all
 25 in-Delta solutions should be used. I would like to 43

1 resident in Sacramento County. I'm a North Delta
 2 Water Agency representative on the Delta Protection
 3 Commission, a director on the Central Valley Flood
 4 Control Association as a founding member and a
 5 director of the North Delta Conservancy, and I'm a
 6 trustee of Reclamation District 563. While these
 7 entities have and will submitted comments, CALFED,
 8 these comments are my own. I support the CALFED
 9 preferred alternative, but have many concerns about
 10 how the CALFED ecosystem restoration program and the
 11 whole CALFED process are carried out. The negative
 12 socioeconomic impacts in the Delta have been said by
 13 CALFED are said to be unavoidable and permanent. I
 14 have some ideas on how those effects can be
 15 minimized. First one is a common Delta pool needs to
 16 be maintained; second is, there needs to be some type
 17 of safe harbor protection for farmland effected by
 18 the induced introduction of special status species.
 19 The cost of pump and syphon screening as well as
 20 other costs related to these species' presence should
 21 not be born by the landowners. CALFED says or
 22 biologists have said that 150 to a 175 percent
 23 additional water above and beyond that which is
 24 currently used by farming will be consumed by the
 25 evapotransporation of a wetland. In a water deficit42

1 subject constructed facilities to the same scrutiny
 2 that Delta levees are scrutinized in their risk to
 3 seismic activity.
 4 My parents worked a lifetime to create a legacy
 5 to leave to their offspring and subsequent
 6 generations and I hope that we don't let a
 7 bureaucracy take that away from us. Thank you.

8 MR. BODOVITZ: Thank you.
 9 Chris Parkes, Mike Vukelich, Tim Donahue.
 10 MR. PARKES: Hi, my name is Chris Parkes and I
 11 am a resident of Moraga in the county, and my
 12 position on the water problem is that I think you
 13 should solve it. This meeting is kind of depressing,
 14 because it seems like there is not enough water for
 15 the farmers and the fish and for the people. I
 16 encourage CALFED to take any steps that you can take
 17 as it sounds that you already have salt standards
 18 that will set limits for all the different parties.
 19 I know that in Contra Costa County, it took me well
 20 over an hour to get here. It wasn't that it was that
 21 far, but there's a major traffic mess that is
 22 existing in the county. And I think that the county
 23 is looking at setting performance standards in terms
 24 of setting limits in terms of addressing the issue of
 25 traffic in this county. Some of the things that are44

1 being discussed in Lamorinda, which is the part of
 2 the county that I live in, is traffic generation
 3 rights, which is being set up by the three different
 4 cities of Lafayette, Moraga and Orinda in setting how
 5 bad a mess we continue to create for ourselves. And
 6 I would encourage CALFED with any limits that it's
 7 setting in terms of salt standards at different
 8 points in the Delta to maintain that those limits
 9 cannot be exceeded. Any of those kind of steps that
 10 I think are necessary in order for all parties to be
 11 bound within certain limits. I think that those
 12 limits should also apply to the water districts.
 13 I know that East Bay MUD, we had like a
 14 25 percent cut back during the last drought. I know
 15 that now they are saying that because they continue
 16 to issue water permits, that during the next drought,
 17 they expect a two-thirds cut back, which is just
 18 unreal. But that argument is being used, I think, to
 19 say that we don't have our American River water,
 20 which they are looking for, but I think that when you
 21 reach certain limits there should be standards on
 22 what the cut backs are acceptable to the water
 23 districts, and that water districts be required to
 24 limit new water permits when those standards cannot
 25 be met because they continue to issue water permits.45

1 I think new water is the most important thing. Of
 2 course you don't have new water. From the U.S.
 3 geological survey, I got these facts here
 4 193 million-acre feet of water and snow precipitation
 5 fall on the state each year. Of that,
 6 71 million-acre feet run off. I don't know what
 7 happens to the other 120 million-acre feet, but they
 8 claim -- I've asked several experts -- they claim
 9 that most of the it goes into ground water and some
 10 of it is evaporated, but water is recyclable. The
 11 water in those waters might be two billion years old.
 12 Who knows. It just keeps on coming. I think -- I'm
 13 already finished? I guess I just talk too slow, but
 14 we need the -- I'll have to put this in writing, but
 15 I want to make two points. We need to save the water
 16 mostly for use, and secondly, to stop the siltation.
 17 I was flooded several years ago in 1982.
 18 January 4th I was flooded in my place. I lost over a
 19 million dollars worth of plants. I had something
 20 like 42 million pounds of silt come onto my property,
 21 and I just did a calculation here. I fooled around
 22 with silt after that, but in the bay we have
 23 something like .73, which is less than 1 percent.
 24 MR. BODOVITZ: Theory Vukelich, I'm sorry --
 25 MR. VUKELICH: I had something really good to 47

1 So I would encourage CALFED to set limits and
 2 then require that all parties work and do their best
 3 to meet those so that at least things will not
 4 continue to deteriorate. Thank you.
 5 MR. BODOVITZ: Thank you, Mr. Parkes.
 6 Mike Vukelich, Tim Donahue, Bill Reynolds.
 7 MR. VUKELICH: First, I'd like to commend you
 8 up there to have to listen to people like me with you
 9 and your attitude is certainly great. It seems like
 10 everyone is smiling and being attentive to all of us
 11 and I appreciate that. One thing about the water
 12 again, the water that you have there comes from the
 13 Owens Valley Water Shed. We have in our county, I
 14 was born and raised in this county here for 69 years,
 15 and long before I was born, we had one of the first
 16 water companies started here, the Alhambra Water
 17 Company. And it was started by the grandfather of
 18 Ernie La Salle in Martinez. And Ernie tells me that
 19 they got the water from the upper reaches of the
 20 Alhambra Creek. And if you would like to get
 21 Alhambra water, it doesn't come from there any more.
 22 Now they get their water from the Mokeulmne River
 23 through some pipes over in Hayward.
 24 But I was kind of disappointed to hear at the
 25 beginning that CALFED is not looking for new water. 46

1 tell you, but I'll write it.
 2 MR. MCKENZIE: That's an incentive to carefully
 3 read your comments when we receive them.
 4 Tim Donahue, Bill Reynolds, Rogene Reynolds.
 5 MR. DONAHUE: Good evening. I am Tim Donahue.
 6 I'm chair of the Delta group of the Sierra Club.
 7 Before I address specifically some of the issues
 8 raised in the CALFED proposal, I really want to do
 9 something, and that is bring reality to Californians.
 10 The fact of the matter is that all of us live as
 11 though water is an endless supply. We live in an
 12 area that is semi, quote, arid, that is, it doesn't
 13 rain here for 7 of the 8 months, and water has been a
 14 problem and an issue from day one in this state. The
 15 battle between farmers and now their latest
 16 adversaries, us, who live in the suburban areas will
 17 continue to go on. Let's wake up folks. We all live
 18 like we live in Michigan where I originally was a
 19 native, surrounded by water, but the bottom line is
 20 we have a very limited supply. So in addressing
 21 specifically -- oh, and I'd say given the task you
 22 have, I think you'll be drinking more than water
 23 before this is over. Thank God that California is a
 24 record wine producer.
 25 First of all, there is no guaranteed water for48

1 the fisheries and the ecosystems in the proposed
 2 plan. And we all know, and those of us who have
 3 lived here and I've lived here since 1971 in the
 4 immediate area, that the fishery and the quality of
 5 water in the Delta has significantly declined. This
 6 area is number one in usage of bottled water. You
 7 notice I have my bottled water too. I don't drink it
 8 out of the Delta.

9 The management strategy that is proposed in the
 10 plan really puts too low a priority for conservation
 11 recycling and other beneficial efficiency measures.
 12 Again, we live in a semi-arid state. Let's look to
 13 technologies in other parts of the world, in Israel
 14 in particular who uses very little water and produces
 15 their farm material. The plan proposes an
 16 environmental water account to pay habitat
 17 restoration, but few details are given. Is it going
 18 to simply be another subsidized bail out for water
 19 users? The report is vague as to new dams or other
 20 water reservoirs, and I want to point out in
 21 particular in this area that the reservoir that he we
 22 voted on in our water district, the Contra Costa
 23 Water District several years ago which is almost
 24 filled almost to capacity, Los Vaqueros, when that
 25 vote was taken, it was indicated in the bond measure49

1 that in order to enlarge that reservoir, you have to
 2 go back to us voters, us rate payers of that
 3 district, and I'm telling you right now this area
 4 fought vehemently against the peripheral canal and
 5 any transportation of any further water down south
 6 will be so opposed. I guarantee it.

7 Finally, there's no definite finance plan
 8 that's laid out. Is this going to be put on the
 9 backs of the taxpayers or the users and the people
 10 who want to use this water?

11 MR. BODOVITZ: Mr. Donahue --

12 MR. DONAHUE: Thank you.

13 MR. BODOVITZ: Thank you. Bill Reynolds,
 14 Rogene Reynolds, D.A. Tuma.

15 MR. REYNOLDS: Good evening. I'm Bill
 16 Reynolds. I live on Roberts Island, which is west of
 17 Stockton. I'm concerned about several things, and
 18 they deal largely with the CALFED process. Earlier
 19 this evening before the public hearing began, there
 20 was a listing ticked off that talked about who was
 21 involved in the improvement plan. All of those
 22 members who were ticked off were agencies. They were
 23 bureaucrats. I didn't hear any representatives of
 24 the Delta that were included as part of that decision
 25 making process. I think that's very poor. 50

1 The other part of the process that I'm
 2 concerned about is that we're doing again -- this is
 3 like deja vu all over again. I feel like Yogi Berra.
 4 A year ago in May in 1998 I'm going to make the same
 5 comments that I'm going to make tonight. I did not
 6 hear those comments a year ago responded to in the
 7 latest edition of the EIR. I'm going to start
 8 through of what I said before that has not been
 9 responded to. Several of these are word for word,
 10 still in the current edition of the EIR. I object to
 11 your characterization of growers in the water use
 12 efficiency component on Page 4-6. This is very
 13 specific, as one reluctant to spend money on water
 14 conservation, unless it can be returned in a short
 15 period of time.

16 My comment then is that growers regularly spend
 17 money on irrigation items such as ditch repairs and
 18 reclamation districts improvements. The levees in
 19 the Delta do not maintain themselves. A lot of money
 20 is spent by individual growers and reclamation
 21 districts on those. Additionally, many ranches have
 22 cement ditches that are certainly long term
 23 investments and that growers are using drip
 24 irrigation on most permanent plantings. Second item
 25 that I talk about is that it mentions that growers 51

1 use untrained labor for irrigation. Any grower that
 2 uses untrained labor is extremely unwise, because
 3 correct application of water is extremely critical to
 4 growing and harvesting a crop that's marketable.
 5 Incorrect cultural practices are punished in the
 6 market place. Growers do not survive in this day and
 7 age the margins are too thin.

8 Then there is a very there's a stereotype
 9 that's in there. It's still there. It's offensive.
 10 It talks about the passing of knowledge between farm
 11 families. Talks about sons being reluctant to talk
 12 to their father's for fear of offending them. If
 13 generations disagree, they do that on business
 14 decisions all the time. This is not something that
 15 is related strictly to agriculture and fathers and
 16 sons. I think it's offensive. It's a stereotype
 17 that need not be continued.

18 MR. BODOVITZ: Mr. Reynolds, I'm sorry. The
 19 three minutes have gone.

20 MR. REYNOLDS: I do need to point out that
 21 there is previous testimony in earlier hearings that
 22 has not been responded to in this EIR. Thank you.

23 MR. BODOVITZ: Thank you, sir.

24 Rogene Reynolds, D.A. Tuma, Chris Lauritzen.

25 MR. REYNOLDS: Good evening. My name is Rogen52

1 Reynolds. I live in the south Delta, one mile north
2 or Old River. Mrs. Nichols, I have to ask you a
3 question, did you receive my the photographs of the
4 south Delta crops?

5 MR. BODOVITZ: Why don't you use your time --

6 MR. REYNOLDS: I used it in Stockton. I'm
7 going to repeat those comments. I only have three
8 comments and questions tonight.

9 MR. BODOVITZ: We have a policy of not
10 answering questions. After the hearing is over, if
11 someone wants to answer your question, then they will
12 but we'll be here all night if everybody grills
13 everybody else, so close the questions, and if
14 Mrs. Nichols wants to answer them afterwards, she
15 can.

16 MR. REYNOLDS: Thank you. I've only one
17 comment to make and that's on the CALFED procedure.
18 And last year I've gone to endless meetings and round
19 tables. From the south Delta we've done everything
20 we can to work with the process. We've been told
21 publicly nothing that we say can change it. I can't
22 believe that's true, but that's what we were told.

23 I've only one other statement to make tonight.
24 The south Delta improvement team meeting, the very
25 important planning meeting, is set on the same date 53

1 as the Sacramento CALFED final hearing on EIR. There
2 will be a lot of our legislatures present that we
3 would like to hear and have hear us. We asked two
4 weeks ago that that date be changed. It's
5 September 22nd. We don't think it's too much to ask.
6 Thank you.

7 MR. BODOVITZ: Thank you.

8 D.A. Tuma, Chris Lauritzen, Allen Payton.

9 MR. TUMA: My name is D.A. Tuma. I'm the
10 libertarian party candidate for Congressional
11 District 3. It starts right across the river here
12 and it goes all the way to Red Bluff. It goes from
13 Sacramento to Vacaville. There's a republican in
14 there now. We don't care too much for republicans or
15 democrats. They give us the kind of government that
16 puts folks behind the table in front of us tonight,
17 and we're here questioning the process. How did we
18 get here to this point from a constitution that was
19 drafted? When was that? It was a couple hundred
20 years ago, but it set out very limited powers for the
21 feds and wasn't specified for the feds. It was
22 reserved for the people in the states, and what do we
23 see here tonight, but them coming together and
24 telling us that this is the way it's going to be.
25 Well, that's why we have a libertarian party, and 54

1 we'd like to give you folks an alternative. You
2 don't have to put up with socialism. It's the
3 product of government schools thinking that
4 government is going to take care of us. It's going
5 to make all the decisions for us. Well, that's a
6 bunch of crap. These people have no idea what kind
7 of unintended consequences are going to result from
8 what they are doing. They are putting drain water in
9 your drinking water. It's not just here in Contra
10 Costa County, but its here throughout the South Bay,
11 in Southern California. There aren't even complying
12 with federal law. There's a national environmental
13 policy act that tells them to consider world wide
14 impacts that are consistent with other federal
15 programs. Are they doing that? You shut down farms
16 here, you think people are going to quit eating? You
17 think they are just going to tighten their belts a
18 little? No, there's going to be supplier out there
19 and it's going to meet the demand. And where does
20 the demand come up from everybody is in agreement.
21 We got rain forests coming down and 60 percent of
22 them are used to grow crops. Now if 60 percent of
23 the rain forests are gone, and in another 50 years at
24 2 percent a year, there goes your rain forest. Now
25 you want to save valuable habitat, you got a choice 55

1 between saving a desert or tropical rain forest.
2 Which one is more productive? Which one has more
3 density and diversity of species? You don't even
4 consider it. You are not in compliance with NEPA.
5 You don't have any holistic ideas. You're lost.
6 MR. BODOVITZ: Thank you, Mr. Tuma.
7 Chris Lauritzen, Allen Payton, Albert Medvitz.
8 MR. LAURITZEN: Good evening. Boy, that's a
9 tough act to follow. I'm third generation and am one
10 of the farmers are here this evening. I have lots of
11 concerns about CALFED. I've attended some of the
12 meetings. My grandfather was on the Delta a hundred
13 years ago. He used to tell stories that from
14 Martinez to Cash Slew above Rio Vista. You could
15 walk across the boats for all the boats that were
16 catching the salmon and the strippers in the early
17 '20s. We're never going to see that again. I
18 received a report not too long ago that stated in
19 fiscal year 1999, CALFED was going to spend 73
20 million dollars on ecorestoration projects throughout
21 the Delta to include to buying levees and include
22 project studies and that sort of stuff. That 73
23 million dollars will never bring back our fishery to
24 the way we had it 70 years ago. As long as the bumps
25 are going, we're still stuck. The fisheries are 56

1 going to continue to decline what hurts our business.
 2 My sister Margaret and I are in the recreational
 3 business. We own a Marina out by the Antioch Bridge,
 4 and we continue to watch the fishery decline. Year
 5 after year, the fish get smaller. There's less of
 6 them. It impacts our business and impacts whole
 7 Delta as a whole.
 8 A concern that I have is that by purchasing
 9 western islands like Sherman Island, Twitchell Island
 10 are owned by the Department of Water Resources.
 11 Jersey Island is owned by Ironhouse Sanitary
 12 District. Bradford Island and Webb Tract, they
 13 struggle and try to make a living out there. My
 14 belief is that Department of Water Resources are
 15 trying to move the salt line from what used to be
 16 down by Mallard Slew, Broad Slew, you are moving the
 17 salt water farther up to the Delta, eventually we'll
 18 up on the east side of Webb Tract. I think that's
 19 going to impact everybody out here whether you have a
 20 boat or you are trying to farm. We need fresh water.
 21 You talked about in some of your plans about blocking
 22 off some slews. You talk about widening other slews
 23 specifically around Old River. My belief is that by
 24 widening the slew, you are going to be bringing up
 25 more salt water. Much the same as if you were to 57

1 about population growth with some authority. To
 2 understand what's going on here we have to understand
 3 what the future is going to be like in this state.
 4 By the time that some of the younger folk who were
 5 making comments earlier reach their 50s, there will
 6 be somewhere in the neighbor of 60 million people in
 7 this state. By the time their children get to their
 8 50s. There will be close to 100 million, possibly
 9 120 million of this state. By the end of this
 10 century, it is within the realm of reasonable
 11 possibly that there will be more urban land in the
 12 state than there is agricultural land now. Our
 13 population density will be approaching that of Japan
 14 at about the same land mass. Given these issues,
 15 given this prognosis, we don't have time to waste in
 16 thinking about future supplies. The lead time for
 17 storage is very long. If we are going to deal with
 18 the problems of water in 50 years, we have to start
 19 now, and that means future supplies.
 20 The second point I'd like to make is that I'm
 21 relatively new at farming. I've only been doing it
 22 for 12 years. Before that, I was an urban East Coast
 23 person. I would like to say that there's a great
 24 deal of ignorance and misunderstanding of farming and
 25 the motives and characteristics of the farm communit59

Theresa A. Aguilar, CSR, RPR

1 lose Sherman Island or Webb Tract, Jersey Island to a
 2 flood. You are going to have a higher salt intake --
 3 salt farther up. I believe that the process is a
 4 long process. You don't have an easy way to go, but
 5 you are going to kill us all in the Delta, whether
 6 you be a farmer or a boater or a recreationalist.
 7 Thank you.
 8 MR. BODOVITZ: Thank you. We have several more
 9 cards, but if there's anyone here who wishes to speak
 10 and hasn't yet filled out the card, this is last call
 11 for cards. So we'll check if there are any more, but
 12 this is the last chance. If you want to speak and
 13 haven't filled out a card, please do it now.
 14 Allen Payton, Albert Medvitz, Steven Chappell,
 15 Allen Payton? Okay. Albert Medvitz, Steven
 16 Chappell, followed by Gene Robinson.
 17 MR. PAYTON: Good evening. I'm Albert Medvitz.
 18 I'm a farmer in Solano County. I've certified
 19 organic safflower and sheep just across the river. I
 20 also am on the board of directors. I'm a district
 21 director for the California Farm Bureau Federation,
 22 and also a book has just been published, which I was
 23 the senior editor of on California Farmland under
 24 Urban Pressure published by the Ag Issue Center at UC
 25 Davis. I only say that because I want to say that 58

1 in the state. A valid water policy must take into
 2 account the success of agriculture. They are the
 3 most important environmental managers in the state.
 4 Faulty policy for ag will lead to accelerated
 5 environmental decline, regardless of set asides. We
 6 have to have farmers involved.
 7 Now, the thoughts about storage that are
 8 supported by farm people, and the thoughts about
 9 taking land out of production are based on many years
 10 of experience and study and thought by members of the
 11 farm community, who share a genuine concern about the
 12 welfare of their urban companions on this spaceship
 13 earth. Thank you.
 14 MR. BODOVITZ: Thank you, Mr. Medvitz.
 15 Steven Chappell and Gene Robinson.
 16 MR. CHAPPELL: Good evening. It's a pleasure
 17 to be here tonight. I welcome the opportunity to
 18 speak to you. I'm the executive director of the
 19 Suisun Resource Conservation District. I represent
 20 about 158 privately owned managed wetland properties
 21 and areas on the other side of the bay from where we
 22 sit today.
 23 A little history with the marsh, in 1977 the
 24 landowners of the marsh took an initiative upon
 25 themselves to protect the managed wetlands in the 60

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1 upland areas of the marsh from urban encroachment
 2 through the Suisun Marsh Preservation Act. With
 3 that, it protects 116,000 acres of land, 30,000 of
 4 lands of bays and slews, 52,000 acres of managed
 5 wetlands, and about 27,000 acres of uplands.
 6 In the marsh, today Suisun has identified in
 7 many of your plans for a conversion of tidal wetlands
 8 and protection of the water quality in the Delta, and
 9 also sustaining an existing managing wetlands. The
 10 four items that are identified in your resource
 11 strategies are all interlinked with the three
 12 following items, which I think is critical for CALFED
 13 to figure to achieve the goals. Water quality for
 14 the Suisun marsh. Protection of those standards
 15 protect the managed wetland habitats as well as the
 16 resource of the existing managed wetlands in the
 17 tidal areas.
 18 If these standards are modified, there could be
 19 degradation of existing habitats. The prevention of
 20 long term intrusion of salts from the bay will also
 21 protect water deliveries in the Delta including the
 22 Contra Costa and Antioch water supplies.
 23 Currently, the CALFED program has a Suisun
 24 marsh levee investigation team which is looking at
 25 the long term viability of the Suisun Marsh levees 61

1 and their integrity and how their integrity effects
 2 the salt water intrusion into the Delta.
 3 This program is very critical for the
 4 protection of existing managed wetlands as well as
 5 the long term protection of the estuary and the
 6 Delta. I think that one of the issues that's been
 7 brought up today is the farmers being concerned about
 8 their properties being taken. The people who own the
 9 managed wetlands and the marsh today are concerned
 10 where they see the proposals for tidal conversion of
 11 existing managed wetlands. These landowners have
 12 been good land stewards. They've taken the
 13 initiative to protect the land, and now they are
 14 seeing their properties being threatened by potential
 15 future conversion. And I hope that CALFED will
 16 address these issues effectively, and will
 17 participate with the landowners in a long term
 18 solution to make sure what has been set forth with
 19 the current landowners will be perpetuated in the
 20 future.
 21 Thank you.
 22 MR. BODOVITZ: Thank you.
 23 Gene Robinson. You have the last three
 24 minutes, sir.
 25 MR. ROBINSON: You were looking for me. 62

1 Thank you. My name is Gene Robinson. I'm from
 2 Sacramento County. My wife and I here are retired
 3 now, so we don't have too much of an agriculture
 4 bias. We still got a couple of beef cows.
 5 Anyway, I have listened to the process and it's
 6 so obvious that the entire CALFED program is not
 7 directed to a solution to the problem. The problem
 8 is very simply the urbanization of our state. We got
 9 too many people. We got too many uses for too little
 10 water, so you've either got to get rid of the people
 11 or you've got to get some more water going. So the
 12 thing to do about the water is you either raise your
 13 existing dams and impound some more, or maybe you
 14 get some far out engineers and you go reach into that
 15 pacific ocean, bring that salt water out and
 16 desalinize out. Now, it's going to be expensive, but
 17 eventually with enough people and enough urban demand
 18 you are going to have to look into taking the salt
 19 out of the ocean and using it for fresh water. And I
 20 think it's engineeringly possible. I don't recommend
 21 the oil/fossil fuel approach, but there ought to be
 22 something that could be done with all the sunshine in
 23 the state to use that energy, or the wind blowing the
 24 windmills, someway to create more water to meet the
 25 needs of the people that are already here, and that 63

1 are generating more.
 2 MR. BODOVITZ: Thank you, Mr. Robinson.
 3 Thank you all for coming. We appreciate your
 4 comments very much and your perseverance in staying.
 5 The hearing is adjourned.
 6 (Whereupon the proceedings concluded at the
 7 hour of 8:30 p.m.)
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1 State of California)
2 County of Contra Costa) ss.

3 I, THERESA AGUILAR, a Certified Shorthand
4 Reporter of the State of California, do hereby
5 certify that said proceedings were taken at the time
6 and place mentioned on the first page hereof, to wit:
7 NICK RODRIGUEZ COMMUNITY CENTER
8 213 F Street
9 Antioch, California
10 on September 8, 1999

11 That said proceedings were taken in
12 shorthand by myself, a Certified Shorthand Reporter,
13 and under my direction transcribed into the foregoing
14 typewritten transcript.

15 In Witness Whereof, I have hereunto set my
16 hand and affixed my signature at my office in
17 Antioch, California, this September 14, 1999.

22 THERESA AGUILAR, RPR, CSR 10498