

---o0o---

Environmental Impact Statement  
for Remanded Biological Opinions  
on the Coordinated Long-Term Operation  
of the Central Valley Project  
and State Water Project

Wednesday, April 25, 2012  
Madera County Main Library  
121 North G Street  
Madera, California  
6:00 P.M.

---o0o---

Reported By: Jillian M. Bassett, CSR No. 13619

PUBLIC COMMENT SESSION

1  
2  
3 TOM GLOVER: First thing I would like to comment  
4 on, I'd like to comment on the process. I found out about  
5 this meeting two hours ago. There was no notice for  
6 Westlands, and when I look around the room some other  
7 folks that are affected were part of the San Luis  
8 Delta-Mendota Water Authority. They receive their water  
9 from the Central Valley Project. I expected an overflow  
10 crowd. So somebody -- I don't know -- I'll just come out  
11 and say it -- dropped the ball at Reclamation to not  
12 notice anybody. And what I would request -- actually,  
13 stronger than that -- I would ask that you reschedule this  
14 meeting to a time and notice it properly.

15 And also the location in Madera, I think there's  
16 other locations that would serve us much better:  
17 Los Banos, Mendota, Paris Ranch. I mean, these are the  
18 folks that their livelihood is affected by the RPAs. So  
19 if you really want comments, that would be my  
20 recommendation. And you have a month so you have plenty  
21 of time to reschedule and hear the comments of the folks  
22 that are affected on the ground.

23 As far as -- and I'm kind of shooting from the  
24 hip, because I told you I got notice two hours ago and I  
25 haven't had a chance to look over the documentation. So

1 I'm just kind of relying on my memory and what has  
2 happened over the last few years.

3 But, why are we concerned in Westlands? We're  
4 concerned in Westlands because any time our surface water  
5 is cut, what that does is our farmers are more reliant on  
6 ground water. It accentuates the overdraft problem on the  
7 West Side. Also you can experience the greater air  
8 quality issues with the diesel generators. So that is of  
9 the utmost importance to us since 1968 when the canal went  
10 in. If you look at the way the Aquaphor has been managed,  
11 it's been an equilibrium, it's been a good conjunctive use  
12 program. In wet years we utilize surface water and in  
13 drier years we pump ground water and allow the Aquaphor to  
14 recharge during wet years and pump like hell during dry  
15 years when the water is needed.

16 So part of the reason the canal went in in the  
17 first place is mitigation with subsidence on the West  
18 Side. So I know we're wrapped around the axel about the  
19 fishery issues, but there is definite effects to our  
20 growers on the West Side.

21 So the other area of concern is unpredictability  
22 of our allocation. And I think this year is a good  
23 example. The fishery folks operate within a range of old  
24 and middle river reverse flow. So when they do their  
25 modeling and their allocation, they have to have the

1 utmost of conservative allocations, because a range, to  
2 them, they have to -- modelers have to look at the lower  
3 range. So what that does for us is it squeezes us on our  
4 allocation and then it gets to be -- let's just call it  
5 what it is -- becomes very political. And we go to the  
6 elected folks and they push the fishery folks and all the  
7 sudden they see the light.

8           So that is our growers, them knowing what their  
9 allocation is early in the season is very important so  
10 they can plan accordingly and plant and go to the bank for  
11 the funding for their planting. So when we get squeezed  
12 in the Delta there are direct affects on the allocation  
13 and the ground water pumping.

14           So those are probably over my three minutes, but  
15 that's -- and I know you're going to get comments on the  
16 fishery issues, but this is really on the ground of what's  
17 happening. Look at the unemployment. I'm sure Gayle will  
18 talk about that. Every acre that's fallowed, if the  
19 allocation isn't up, that means land is out of production.

20           In Westlands we're fortunate enough that probably  
21 between 20 and 25 percent of our crops are permanent  
22 crops. So the growers can fallow land, but it's hard to  
23 make a mortgage payment off of fallowed land. So when we  
24 get cut, our growers get cut and land is out of  
25 production. And we've been looking at what the farm gate

1 value is, and to use the number of about \$1,500 an acre  
2 for the produce coming off of the fields. And if you  
3 looked at two-and-a-half times of the benefit to the  
4 region, that's about \$4,500 an acre. And you multiply  
5 that in 2009 we had about -- I'm trying to remember what  
6 the number was -- 260,000 acres. So you multiply that and  
7 that's a lot of zeros that the economy has lost, the  
8 region has lost. And so when they're making cuts in the  
9 Delta, they're affecting lives on the West Side growers.

10 To get back to my original comment, I really  
11 would like to see our growers be able to interact. I know  
12 Todd's here, one of our directors. But I guarantee if we  
13 would have been noticed, that this room would have been  
14 overflowing, not only with Westlands, but San Luis Water  
15 District, and all of the folks on the West Side. Folks  
16 that are affiliated with the San Luis and Delta-Mendota  
17 Water Authority, anybody with a CVP contract that relies  
18 on pumping through the Delta.

19 SUE FRY: Thank you.

20 So, Steve, you're up next.

21 STEVE OTTEMOELLER: Good evening.

22 Steve Ottemoeller with the Friant Water Authority. I  
23 guess for once it's nice to be on the right list. I did  
24 happen to get the notice.

25 We have just one primary comment related to the

1 scoping for this project, and it involves the San Joaquin  
2 River Restoration Program. The program is in place now in  
3 terms of development and planning, and there has been  
4 modeling -- perhaps EIS is out in terms of the water  
5 getting to the Delta and water being recaptured. And we  
6 want to make sure that the analysis of the biological  
7 opinions and everything associated with that does include  
8 both the river restoration flows that are going to hit the  
9 Delta and recapture.

10 Now, I know that the progress has not been as  
11 great as a lot of us would like in terms of identifying  
12 the criteria under which water can be recaptured in the  
13 Delta and brought back into the South Delta facilities,  
14 but I think it would be remiss on the part of Reclamation  
15 not to coordinate those two programs, and make sure to  
16 look at, and that the analysis does include the  
17 restoration flows and the recapture.

18 SUE FRY: Thank you.

19 TODD NEVES: My name is Todd Neves, I'm a farmer  
20 in Westlands Water District. And I wish I was more  
21 prepared. I just received the notification a couple hours  
22 ago.

23 So any ways, I appreciate your efforts and coming  
24 out and doing a public question and answer. I would  
25 strongly like to invite you to a more ground zero here on,

1 maybe Mendota. Somewhere where we can get more  
2 participation. And we'll make sure the district notifies  
3 the growers, and we'll make sure we get it done right.

4           Again, my farm, my family, my employees, their  
5 families, we -- our livelihood depend on the Delta. I'm a  
6 third generation California farmer. I hope to give my  
7 kids the same opportunity that I had. And what we really  
8 need is a reliable and a consistent allocation. It's so  
9 hard on our operations -- I'll just give you a brief  
10 example.

11           When we get a 10 percent, a 30 percent, a  
12 40 percent allocation, we're idling land. We're -- our  
13 next step will be laying off employees. These are things  
14 that we do not want to do, but I have debt on land. We do  
15 everything in our power to be efficient with our water.  
16 I'll give you an example.

17           My farm I purchased in 1999. I have paid more to  
18 conserve water by switching to drip irrigation, drilling  
19 wells to supplement water, I have paid more for those  
20 irrigation conservations than I did for my actual ranch.

21           So these are the things that we're doing. We're  
22 trying to be pro. We don't want to react. When we react  
23 it's extremely hard on operations. And like Tom said,  
24 running wells and stuff, those are band aids, those are  
25 not long-term fixes for our operations.

1           So any ways, I know I can go into detail, and we  
2 really appreciate you guys coming out here, but we would  
3 love for you guys to go to ground zero. We can get more  
4 participation and you can see the lives and families that  
5 depend on the Delta. So thank you.

6           GAYLE HOLMAN: Good evening. Gayle Holman,  
7 Public Affair Rep with Westlands Water District. And I  
8 would like to, also, thank you for putting this together,  
9 but also to let you know that I would love to be a  
10 resource for you for future meetings. I would be more  
11 than happy to find whatever facility would best suit your  
12 needs.

13           And so, please, I know I handed you my card and  
14 please use that. And I think this just shows, again, that  
15 unfortunately the people that are right there at the  
16 ground zero doing the work don't even get the information,  
17 just the trickle down effect didn't seem to work. So we  
18 quickly sent it out and of course I received a number of  
19 frustrated e-mails from our growers saying, "I want to be  
20 there," but they're doing community events and etc.,  
21 because they're engaged people. Our growers are people  
22 that don't just give to their operation, but they give to  
23 their community and they give to their state. And they do  
24 it through the form of community service. And I know they  
25 want to ensure that their state is still a sustainable

1 state for future generations because they inherited it or  
2 were lucky enough to step into it because of that.

3           So when I think about this and what we are  
4 working towards here, this long term effect for 2016, the  
5 thing that comes to mind is the human impact of it, the  
6 economic impact. California is in a state of deficit  
7 spending, and here we have a tangible project where  
8 farming produces an enormous amount of revenue that comes  
9 to our state of California like no other industry. People  
10 won't stop eating. It's a given. It's going to sustain  
11 and it will continue.

12           So we have growers year after year, generation  
13 after generation, continuing providing that. And maybe  
14 through the bumps in the roads they want to throw in the  
15 towel when they have the 10 percent allocation. But the  
16 bottom line is I ask you to look at the long-term human  
17 and economic impact and to see the tax revenues that these  
18 guys generate. And it's just astounding the things we  
19 take for granted.

20           The unemployment is still very, very high in  
21 these communities. Yesterday I was out on the West Side  
22 with one of our -- meeting a reporter. A reporter from  
23 Southern California. And I drove through San Joaquin at  
24 7:30 in the morning and saw the Community Food Bank there  
25 setting up shop. And all the residence lined up waiting

1 to receive their free handout of groceries because there  
2 are not enough jobs to go around. And I thought, "Oh my  
3 gosh. Here's a story. Here's the story that right here  
4 in the heart of our nation, with the ag, and we have  
5 people that are used to working and producing, helping  
6 produce that food, helping package it, are waiting in line  
7 to receive that food."

8           So those are just some of the things that I think  
9 would bode well for inclusion in this. And I would just  
10 again echo what others have said that we would welcome  
11 another opportunity. But if that doesn't happen, I'll be  
12 sure to distribute the comment cards and ensure that  
13 others have an opportunity that a few of us have had  
14 tonight. So thank you.

15           SUE FRY: Would you like to say something?

16           BRAD CRAVEN: I guess everyone else is already  
17 done, huh?

18           SUE FRY: We just need you to say your name and  
19 your affiliation so that Jill can get it all down.

20           BRAD CRAVEN: My name is Brad Craven. I'm with  
21 Superior Almond Hulling. We're a closed-harvest  
22 processor. I'm not a grower, I'm not a water user per se,  
23 but we are entirely dependent on the water supply of the  
24 farmers for our livelihood. And the community of  
25 post-harvest process is a very large group of employers.

1 So a lot of the agricultural jobs come through our sector.  
2 It's not just the almond crop we deal with, it's tomatoes  
3 and grapes and everything else. So on the West Side --

4 I don't think you were really asking for economic  
5 comments, were you? Oh, you were.

6 Well, my comment on the economic side is that  
7 we're a large employer. We're part of a group of a large  
8 number of employers, and we have nothing to do with  
9 growing crops; we're just processing and employing people.

10 On the environmental side, I just wanted to point  
11 out that farmers and processors like ourselves alike are  
12 required by the Air Pollution Control District to have  
13 conservation management plans. And conservation  
14 management plans for the most part deal with fugitive dust  
15 generation, PM10 control based on truck traffic or tractor  
16 operations, or maybe track out onto -- you know -- mud  
17 track out on the paved roads where it gets stirred up.

18 I think those plans are marginally affective in  
19 controlling the PM10 from fugitive dust. But I think it  
20 pales in comparison to fallowed lands and wind generator  
21 dust. And if you see the West Side winds in action  
22 whenever there's dry, untilled dirt, you can probably make  
23 a correlation between the frequency of traffic accidents  
24 caused by dust on the freeway and in the years that we  
25 have low water supplies.

1           So I think the Air Pollution Control District  
2 probably doesn't have any good options in coming up with a  
3 system to control wind-generated dust in an area like  
4 that. Probably the best control would be to have a  
5 reliable and consistent water supply to make those lands  
6 productive and put a covered crop on them.

7           I really didn't come with any prepared comments;  
8 I was going to listen.

9           SUE FRY: Thank you. We appreciate that you did  
10 that.

11           GWEN BUCHHOLZ: I guess those will just be the  
12 formal comments. Do you have any specific questions? We  
13 don't have a lot of answers because we just started, but  
14 if you have any specific questions or thoughts we'll  
15 continue to record those.

16           SUE FRY: We're planning, we'll be out -- if we  
17 don't do additional scoping meetings, there's one thing  
18 we're considering. As we go through this process there's  
19 going to be a lot of information generated, and we may do  
20 something that's a little less usual in the EIS process,  
21 we might actually do some workshops along the way where we  
22 come back out and see folks. Because we're going to be  
23 generating a lot of information.

24           Because with everything else that's going on in  
25 the Delta and with operations and the litigation, there's

1 going to be a lot of information we need to make sure  
2 people aren't getting confused.

3 TOM GLOVER: At some point do you start talking  
4 about the actual project? Because tonight we talked about  
5 the process, but we didn't talk about the project.

6 SUE FRY: Right. And so we're here to get your  
7 comments on what you think, like, through any EIS process.  
8 Ultimately if you have a preferred alternative, to put it  
9 forward. So we're here to initiate that process. We're  
10 hearing what your thoughts are on what we should be doing  
11 and what we shouldn't be doing.

12 TOM GLOVER: But you also have a number of  
13 projects that you consider before you select a preferred  
14 project. So if I was a grower I would want to know,  
15 "Jeeze, tonight we haven't talked about what actually  
16 you're doing. We just talked about an abstract process."

17 SUE FRY: And that is because we're just getting  
18 started. So we actually haven't started developing, what  
19 I could call projects, alternatives. So we're going to  
20 develop a set of -- from what we hear from across the  
21 state from these scoping meetings, and from what we  
22 already know, we'll be developing alternatives. And those  
23 alternatives will be assessed as part of the environmental  
24 impact statement. And that's when we would be out doing  
25 workshops in the future. So when we have more information

1 on that we can bring that back to you. But we really are  
2 just starting.

3 TOM GLOVER: Like, if you had to take a point  
4 away tonight, it's that if you were to come to a public  
5 scoping meeting and you had five people, you would think,  
6 "These folks aren't interested," and that is not the case.

7 SUE FRY: Oh, we know that's not true.

8 TOM GLOVER: That's not the case. It is of the  
9 utmost interest to not only Westlands, but as I mentioned,  
10 the other districts that get those supplies.

11 BRAD CRAVEN: Madera County doesn't have a lot of  
12 West Side water projects. It goes as far as fire balling,  
13 that's it. So as far as Delta water --

14 GWEN BUCHHOLZ: And we had actually tried to get  
15 this one scheduled, just for the record, in Los Banos, and  
16 it was booked tonight. So when we set up the timing,  
17 because we're trying to do it X days after the notice of  
18 intent, and Y days before the close of scoping, this  
19 became just a two-week period. And we tried for this week  
20 and next week and the Los Banos places -- there must be  
21 some other things happening there.

22 TOM GLOVER: Well, the perception will be -- and  
23 it's the perception Reclamation didn't do enough to meet  
24 with the folks on the West Side and find out what their  
25 concerns are.

1           TODD NEVES: But we can change that perception if  
2 you give us a chance. We know you're working on it;  
3 you're trying. But if you get a chance.

4           SUE FRY: Yeah, and I'm not saying -- I will say  
5 we did the typical noticing and publishing for any  
6 environmental statement. We worked very hard to make sure  
7 we had it in multiple papers. It was in the Fresno Bee.  
8 What day? I don't know. I didn't cut it out.

9           GAYLE HOLMAN: But in the legal section?

10          SUE FRY: No, it was in the news like an  
11 advertisement. So we paid extra for that. So print adds  
12 are very expensive to do. But they were a requirement for  
13 the NEPA process, and we make sure we do that. And so I  
14 apologize that a very particular e-mail was not sent to  
15 Westlands Water District.

16          TOM GLOVER: Well, it's not all Westlands either,  
17 because you don't have any from San Luis Delta, and it  
18 just -- if they knew, they would be here.

19          GWEN BUCHHOLZ: We were a little surprised.  
20 We're ready today for Spanish translation because we've  
21 been down here before, we know there's a lot of people  
22 that are interested. We were anticipating this to be our  
23 largest meeting outside of Sacramento, and maybe even more  
24 larger than Sacramento. That's been history.

25          TOM GLOVE: So something went astray.

1 GWEN BUCHHOLZ: Yeah, so we're surprised, too.  
2 Because we are prepared for that.

3 GAYLE HOLMAN: Here's the thing, too: Earlier  
4 today when I did get word it was actually that the meeting  
5 was tomorrow night. But I was actually generating -- and  
6 I think that was someone internally. I got handed it, so  
7 I was actually quickly trying to prepare something to say  
8 that it's tomorrow night. And literally right before I  
9 hit the send button I thought I better make sure the  
10 address is correct for the library. And I Googled it and  
11 I see it's tonight. And it's 4:00 o'clock. And I  
12 literally am going, "Stop. Don't send the e-mail yet to  
13 everyone." And that's when it went from, "Okay. It's bad  
14 enough we're going to let everyone know 26 hours in  
15 advance to 2 hours." So that's, I guess -- I don't  
16 know -- that's where we stood.

17 So I don't know. Maybe there are other districts  
18 that are thinking it's tomorrow night. I don't know how  
19 that info came about, but that was a verbal that I first  
20 got that it was tomorrow night.

21 GWEN BUCHHOLZ: Or maybe they're coming to  
22 Sacramento.

23 TOM GLOVER: That's not their preference.

24 GWEN BUCHHOLZ: I just don't know.

25 GAYLE HOLMAN: I can understand the logistics.

1           And you're on a road show and have to make that  
2 work, so that's tough.

3           SUE FRY: I am curious.

4           Steve, how did you get the news?

5           STEVE OTTEMOELLER: The regular Bureau of  
6 Reclamation public information. I get everything,  
7 whatever.

8           TODD NEVES: Was it e-mail or --

9           STEVE OTTEMOELLER: E-mail. I got it a couple  
10 weeks ago I think. I don't know exactly.

11          GWEN BUCHHOLZ: It would have been when the  
12 notice was sent out.

13          TODD NEVES: If you do decide -- I mean, I know  
14 you have a lot going on. But if you do decide, as a  
15 Westlands grower, we will make sure that we will give you  
16 every -- hopefully a lot more -- well, it will be a lot  
17 more. But just from the grower feedback, from Lemoore to  
18 here I had e-mails and calls and I was trying to get  
19 growers here, and I just couldn't get it done. But I  
20 definitely -- we'll be sure --

21          SUE FRY: Keep in mind you can send in comments,  
22 you can e-mail us comments. And maybe that is a more  
23 efficient way to do it. If nobody has time to show up  
24 here, maybe you just can --

25          TODD NEVES: We wanted the personal where you

1 could actually feel and see that we're sincere. It's  
2 absolutely --

3 SUE FRY: Oh, and there's no doubt. Again, we're  
4 surprised there's not more people here. We understand the  
5 interest. I was ready for this to be a very big meeting  
6 where I was going to be very tired afterwards and feeling  
7 a little bit beat up. So we get it. We know the  
8 interest.

9 TOM GLOVER: Almost like doing a water transfer  
10 public meeting in Chico.

11 SUE FRY: Were you on that panel up there?

12 TOM GLOVER: I was at the meeting. We would have  
13 had the same turn out.

14 SUE FRY: We appreciate that you came.

15 GWEN BUCHHOLZ: We'll close comments.

16 (End of public comment session at 6:49 P.M.)  
17  
18  
19  
20  
21  
22  
23  
24  
25

