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4.16.2020

Delta Conveyance Scoping Comments
Attn: Renee Rodriguez
California Department of Water Resources
P.O. Box 942836
Sacramento CA 94236

via email: DeltaConveyanceScoping@water.ca.gov

Re: Notice of Preparation (NOP) for the Delta Conveyance Project (DCP) dated January 15, 2020, by the California Department of Water Resources (DWR)

This letter is meant to supplement our public comments and to further elaborate on local issues related to the Delta Conveyance Project NOP¹. We appreciate your extending the public comments from March 30, 2020 to April 17, 2020. In this time of the COVID19 Pandemic priorities and conditions have changed dramatically, in some regards, in the last month. These changes are unimaginable. We understand that there is considerable staff time allocated towards this project and moving forward in a more “streamlined manner” might be tempting; however, we request that other priorities might be attended to instead of moving forward with the Delta Conveyance Project draft environmental impact report (DEIR). Examples of other priorities include determining minimum flows for our streams and rivers that contribute to the Delta so that flood flows can be better estimated or creating a database that tracks water transfers for surface or groundwater supplies and how these existing water transfers and SGMA efforts might negate the need for the Delta Conveyance Project.

We appreciate that the Department of Water Resources (DWR) engaged extra outreach for the scoping meetings; however more is needed for a project of this scope. Environmental Justice, Human Right to Water, and Affordability are areas which require more focused outreach and analysis. The DWR should be preparing white papers that provide information to stakeholders to evaluate initial findings, including the analysis behind those findings, so that when the DEIR is complete, stakeholders have had an opportunity to become educated and provide relevant comments. Special consideration and analysis should be prepared for the disadvantaged communities within the area of construction.

This project will impact the residents from south Sacramento to south San Joaquin County all to benefit primarily areas of the south that have used their water resources for economic gain. The currently proposed Delta Conveyance Project is significantly less than the Waterfix that was roughly 40 miles of two-44 ft diameter bores (40 ft inside diameter) for 9,000 cubic feet per second. The proposed Delta Conveyance project is a single 40 ft bore (36 ft inside diameter) at 6,000 cubic feet per second. Six thousand cubic feet per second of high-quality water bypassing

¹ https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Delta_Conveyance_Project_NOP_20200115_508.pdf?la=en&hash=74B80DAAE5B9C4BC2EB0619B6A252011F72D1087 Accessed 4.11.2020.

the Delta is more than 2.5 million gallons of water a minute which will have a huge impact on Delta water quality.

The NOP stated that operations of the conveyance facilities are proposed to increase DWR's ability to capture water during high flow events. These are current high flows events which will be needed locally as a result of climate changing snowpack storage and as groundwater basins get back to sustainable yields. Already, the call for systemwide water budgets has been made. The DEIR should assess all reaches of source water and determine high flows that are protective of all resources. These same high flows should not solely be used by DWR but only a percentage that is agreeable to affected local communities.

Affordability is an issue that affects all, albeit the low income more. Removing more water from the Delta, facilitated by the single tunnel now considered, will increase salt water intrusion and result in lower Delta circulation that is associated with algal blooms including harmful algal blooms (HABs) that increase costs for water treatment. The City of Stockton's primary surface water source is the Delta with treatment at the Delta Water Treatment Plant². Harmful algal blooms increase treatment cost which would lead to increased water rates for residents within the City of Stockton's Municipal Service Department service area (approximately half of all of Stockton residents). The City of Stockton is in the process of conducting their 5-year water rate study. Stockton has a very low median income (51,318³) as compared with the statewide median income (\$71,228⁴). How will the Delta Conveyance Project funders reimburse the residents of Stockton for higher water treatment costs?

Surface water flow changes will be occurring, and these changes should be estimated at multiple points in the Delta and at sites requested by stakeholders to ensure that public health and recreational water quality goals can be achieved. Existing over allocations of surface waters and pesticide/fertilizer/pollutant loading have resulted in toxic algal blooms in and around Stockton which directly impact the ability to use the waterways of Stockton for subsistence fishing and recreation⁵. Additionally, these HABs in the Delta and statewide have become a concern as climate predictions indicate a warming trend for our state which, in addition to lowered circulation, is a favorable condition for algal growth. Aeration devices operated by the City of Stockton and the Port of Stockton are not the answer as periodic blooms continue to occur in the Stockton area⁶. These HAB cyanobacteria produce toxins that can become airborne, create foul odors, and degrade air quality⁷ in areas already impacted by poor air quality. The City of Stockton has high levels of air pollutants and residents with asthma that will be further impacted by increased incidences of HABs in our western waters. These HABs that become airborne will be distributed by prevailing westerly Delta winds. The Delta-Sierra Group (DSG) is actively participating in the AB617 process to create emission reduction and air monitoring plans. Three resident steering committee members serve on the DSG's Executive Committee and the San Joaquin Valley Air Pollution Control Group Citizen's Advisory Group. Actions that further increase air pollutants must be completely mitigated. The DEIR should include a robust cumulative air quality analysis that evaluates community-based impacts associated with the

² <http://www.stocktongov.com/files/QOR.pdf> for July to September 2019. Accessed 4.11.2020

³ <https://www.census.gov/quickfacts/fact/table/stocktoncitycalifornia/INC110218> Accessed 4.11.2020

⁴ <https://www.census.gov/quickfacts/fact/table/CA/IPE120218#IPE120218> Accessed 4.11.2020

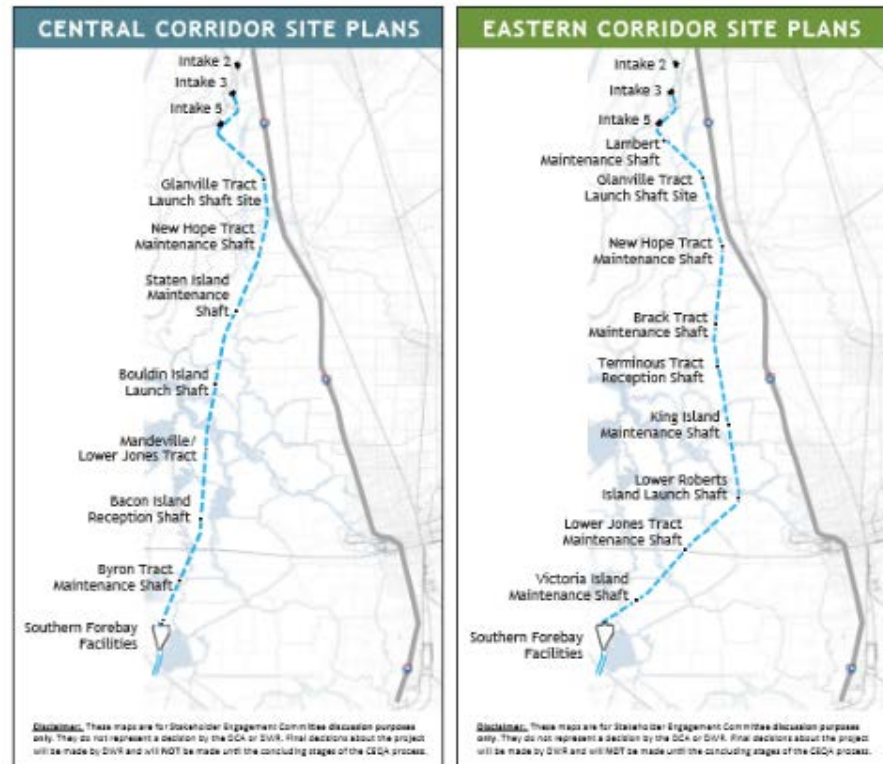
⁵ https://www.youtube.com/watch?time_continue=72&v=3F7ZusFuNi0&feature=emb_logo Accessed 4.11.2020

⁶ <https://www.portofstockton.com/aeration-facility/> Accessed 4.11.2020

⁷ <https://www.cdc.gov/habs/illness.html> Accessed 4.11.2020

construction and operation of the proposed tunnel, particularly relating the disadvantaged communities.

Proposed tunnel operations must consider increased economic and environmental costs that our local San Joaquin County residents will encounter if a Delta tunnel is constructed and operated. The new DCP is still under design thus costs for the project are in flux, adding to that uncertainty are mitigation cost changes associated with those design changes. Already there are significant differences between the central vs eastern route under consideration, as shown to the right⁸.



The eastern corridor, if selected, will represent a greater impact to our local environment. These impacts are far reaching and in addition to air quality impacts, rail and water transport options will be affected including the already bottlenecked rail area in the southern part of Stockton. Moving the tunnel east as a means to reduce construction costs will force those direct and indirect environmental and transportation related costs on the residents of San Joaquin County. How will the Delta Conveyance Project funders reimburse the residents of Stockton for higher transportation costs, road and rail improvements, and loss time; as well as those harmed due to increased concentrations of air pollutants?

The Delta-Sierra Group shares the following questions as DWR continues design and environmental analysis:

- With what water will future Delta tunnel and dams and reservoirs be able to operate?
- Will California’s key water agencies, including DWR conduct thorough, factual, and honest outreach to all communities, especially environmental justice and disadvantaged communities in their service areas regarding the costs of proposed projects and water outcomes during the development of the DEIR?
- With lengthy and costly construction logistics, have California’s key water agencies, including DWR, done the necessary “due diligence” studies to make fully informed decisions about a future Delta tunnel, dams, and reservoirs and widely shared those with the public?
- Have these decisions been balanced with considerations for maintaining, retrofitting, repairing, and preserving existing water agencies’ infrastructure, especially any future repairs

⁸ <https://www.dcdca.org/pdf/2020-03-19-DCABoardMeetingPacketVF.pdf> Accessed 4.11.2020

and changes needed at Oroville Dam and construction of projects planned during the planning period for the Delta Conveyance Project?

The list of potential impacts associated with the proposed project in the NOP is inadequate. Environmental justice effects are omitted. Public health effects are confined to risk of mosquito-borne diseases, which are routinely controlled by mosquito abatement districts. Harmful algal blooms (HABs) are not mentioned but must be considered. Construction and operational effects to transportation and noise levels must also be addressed. Disturbance of channel sediments that may contain mercury, selenium, arsenic, and chromium 6 must be addressed for their water quality, public health, cost of treatment and environmental justice effects.

Beneficial reuse of removed sediments created when digging 190 feet below ground surface should be a priority so that these sediments do not end up in the San Francisco Deep Ocean Disposal Site and out of the natural system⁹. Available information indicate that tunnel planners should not solely count on reusing Delta sediments, removed during construction for shoring up levees or the new forebay to be constructed around the existing pumps. There is keen competition amongst northern California dredging projects for beneficial use reuse disposal sites and the DEIR should include plans to develop more beneficial reuse sites¹⁰. Delta sediments contain legacy mercury, arsenic, and chromium-6 and high levels are not considered safe for use near drinking water supplies. In fact, naturally occurring arsenic and chromium-6 in aquifers require additional costly treatment. It will be costly to remove, safely transport, and store such sediments to avoid becoming airborne dust (particulate matter) or leaching into drinking water sources. Safe disposal of tunnel-excavated soils will be a costly enterprise if not handled correctly due to negative environmental health outcomes both to human and wildlife.

The DEIR should fully analyze alternatives that are less environmental harmful, including the no-project alternative. These alternative analyses should be comprehensive and include existing efforts to manage water in the State of California. Thank you for considering our comments.

Sincerely,



Mary Elizabeth M.S., R.E.H.S.
Delta-Sierra Group Conservation Chair
Sierra Club

⁹ <https://www.epa.gov/ocean-dumping/san-francisco-bay-long-term-management-strategy-dredging>

¹⁰ https://www.spn.usace.army.mil/Portals/68/docs/P%20and%20Programs/A-Z%20extras/SFBTS_Main_Report_JAN2020.pdf?ver=2020-03-04-174542-050