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September 23, 2020

Via email

Kathryn Mallon, Executive Director  
Delta Conveyance Design and Construction Authority  
1121 L Street, Suite 1045  
Sacramento, CA 95814

Dear Ms. Mallon,

At the end of the last Stakeholder Engagement Committee meeting, we were asked, “Anything we need to go back and review in greater detail?”

I wanted to ask that the DCA take the time to consider impacts of the Central and Eastern Corridor facilities on Delta businesses and Delta communities. As I wrote to you in April, Delta businesses have been in crisis because of the shutdown, my own included. Rushing ahead meant that businesses didn’t have the time to participate.

I am very concerned by Ms. Buckman’s statement in the July meeting that the SEC has been “considering ways to move facilities and optimize to avoid impacts on communities to the extent possible.” I strongly disagree that the Central and Eastern Corridor designs the SEC has developed avoid impacts on communities to the extent possible, and so do many business owners and community members in the North Delta.

One example is Steamboat Slough Resort, which is owned by our friends, the Pappalardos. Brad Pappalardo was very concerned about the proximity of Intake 5 to Steamboat Slough Resort, and wanted to know why the intake locations were selected. Brad’s comments on the NOP stated:

This spot in the Delta is a special place for all who visit due to its tranquility and proximity to some of the best water for skiing and wakeboarding in California. It is located on Steamboat Slough, on the north end of Grand Island approximately 2-miles south of the southern most intake. [...]

I have lived here for 30 years and raised my family here. I have put back into the property more than \$1 million dollars. I have had to restore the road bank, put in retaining walls, install a new electrical system and replace nearly my entire dock. As a result of a great effort on the part of me and my family; it took nearly twenty years to fill our dock. This is not a business that thrives on large or even moderate margins. Any elongated disruption to our guests due to the noise and traffic from tunnel construction will have a direct and devastating impact on the business’ ability to survive for future generations to enjoy.

(Steamboat Resort scoping comments, p. 1.)

Intake #5 and #3 will also have severe impacts on my family's business, the Willow Ballroom. The scenic view on the Sacramento River, and the tranquility and beauty of the six acre location are the reason that brides from all over Northern California and the US come to be married here. Like the Pappalardos, my family also made significant investments in improving the historic Hood warehouse. A long disruption from construction would have a devastating impact on our business, as well as on the Hood Ranch Kitchen, which is across the road. And the Hood community would also suffer greatly from the noise and disruption.

At the August meeting, Phil Ryan showed that the DCA is also considering building intake #2, across from Clarksburg, for a 7,500 cfs project. The construction of intake #2 would impact many of the wine tasting rooms for the Clarksburg wineries and the Old Sugar Mill, as well as the Clarksburg Marina, River Delta High School and many of the homes in Clarksburg.

Construction of intakes #2, #3 and #5 together would likely devastate the North Delta communities, even with the new access roads the DCA has proposed. Yet you have refused to consider alternatives for the Central and Eastern Corridors. Brad Pappalardo commented:

The Department of Water Resources (DWR) seems fixated on placing the diversion in the middle of the Delta, but why? [...] For the last 14 or more years, we have this fixation on the same intake locations, on the east side of the Sacramento River between the towns of Courtland and Clarksburg. [...] More importantly, I don't ever recall a discussion or outreach about why these intake locations were selected over other locations throughout the Delta. [...] The Sacramento River is a long river. There must be a location from which you can build tunnels and intakes with less impact and where it is easier to deliver construction materials to. Where is the debate on alternatives?

(Steamboat Resort scoping comments, p. 1.)

I don't know what to tell the Pappalardos, or anyone else in the Hood community. I've gone to the SEC meetings for almost 10 months, and it is still not clear why intake locations #3, and #5 were selected over other locations throughout the Delta. Nor did Phil Ryan explain in the last meeting why intake location #2 was just tossed in as an alternative.

Ms. Mallon, at the January 26, 2020 Stakeholder Engagement Committee meeting, you told us that "the State Department of Fish & Wildlife, the U.S. of Fish & Wildlife Service and the National Marine Fisheries Service are the primary drivers for identifying constraints and siting criteria for these intakes."

Respectfully, I would like to know who in the California Department of Fish and Wildlife approved intake locations 2, 3, and 5, and when? And how did they consider effects of the intakes on North Delta communities and North Delta businesses in making that approval? Particularly on the towns of Hood and Clarksburg? And will they give a presentation to the Stakeholder Engagement Committee on their "constraints and siting criteria?" We deserve to know what the "constraints and siting criteria" are.

Gil Cosio also raised the issue in the last meeting that the levees in the vicinity of Hood are very dry and sandy and crumbly. The Delta Stewardship Council’s Delta Levee Investment Strategy has the same conclusion. I would like the DCA to explain in more detail how they are going to protect the Hood levees from vibration during construction, up and down the river from the intakes.

Phil Ryan also mentioned 1,500 cfs intakes briefly in his presentation of alternatives to the Stakeholder Engagement Committee. Phil showed this table:

<b>Updated Plan</b>			
<b>Capacity Option</b>	<b>Intake 2</b>	<b>Intake 3</b>	<b>Intake 5</b>
<b>3000 cfs</b>	n/a	n/a	<b>3,000 cfs</b>
<b>4500 cfs</b>	n/a	<b>3,000 cfs</b>	<b>1,500 cfs</b>
<b>6000 cfs</b>	n/a	<b>3,000 cfs</b>	<b>3,000 cfs</b>
<b>7500 cfs</b>	<b>1,500 cfs</b>	<b>3,000 cfs</b>	<b>3,000 cfs</b>

At the February 26, 2020 meeting, I asked if the DCA could consider intakes with a smaller capacity. The meeting notes state, “Ms. Buckman said it should be suggested as a scoping comment.” But since Phil Ryan is now mentioning 1,500 cfs intakes as part of the DCA’s alternatives, I’d like to ask the DCA to provide conceptual design for the smaller, 1,500 cfs capacity intake that Phil mentioned in the slide. I’d like to compare the footprint and local impacts for the 3,000 cfs intake with the impacts for a 1,500 cfs intake. For the 3,000 cfs and 4,500 cfs project, the smaller intakes might be better and there would be more flexibility about where to put them.

If the SEC is actually going to consider “ways to move facilities and optimize to avoid impacts on communities to the extent possible” the DCA must also consider moving the intakes in the Central and Eastern Corridor designs downstream. For alternative locations, Sacramento County suggested:

Information in the WaterFix EIR Appendix 3F, Intake Location Analyses (pp. 3.F.6 - 3.F.8), relying on the Fish Facilities Technical Team report, indicates that there are suitable intake locations farther downstream below Steamboat Slough (identified as intakes 6 and 7). Moving intakes farther south on the Sacramento River would reduce the potential for conflicts with and significant impacts to SRWTP operations, and thus the FRWP operations, as well as Town of Hood wells, and have the benefit of being better for salmon.

Moving the intakes to avoid impacts to the FRWP and SRWTP also would avoid significant impacts to tribal cultural resources identified by Miwok Tribal government representatives at the February 26, 2020 Delta Stakeholder Engagement Committee meeting, where DWR staff was informed that all three intakes are highly sensitive to the Miwok and include several village sites and more than 5 burial grounds.

(Sacramento County scoping comments p. 5-6.)

The Delta Protection Commission also commented on the WaterFix analysis of intake locations:

Because construction of diversion facilities causes such significant impacts to nearby Delta communities and natural and cultural resources in the Sacramento River/Highway 160 corridor, alternative diversion locations that avoid or reduce damage to Delta communities and recreational boating as well as protect fish should be considered. In addition, the analysis of potential diversion points undertaken in the BDCP/WaterFix EIR's Appendix 3F should be revisited with impacts to Delta communities weighted equally with impacts to fish and wildlife. Experts in Delta land use should be represented on the ranking panel equally with fish agency representatives. Relying on fish biologists, who are not trained in land use, cultural resources, or other relevant topics to weigh impacts on Delta communities does not employ the best available science.

(Delta Protection Commission scoping comments, Attachment 1, p.2.)

At the January SEC meeting, Phil Ryan said he had reviewed the previous project, stating:

DCA conducted a detailed site investigation. It is important to understand that DCA conducted its own detailed analysis and also utilized information compiled by the Fish Facility Technical Team (FFTT) for the previous WaterFix project. The FFTT was comprised of the fish regulatory agencies, consultants and other interested people who helped evaluate the river for potential intake sites. The FFTT identified, analyzed and then made conclusions on site locations. DCA reviewed their information to ensure understanding of their methodology, but then re-evaluated using new information such as the State's underwater river mapping conducted last summer. All of this information was used to re-evaluate and verify the potential intake sites.

...

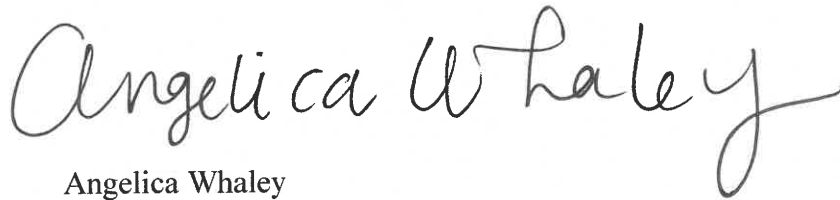
Based on evaluation of all of these factors, five candidate sites emerged. These are the same sites identified in the previous project... All of the intakes are compatible with either corridor option in the NOP

I would like to know who was on the DCA team that conducted the site investigation, and decided that the five sites from the WaterFix project were the only candidate sites, and that the best three were the intake sites selected for the WaterFix project. We deserve to know who made those decisions.

I also want to request that DWR explain to the Stakeholder Engagement Committee members how the review of the Central and Eastern Corridor options by the Stakeholder Engagement

Committee relates to DWR's implementation of Delta Plan DP P2, "Respect Local Land Uses when siting water or flood facilities or restoring habitats." We've had many presentations about DWR's implementation of the CEQA process, but none about DWR's implementation of Delta Plan DP P2.

Thank you for your consideration of these comments,

A handwritten signature in black ink that reads "Angelica Whaley". The signature is written in a cursive, flowing style.

Angelica Whaley  
Stakeholder Engagement Committee member  
North Delta business

cc:

Sarah Palmer, Chair, Stakeholder Engagement Committee

Carrie Buckman, Environmental Manager for Delta Conveyance, Department of Water Resources