

The following is a summary of the comments and questions asked, along with the answers given at the Walnut Grove Landowner meeting hosted by the Department of Water Resources on August 19, 2008

Q: (comment by Yolo County Supervisor Mike McGowan)

I am here to talk to you about process. There is a real frustration here, I think, about the process, and fundamentally what's the end game, and how is this going to impact my life? There certainly is that little frustration at the county level.

I have tried to be very active in this, and I must confess it's been challenging to elbow one's way to the table. You make a mistake if you don't appreciate how concerned most of the folks in this room are about the end result.

We're talking about permission to come on your land. And I'm getting calls from folks who have gotten letters, and they're asking me two questions. One, what happens if they come on the land and something happens where they see something? And I hope you're going to be talking much more about that tonight, and I suspect you will be. But the other question is the policy question. Well, if I cooperate in this thing, even if nothing adverse happens to me and my land, what's going to happen here in Clarksburg or in Walnut Grove or in the Delta? Depending on where you're from.

So they're very concerned about not just what's going to happen in their own relatively minor way, but what is going to happen to the Delta.

So just quickly some thoughts I have, and then I'll move on. But no process that you're thinking of doing, this whole project or Delta Vision or the Lower Bypass Collaboration, or any of the myriad projects going on today about the Delta, will be successful without meaningful engagement by the people who live here, who are in this room, and by the locally elected officials. And we have not been celebrated or included in this process.

Everything we hear is about the transport of water, having a quantity and quality for the use of a whole bunch of people outside the Delta. And we understand that need here in the Delta. It's a reality. But the other co-equal value, of course, is the habitat. We're getting a little weary of having to raise our hand and say, "Don't forget the people and the business interests and the culture and the history, and the rich, rich contribution that folks that live in the Delta today make." It's as if we don't exist. It's as if this whole process is being painted on a purely blank piece of paper. It's not. And so there's some frustration and irritation with that.

But much more significantly than that, your process, the state's process, and these large water companies' process, because that's who's driving the BDCP, and it's their money, will not be successful if they don't truly respect and embrace the folks that are here who truly know what's best for their community and, quite frankly, are the most suitable and capable to help the state and others in the state come up with solutions that will work for everybody. And we have not been included sufficiently. We're feeling that, and we don't

want to be just totally resistant and militant, and combative. We do want to see how we can make this process work.

As an example, and I've learned this from my neighbors in Clarksburg, we're doing some great things in Clarksburg. And this is only an example of the many things that are happening in the Delta. We're taking that area and revitalizing agriculture in a way that was really not thought of just a few years ago, like the grape growing, the winemaking, the burgeoning of Ag tourism.

The world has discovered Clarksburg and the Delta, our General Plan, that it's a special Ag district. We have the attention of our local jurisdictions on that. We're poised for that area to be truly something marvelous, and to actually help and enhance the agriculture industry that's been there for so long.

We have to fight like mad dogs to get the attention of Met, of Westlands, of DWR, with all due respect, of Phil Eisenberg, or any of the folks that are involved in this process who need to appreciate what we're trying to do here before you decide what our fate is going to be.

And I think once we here in the Delta feel confident that that voice is being heard and respected, you're probably going to get a lot further. So I really encourage, I don't want to be bombastic or confrontational. I do want to work with you. You've got tons of questions. We'll talk about them later.

As an example, you're talking, you're planning, you're studying. In the meantime, the water companies are buying land like crazy in Yolo County and Solano County. So why? What's that all about? Do I have to go back to my county and say, 'Well, what's my land use authority down there in that land? Do I have the right to require the use permit to convert Ag land into habitat?' A year ago that would've been blasphemy in Yolo County. I would not have even thought of such a thing. Today, we're trying to figure out ways to protect our interests that may even seem draconian. It certainly seemed draconian before. So we're struggling to figure out how we can respond to this tsunami, pardon the pun.

So with that, I do thank you for coming down here. You're going to get earful. Have a good time. Welcome to the Delta.

Q: I am concerned that Delta smelt are declining because we are putting polluted water into the Sacramento River. I wasn't aware that Sacramento does not have a tertiary system for their regional sewer plant. And I cannot understand why that is not happening.

A: That's a very good point. Our knowledge of ammonia in the water resulted from some of the work we did looking at other stressors in the system, and how they might be affecting Delta smelt and other critters. The ammonia issue is something we've got a better handle on. And we've mentioned to the state board and the regional board this concern, and I think they're

trying to get on it.

So a lot of it is education – understanding what the impacts are, and then figuring out how to fix it. One of the problems that we've had for a long time is just focusing on one stressor – the pumps. But the system is a system. There's a lot of stuff going on here. And, certainly, our pumps affect fish. I'm not about to tell you they don't because they do, and we need to mitigate for that.

Q: Who appointed the people on the Bay Delta Conservation Plan, and what was the criteria for their appointment?

A: People signed up to be on the steering committee. We held meetings in Stockton and about 20 people volunteered to sign up. The Delta interests, at the time, didn't want to join. And now we're finding that there is more interest here. So we've got to work through that process.

Q: My concern is that this is a facade using fish to pass water to the south. You want to build a peripheral canal to bypass the Delta. What happens to the Delta? It keeps drying up because you guys took the water.

A: I talked about the reverse flows in the south part of the Delta due to the Wanger Decision. That federal court decision was all about these flows in the south Delta moving backwards at too high a rate. In order to comply with that decision this year, it cost our two water projects about 735,000 acre feet of water, in a dry year. The loss of water supply to the state of California this year, because of the way we move water across the Delta, was equivalent to over three new reservoirs. That's a big deal, particularly, in a dry year.

In addition, we are concerned about the fish because those fish dictate how we operate our projects. We've got to fix this or we will have a big problem with the fish, and then we'll have a big problem with California's economy. The environmental issues really are our primary concern here. If we can fix the environmental issues, water project operations become much simpler.

Q: When you shut this water down, what happens to the watershed for all the farmers who pump water for their fields?

A: The tidal movement washes in and out of the Delta four times a day. You will have water levels because a lot of it is dictated by the ocean tides. The issue for a lot of folks is regarding the salinity of that water. This is a big deal. The studies we've done show that the saltwater intrusion would come in only slightly if we built some isolated conveyance system,.

Q: My property is being discussed at state levels for not only an alternative conveyance but also a proposed Sacramento bypass, potentially, which could include habitat restoration. All three of those things impact me directly, and can completely ruin my livelihood. Why aren't you looking at the ship channel as a conveyance option?

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A: The deep water channel has been looked at as a possible conveyance system. As we looked at that option we discovered a large amount of smelt that use the ship channel for rearing habitat. Push a lot more water down that ship channel would cause impacts on all the smelt. The fish agencies are not going to like that.

Q: If you find an endangered species on my property, why would I want you to come and find that and document that, and then tell somebody that's going to come and tell me how I can or can't continuing farming?

A: In terms of the endangered species question, we will have to report what we find. The findings are given to the Department of Fish and Game put into a Natural Diversity Database. The database is general - it doesn't identify property owners and it doesn't identify specific locations. But it gives agencies a very general idea of where an endangered species may be located.

We understand the concern over how the discovery of endangered species may affect your current farming operations. We are in the process of talking to fish agencies and from our discussions with them they have no interest in telling people they should do something different with their land. Now, if you try to do something totally different with your land, like cutting down 5 trees that have the Swainson's hawk in it, that could be a problem. If you take an endangered species, whether you know it or not, you've got liability under the Federal Endangered Species Act. So the knowledge of it doesn't have to be a problem necessarily, it might make you a better steward of your land if you know that those critters are there.

Q: Is there enough water for everybody in this state? We need to talk seriously about more storage.

A: We support more storage. But if you build more storage you still have a problem with how to get the water across the Delta.

Q: Why should I allow you to come onto my property?

A: I think we have an obligation as citizens of the nation to allow people to at least understand issues to help avoid problems in your area. I think what we're trying to do is set the dialogue up so we can talk about issues. We may decide to do nothing out of this process. That's still an option.

Q: What if we don't allow you on the property?

A: What we'd like to do is to continue the dialogue to find out your specific concerns. But, we can go to court and seek a temporary entry permit from the court. So that's a possibility.

Q: I haven't heard anything tonight in the Environmental Impact Report about what happens if we turn certain areas into marshes or into flooded areas. I am paralyzed

by polio because of West Nile Virus. One very sick mosquito got me and I will never walk unaided again. I would like to know what you have done with the Department of Public Health and how you have worked with Vector Control with whom I have been working for three years to make sure that any areas that are returned to their, shall we say, primal state, are therefore controlled so that nobody else ends up like me.

A: We're actually not very far along in the process where we've designed the alternatives and started to evaluate them, but your point is very valid. The issue of vector control is a major issue, and it isn't just mosquitoes. There's all kinds vector issues associated with wetlands. Vector Control agencies in the counties have to be included in this when we get to that point in the process.

Q: When you go in and build a thousand feet of canal, you have to mitigate to have something done somewhere else. Whose land is going to be taken over, what is going to be done, and how will it impact us economically? Who's doing that study?

A: The issue of water conveyance is historically difficult. Some of the early maps that came out of the Delta Vision process depicted huge areas of ecosystem restoration that really unsettled everyone. There has been a lot of miscommunication and a lot of mistrust going on as a result of that. We have to narrow the alternatives whether it's for conveyance or for habitat and also preserve the legacy of communities, establish a recreation base, a tourist base – these are the kinds of things that you have to demand as we move forward on this.

Public health issues, as well as the economic and social impacts associated with the communities, will be addressed in the environmental impact analysis. Each of the alternatives will be evaluated and compared and contrasted equally.

So the analysis will provide you with economic impacts of No Project Alternative and each of the potential conveyance alignments, as well as the restoration and the mitigation issues that are associated with that. What has been presented tonight is more focused on what is necessary to address the temporary easements that we need to conduct the environmental analysis.

Q: Regarding the Temporary Entry Permit – I suggest you limit the scope of the information and you define the scope of information that you want to get off the survey on each particular piece of property you're visiting. We want to know exactly what you're going to look for and what you're going to document. We also want you to limit the access of the information only to this process. To use it in a broader sense only puts us in a liable position for other consequences. Finally, you should provide anonymity to the specific location for anything that you find. It should be described in a broad sense, but not the specific parcel. If you can do those things I think you will get a little bit more cooperation.

A: I think we definitely need to be able to limit the scope of the surveys in a way that you're comfortable with. We will be very specific on the work that is going to be performed on these various properties. We want the opportunity to meet one-on-one with the landowners so we can

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go over the specifics of the work, answer the questions, and then put that in writing. With regards to using this information, it's only going to be used for this process, for this program. Regarding anonymity, the data will not be presented in the environmental document by parcel basis. It will document fish habitats and species in general terms, but we typically do not document that specificity because of concern over vandalism and the potential for disturbing those resources. So that would provide, I think, the concept of anonymity as far as your concerned.

Q: I think you need to develop a blanket approach and not negotiate a separate agreement with each landowner. You need to develop a blanket approach that's acceptable to a broad range of landowners, and then I think you can go forward.

A: We have standard templates for these temporary entry permits. But, again, we would like to have the opportunity to meet with each landowner, and if there is a specific item that we can work out, I'm hoping we can because we certainly want to work with the folks out here.

Q: Where can I find the questions and answers from the town hall meetings and these landowner meetings?

A: Notes from these meetings will be posted online in a few weeks. The questions and answers from the town hall meetings can be found at <http://www.water.ca.gov/Deltainit/>.

Q: My parents got one of these letters. If my 96- and 90-year-old parent should try to sell their property they will have to disclose what's going on here. Do you think they could find a buyer? Not now.

Q: Why can't Sacramento and Los Angeles County build desalination plants and leave what we have for our water up here?

A: Our California Water Plan is looking at all different ways to address water issues in California, and not just conveyance of water but water conservation. The governor's letter this year talked about urban areas reaching a 20 percent conservation goal by 2020. That's got to be a major part of how California deals with water issues in California.

Desalinization is certainly something that needs to be done. Not all areas have access for desalinization, and the energy requirements with current technology are tough. We're not exactly flushed with energy. California voters voted for moving the desalination technology forward. DWR has given grants to help move that technology forward so it can be used more efficiently in the future.

Q: Is it too late for a local representative who lives in the region to be part of this process?

A: The Secretary for Resources has made a commitment to meet monthly with the elected officials in this area that represent the Delta and have that dialogue, and we're currently grappling with how to provide for this kind of input on a more routine basis. We would love to

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get your input on the best way to do that as we move forward. We have several people that have applied to be on the steering committee, and we're grappling with how best to incorporate this kind of input in a structured, routine fashion.

Q: You need to pay a local person at least a per diem to participate because most of the people who are on the steering committee are salaried, and they are representing their various interest groups.

A: Good point. We will think about that.