

## D. Public Meeting Transcripts

# APPENDIX D

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## Public Meeting Transcripts

Appendix D provides the transcripts from the five public meetings held for the Los Vaqueros Reservoir Expansion Project Draft EIS/EIR.

<b>Date</b>	<b>City</b>	<b>Page</b>
March 23, 2009	Sacramento	D-3
March 24, 2009	Livermore	D-13
March 26, 2009	Dublin	D-21
March 31, 2009	Concord	D-29
April 2, 2009	Oakley	D-45

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LOS VAQUEROS RESERVOIR EXPANSION  
PUBLIC HEARING ON DRAFT EIS/EIR

Bonderson Building  
901 P Street, Hearing Room 102A/B  
Sacramento, California

Monday, March 23, 2009

REPORTED BY: DEBORAH FUQUA, CSR #12948

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A P P E A R A N C E S

Richard J. Woodley - Regional Resources Manager  
Bureau of Reclamation Mid-Pacific  
Region

Sharon McHale - Project Manager  
Bureau of Reclamation

Marguerite Naillon - Project Manager  
Contra Costa Water District

PUBLIC OUTREACH:

Charles Gardiner - CirclePoint Project Manager

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1 Monday, March 23, 2009 2:22 o'clock p.m.

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3 P R O C E E D I N G S

4 CHARLES GARDINER: We'll convene the formal  
5 comment hearing.

6 If there is anybody who would like to submit  
7 comments -- we have not received any speaker cards so  
8 far. Is there anybody who plans to submit oral  
9 comments today?

10 (No response)

11 CHARLES GARDINER: Okay. This will be really  
12 quick then. So the open house is intended to help  
13 people understand the project, inform people about the  
14 project, and help them help you make comments on the  
15 environmental document. We do have a formal comment  
16 period at each one of these meetings.

17 Rick Woodley is here from the Bureau of  
18 Reclamation as the hearing officer. He's going to  
19 provide some context for the formal hearing part. But

20 if you do want to submit comments on the record, you do  
21 need to do it in the formal comment period or provide  
22 them in writing. So any conversations you've had with  
23 the team members here are not part of the formal record  
24 if you don't submit them.

25 So I think with that -- I don't think we have

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1 anybody who has officially requested to speak -- I will  
2 pass it over to Rick to formally open the comment  
3 period.

4 RICK WOODLEY: Thanks, Charles.

5 I guess we can go on record.

6 Welcome to the public hearing on the Los  
7 Vaqueros Reservoir Expansion Project Draft  
8 Environmental Impact Statement/Environmental Impact  
9 Report or Draft EIS/EIR. This is one of five hearings  
10 being held in accordance with the requirements of the  
11 National Environmental Policy Act.

12 My name is Rick Woodley. I'm the regional  
13 resources manager for the Bureau of Reclamation's  
14 Mid-Pacific Region. I'll be serving as the hearing  
15 officer, and a court reporter is recording these  
16 proceedings.

17                   At the table with me is Ms. Sharon McHale, the  
18 project manager from the Bureau of Reclamation, and  
19 Ms. Marguerite Naillon, project manager with the Contra  
20 Costa Water District.

21                   Today we're accepting verbal and written  
22 comments on the Draft EIS/EIR. To provide verbal  
23 comments, you should have completed a speaker's card,  
24 one of these (indicating).

25                   Since no one has submitted one, we can move on

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1 from there. If you have not completed a speaker's  
2 card, you can go to the registrations table at any  
3 time. If you completed a speaker card and didn't turn  
4 it in at the registration table, you can take it there  
5 right away.

6                   You may also provide written comments today on  
7 one of the yellow sheets. And they're available at the  
8 registration table. If somebody was going to be  
9 speaking from the written comments and would like to  
10 submit them, you can tear off the top portion of the  
11 card and attach it to your comments and provide them  
12 before you leave.

13                   Written comments can be submitted at this

14 hearing or to the address, fax, or e-mail indicated on  
15 the comment card. You need to submit your comments by  
16 the close of business, 5:00 p.m., on Tuesday, April  
17 21st, 2009.

18 Please understand that written and verbal  
19 comments receive equal consideration.

20 Now just a moment as to what happens next in  
21 the process. All of the comments will be reviewed and  
22 responses to comments will be prepared. Assuming all  
23 major issues can be addressed, a final EIS/EIR will be  
24 prepared which will include the responses to the  
25 comments. The Final EIS/EIR will be circulated for a

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1 30-day review, after which Reclamation will make a  
2 decision on the project.

3 A record of decision will then be prepared to  
4 document that decision. The CCWD board of directors  
5 will consider certifying the final EIS/EIR under the  
6 CEQA and approving the project following this review  
7 period.

8 Today, if we were to go through the  
9 speakers -- and since we don't have any speakers, I'll  
10 forgo that process. If we do happen to get people to

11 show up within the next hour who are interested in  
12 speaking, we'll go ahead and allow them to do so.  
13 Beyond that point, I think at this point we can go off  
14 the record unless there's anybody that was interested  
15 in speaking at this stage.

16 We're available for the next hour. Anybody  
17 who shows up and decides that they would like to speak,  
18 we'll go back on the record and record their comments  
19 and go from there.

20 So absent that, we can go back off the record.

21 (Recess taken)

22 RICK WOODLEY: We'll go back on the record at this  
23 point.

24 And since we're now out of time -- it's 3:30  
25 Pacific time, and we've had no requests to speak, so

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1 we'll go ahead and close the proceedings.

2 See everybody in Dublin.

3 (The proceedings concluded at 3:30 p.m.)

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1 STATE OF CALIFORNIA )  
2 COUNTY OF MARIN ) ss.

3 I, DEBORAH FUQUA, a Certified Shorthand  
4 Reporter of the State of California, duly authorized to

5 administer oaths pursuant to Section 8211 of the  
6 California Code of Civil Procedure, do hereby certify  
7 that the foregoing proceedings were reported by me, a  
8 disinterested person, and thereafter transcribed under  
9 my direction into typewriting and is a true and correct  
10 transcription of said proceedings.

11 I further certify that I am not of counsel or  
12 attorney for either or any of the parties in the  
13 foregoing proceeding and caption named, nor in any way  
14 interested in the outcome of the cause named in said  
15 caption.

16 Dated the 1st day of April, 2009.

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DEBORAH FUQUA

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CSR NO. 12948

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LOS VAQUEROS RESERVOIR EXPANSION  
PUBLIC HEARING ON DRAFT EIS/EIR

Zone 7 Water Agency  
100 North Canyon Parkway, Board Room  
Livermore, California

Tuesday, March 24, 2009

REPORTED BY: DEBORAH FUQUA, CSR #12948

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A P P E A R A N C E S

Richard J. Woodley - Regional Resources Manager  
Bureau of Reclamation Mid-Pacific  
Region

Sharon McHale - Project Manager  
Bureau of Reclamation

Marguerite Naillon - Project Manager  
Contra Costa Water District

PUBLIC OUTREACH:

Charles Gardiner - CirclePoint Project Manager

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1 Tuesday, March 24, 2009 7:28 o'clock p.m.

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3 P R O C E E D I N G S

4 CHARLES GARDINER: Thank you very much for coming.

5 We're happy you're here. I hope you had a chance to  
6 see all the boards and talk to the team, learn about  
7 the project.

8 We've done the informal part to help you  
9 understand the project so you can provide informed  
10 comments. We can answer questions that way. But we  
11 also have the formal comment period to get your  
12 comments on the record. So if you're thinking that  
13 talking to the team members would get comments onto the  
14 record, that's not the case. We need to hear your  
15 comments if you have oral comments today. We need to  
16 formally get them on the record.

17 You can also provide written comments with a  
18 comment sheet or submit your own written comments. So  
19 we're going to convene the formal hearing part of this.

20 So far, we don't have anybody who's submitted a speaker  
21 card. So is there anybody who is interested in making  
22 comments at this point?

23 (No response)

24 CHARLES GARDINER: This is going to be really easy  
25 then. But we do have to go kind of through these

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1 formalities. And then we can close the formal hearing  
2 and go back and talk more, if you want to talk more to  
3 the team, and submit comments later.

4 So I'll turn it over to Rick Woodley, who will  
5 do the formal part of the hearing.

6 RICK WOODLEY: Thanks, Charles.

7 We can go on the record now.

8 Hello. Welcome to the public hearing on the  
9 Los Vaqueros Reservoir Expansion Project Draft  
10 Environmental Impact Statement, Environmental Impact  
11 Report, otherwise known as the Draft EIS/EIR. This is  
12 one of five hearings being held in accordance with the  
13 requirements of the National Environmental Policy Act.

14 My name is Rick Woodley, and I am the Regional  
15 Resources Manager for the Bureau of Reclamation's  
16 Mid-Pacific Region. I am serving as the hearing

17 officer, and a court reporter is recording the  
18 proceedings.

19 At the table with me is Ms. Sharon McHale,  
20 Project Manager for the Bureau of Reclamation, and  
21 Ms. Marguerite Naillon, Project Manager with the Contra  
22 Costa Water District.

23 Today we are accepting verbal and written  
24 comments on the Draft EIS/EIR. To provide verbal  
25 comments, you should have completed a speaker's card.

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1 If you've not completed one, as Charles has indicated,  
2 you can go ahead and pick one up. You just need to  
3 indicate that you would like to speak.

4 You may also provide written comments today on  
5 one of these yellow sheets by filling out the comment  
6 card which is available at the registration desk if you  
7 haven't already picked up one. If you're speaking  
8 from -- anybody who is speaking, they can submit them  
9 to us, but you can submit them with a comment card and  
10 attach your comments and provide them before you leave.

11 Written comments can be submitted at this  
12 hearing or to the address, fax, or e-mail indicated on  
13 the comment card. You need to submit your comments by

14 the close of business 5:00 p.m. on Tuesday, April 21st,  
15 2009. Please understand that written and verbal  
16 comments receive equal consideration.

17 Let me take a moment to explain the process.  
18 All the comments will be reviewed, and responses to  
19 comments will be prepared. Assuming all major issues  
20 can be addressed, a Final EIS/EIR will be prepared  
21 which will include responses to the comments. The  
22 Final EIS/EIR will be circulated for a 30-day review,  
23 after which Reclamation will make a decision on the  
24 project. A record of the decision will then be  
25 prepared to document that decision. The CCWD board of

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1 directors will consider certifying the Final EIS/EIR  
2 under CEQA and approving the project following this  
3 review period.

4 Again, if you wish to provide comments but  
5 have not submitted a speaker card, please go to the  
6 registration table immediately. Since we have no  
7 comments or anybody that indicated they wanted to make  
8 verbal comments, we can go off record now. Just  
9 indicate that any time or anybody else that shows up  
10 that would like to make comments or if you've

11 reconsidered, we'll go back on the record and take your  
12 comments at that time.

13           So we can go off the record now. We'll be  
14 here until 8:30.

15           (Recess taken)

16           RICK WOODLEY: I guess we can go back on the  
17 record now.

18           So since we've received no further requests  
19 for comment or any request for comment for that matter,  
20 the clock showing 8:30, we'll bring this meeting to --  
21 or hearing to a close and call it a night. We can go  
22 off record.

23           (The proceedings concluded at 8:30 p.m.)

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1   STATE OF CALIFORNIA        )  
                                  )    ss.  
2   COUNTY OF MARIN           )

3           I, DEBORAH FUQUA, a Certified Shorthand  
4 Reporter of the State of California, duly authorized to  
5 administer oaths pursuant to Section 8211 of the  
6 California Code of Civil Procedure, do hereby certify  
7 that the foregoing proceedings were reported by me, a

8 disinterested person, and thereafter transcribed under  
9 my direction into typewriting and is a true and correct  
10 transcription of said proceedings.

11 I further certify that I am not of counsel or  
12 attorney for either or any of the parties in the  
13 foregoing proceeding and caption named, nor in any way  
14 interested in the outcome of the cause named in said  
15 caption.

16 Dated the 1st day of April, 2007.

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DEBORAH FUQUA

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CSR NO. 12948

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LOS VAQUEROS RESERVOIR EXPANSION  
PUBLIC HEARING ON DRAFT EIS/EIR

DUBLIN-SAN RAMON SERVICES DISTRICT  
7051 Dublin Boulevard, Boardroom  
Dublin, California 94568

Thursday, March 26, 2009

REPORTED BY: LESLIE CASTRO, CSR NO. 8876

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A P P E A R A N C E S

Richard J. Woodley - Regional Resources Manager  
Bureau of Reclamation Mid-Pacific Region

Sharon McHale - Project Manager  
Bureau of Reclamation

Marguerite Naillon, P.E. - Project Manager  
Contra Costa Water District

PUBLIC OUTREACH

Charles Gardiner - CirclePoint Project Manager

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I N D E X

SPEAKER	PAGE NO.
Steven Eng.....	6

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1 Thursday, March 26, 2009

7:29 p.m.

2 P R O C E E D I N G S

3 MR. WOODLEY: Thank-you. On the record.

4 Hello. Welcome to the public hearing on the  
5 Los Vaqueros Reservoir Expansion Project, Draft  
6 Environmental Impact Statement/Environmental Impact  
7 Report (Draft EIS/EIR).

8 This is one of five hearings being held in  
9 accordance with the requirements of the National  
10 Environmental Policy Act.

11 My name is Rick Woodley. And I am the regional  
12 resources manager with the Bureau of Reclamation's  
13 mid-pacific region. I will be serving as the hearing  
14 officer, and a court reporter is recording these  
15 proceedings.

16 At the table with me is Ms. Sharon McHale, project  
17 manager with the Bureau of Reclamation. And then to her  
18 right is Ms. Marguerite Naillon, project manager for  
19 Contra Costa Water District.

20 Today we're accepting verbal and written comments  
21 on the draft EIS/EIR. To provide verbal comment you  
22 should have completed a speaker's card, one just like  
23 this.

24 If you've not completed a speaker's card, please go  
25 to the registration table. If you've completed a

1 speaker's card but didn't turn it in at the registration  
2 table, take it there right away and we'll add you to  
3 list.

4 You may provide written comments today on the  
5 yellow comment card by filling out the comment card,  
6 which is also available at the registration table.

7 If you're speaking from your written comments and  
8 would like to submit them to us, please fill out the top  
9 portion of the comment card, attach your comments and  
10 provide them before you leave.

11 Written comments can be submitted at this hearing  
12 or to the address, FAX or E-mail indicated on the  
13 comment card. You need to submit your comments by close  
14 of business at 5:00 p.m. on Tuesday, April 21st, 2009.  
15 Please understand that written and verbal comments  
16 receive equal consideration.

17 Now, let me take a moment to explain the process:  
18 All of the comments will be reviewed, and responses to  
19 comments will be prepared. Assuming all major issues  
20 can be addressed, a final EIS/EIR will be prepared,  
21 which will include the responses to the comments.

22 The final EIS/EIR will be circulated for a 30-day  
23 review after which Reclamation will make a decision upon  
24 the project. A record of decision will then be prepared  
25 to document that decision.

1           The CCWD board of directors will consider  
2 certifying the final EIS/EIR under CEQA and approving a  
3 project following this review period.

4           Now, today, we only have one speaker. So what I  
5 will do is call our speaker to the front. And we  
6 normally put a time limit on our speakers, we have one  
7 hour for comments, so I'll forego any time limits such  
8 as that unless we end up with other speakers who decide  
9 they want to come up.

10           When you're called, please clearly state your name  
11 and affiliation into the microphone and spell your first  
12 and last name for the court reporter.

13           Please remember this is a formal hearing and the  
14 court reporter is recording your comments. Please speak  
15 clearly so your comments can be captured accurately.  
16 And if necessary, I can indicate if time is up.

17           So we don't have any elected officials who have  
18 indicated they want to speak. So, again, anybody who  
19 wants to provide comments and have not submitted a  
20 speaker card, please go to the registration table  
21 immediately and we can get you on the list.

22           With that, I call Mr. Steven Eng, and let you make  
23 your comments.

24           MR. ENG: Thank-you. It won't be an hour. Thanks  
25 for hearing me out.

1 My name IS Steven Eng. It's spelled S-T-E-V-E-N,  
2 last name is spelled E-N-G.

3 I represent myself, but I'm also a member of the  
4 Bicycle Trails Council of the East Bay and East Bay Area  
5 Trails Council.

6 And I am here to ask you guys to consider expanding  
7 your trails for multi-use, mainly so we bikers,  
8 equestrians and hikers can use the area around the  
9 reservoir.

10 I know after you complete the expansion, you will  
11 restore the trail network and not so we don't lose any  
12 recreational opportunities, but you also have an  
13 opportunity to consider maybe doing some more trails  
14 that more people can use, specifically, you know, that  
15 are assessable to bikes.

16 Lots of trails are there right now, but a lot of  
17 them are actually not available to bikes, and you guys  
18 have an opportunity to change that. I know you guys  
19 support biking because I just got a mailer from an  
20 organization saying that you sponsor a time trial road  
21 race at the reservoir. So maybe you guys can do a  
22 little more trails for mountain biking, also.

23 Thank-you.

24 MR. WOODLEY: Thank-you.

25 Unless there's somebody who's reconsidered and

1 decided that they want to speak at this point, we'll be  
2 here until 8:30 this evening to take comments.

3 At this point in time, I suggest we can go off the  
4 record and allow people to continue to review the  
5 project and such.

6 And so we can go off the record. And if we end up  
7 with additional speakers, or somebody shows up and then  
8 wants to speak or somebody has reconsidered, then we'll  
9 go back on the record and take your comments and then  
10 finish up.

11 We'll go off the record.

12 (Recess taken.) (7:35-8:30)

13 MR. WOODLEY: We can go back on the record for just  
14 a moment.

15 We've had no more requests for speakers and such  
16 and it looks like by the clock that we can go ahead and  
17 close out this proceeding, and call it to a close.

18 (Whereupon, the hearing adjourned

19 At 8:31 p.m.)  
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R E P O R T E R ' S C E R T I F I C A T E

I hereby certify that the foregoing proceedings took place before me at said time and place, were taken down in shorthand by me, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting;

That the foregoing transcript is a true record of said proceedings which took place. I witness whereof, I have hereunto set my hand this 1st day of April, 2009.

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LESLIE CASTRO  
CERTIFIED SHORTHAND REPORTER  
STATE OF CALIFORNIA  
NUMBER 8876

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LOS VAQUEROS RESERVOIR EXPANSION  
PUBLIC HEARING ON DRAFT EIS/EIR

Heald College Conference Center  
5130 Commercial Circle, Main Conference Room  
Concord, California

Tuesday, March 31, 2009

REPORTED BY: DEBORAH FUQUA, CSR #12948

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A P P E A R A N C E S

Pete Lucero - Public Affairs Officer  
Bureau of Reclamation Mid-Pacific  
Region

Sharon McHale - Project Manager  
Bureau of Reclamation

Marguerite Naillon - Project Manager  
Contra Costa Water District

PUBLIC OUTREACH:

Charles Gardiner - CirclePoint Project Manager

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I N D E X

SPEAKER	PAGE NO.
Anne Farrell.....	7
Bruce Ohlson.....	11

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1 Tuesday, March 31, 2009 7:29 o'clock p.m.

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3 P R O C E E D I N G S

4 CHARLES GARDINER: Folks, we're going to convene  
5 the formal hearing part of this meeting.

6 Okay. Thank you very much for coming,  
7 everyone. We're glad you're here. This is the fourth  
8 of five meetings that we've had -- we're having on the  
9 Draft Environmental Impact Statement, Environmental  
10 Impact Report for the Los Vaqueros Reservoir Expansion.

11 We've divided the meeting into two parts.  
12 You've just been enjoying the first part, which is  
13 informal time to meet the project team and learn about  
14 the project. We thought that was the best way for you  
15 to get questions answered and understand what this  
16 project is all about and ideally help inform comments  
17 that you may provide on that document.

18 So far we've received two cards from people  
19 who would like to speak and provide comments tonight.

20 So in a moment, we will convene the formal portion to  
21 get those comments on the record.

22 Before I do that, I should mention that, if  
23 you've been making comments to the project team, they  
24 have not been recording them. So those are not  
25 officially on the record. So if you'd like to be

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1 officially on the record as formally submitting a  
2 comment, you need to fill out a blue speaker card. If  
3 you don't have one, stick your hand up and we'll get  
4 you one so you can speak.

5 So I think with two people, we probably won't  
6 take too long to finish the formal comments, and then  
7 we'll break, and we can go back to talk at the stations  
8 if you want to learn more.

9 There are lots of other ways to provide  
10 comments in writing, which Pete Lucero will go through  
11 in a minute.

12 So with that, I'm going to turn it over to  
13 Pete, who is the hearing officer.

14 PETE LUCERO: Good afternoon, good evening. My  
15 name is Pete Lucero. I'd like to welcome you to the  
16 public hearing on the Los Vaqueros Reservoir Expansion

17 Project Draft Environmental Impact Statement  
18 Environmental Impact Report which we call the Draft  
19 EIR/EIS. This is one of five hearings being held in  
20 accordance with requirements of the National  
21 Environmental Policy Act.

22 Can everyone hear me fine?

23 Thank you.

24 Again, my name is Pete Lucero, and I'm the  
25 public affairs officer for the Bureau of Reclamation's

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1 Mid-Pacific region. I'll be serving as the hearing  
2 officer, and a court reporter is recording the  
3 proceedings.

4 At the table with me is Ms. Sharon McHale,  
5 Project Manager from Bureau of Reclamation, and  
6 Ms. Marguerite Naillon, Project Manager with the Contra  
7 Costa Water District.

8 Today we're accepting written and verbal  
9 comments on the Draft EIS/EIR. To provide verbal  
10 comments, you should have completed a speaker's card,  
11 which looks like this (indicating). And if you have  
12 not completed one, please go to the registration table  
13 and complete one now. If you have completed a

14 speaker's card but didn't turn it in at the  
15 registration table, please take it there at this time.

16           You may also provide written comments today,  
17 and that is this yellow paper -- looks like this  
18 (indicating). Fill out this comment card, and that's  
19 available also at the registration table. If you're  
20 speaking from your written comments tonight and would  
21 like to submit them to us, please fill out the top  
22 portion of the comment card, attach your comments, and  
23 provide them before you leave.

24           Written comments may be submitted at this  
25 hearing or to the address, fax, or e-mail indicated on

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1 the comment card. You need to submit your comments by  
2 close of business at 5:00 p.m. on Tuesday, April 21st,  
3 2009. Please understand that written and verbal  
4 comments will receive equal consideration.

5           Now I want to take a moment to explain what  
6 happens next with this process. All of the comments  
7 will be reviewed, and responses to comments will be  
8 prepared. Assuming all major issues can be addressed,  
9 a Final EIS/EIR will be prepared which will include  
10 responses to the comments. The Final EIS/EIR will be

11 circulated for a 30-day review, after which Reclamation  
12 will make a decision on the project. A record of  
13 decision will then be prepared to document that  
14 decision.

15 The CCWD board of directors will consider  
16 certifying the final EIS/EIR under the CEQA and  
17 approving the project following this review period.

18 Today we'll proceed in this manner. I will  
19 call speakers to the front in the order you signed up.  
20 If I call your name and you are not present, you will  
21 be moved to the end of the speakers list, all two of  
22 you. Since we have only two people signed up and about  
23 an hour to comment, I'll give you as much time as you  
24 need up to a half hour per person.

25 If you have extensive comments, they should be

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1 submitted in writing. When it's your turn, please  
2 clearly state your name and affiliation into the  
3 microphone and spell your first and last names. Please  
4 remember this is a formal hearing and a court reporter  
5 is recording your comments. Please speak clearly so  
6 your comments can be captured accurately.

7 I will be the time keeper and will indicate

8 when your 30 minutes are up.

9 And again, if you wish to provide comments but  
10 have not submitted a speaker card, please go to the  
11 registration table immediately. And with that, I think  
12 we're ready to start.

13 First two speakers we have is Ms. Ann Farrell  
14 and Mr. Bruce Ohlson.

15 Ms. Farrell, would you please step up.

16 ANN FARRELL: I will be providing a written  
17 version.

18 I am Ann Farrell, Director of Engineering for  
19 Central Contra Costa Sanitary District. We treat the  
20 wastewater for the Central County portion of the Contra  
21 Costa Water District Service Area. Our mission is to  
22 protect the public health and the environment by  
23 collecting and treating wastewater, promoting pollution  
24 prevention and recycling high quality water.

25 I'm here tonight to speak about the highly

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1 treated recycled water from our treatment facility and  
2 the role it could play in increasing the yield of any  
3 Los Vaqueros Reservoir Expansion Project. We currently  
4 discharge 40 million gallons per day of treated

5 wastewater to the Suisun Bay, a tidal estuary that  
6 forms the entrance to the Delta. This is enough water  
7 to serve about 250,000 people or 100,000 homes.

8           In the early 1970s, facilities were  
9 constructed to supply recycled water from our treatment  
10 facility in Martinez, which is located at the  
11 intersection of the 4 and 680 freeways, to the nearby  
12 Shell and Tesoro refineries also in Martinez. Those  
13 facilities, although unused since the '70s, still exist  
14 and could supply the refineries with up to  
15 20 million gallons per day of our effluent with some  
16 additional treatment. This would free up 20 million  
17 gallons of fresh water, enough to serve the entire city  
18 of Concord including the proposed development at the  
19 Concord Naval Weapons Station or to provide significant  
20 environmental benefits by leaving that water in the  
21 Delta. A flyer describing this project will be  
22 submitted with my testimony.

23           For the last 15 years, Central Contra Costa  
24 Sanitary District has been actively lobbying the Contra  
25 Water District to serve recycled water to the

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1 refineries and free up potable water supplies for other

2 uses such as water supply reliability and environmental  
3 water. CCWD has maintained that the financial cost to  
4 their rate payers was too great due to the lost  
5 revenues from refineries.

6           So when we at CCCSD first learned of the  
7 proposal to expand Los Vaqueros and the concept of  
8 inviting other partners in, including the Bureau of  
9 Reclamation and some other South Bay water users, such  
10 as Santa Clara Valley Water District, we thought this  
11 would be the perfect opportunity to incorporate the  
12 refinery recycled water project as a component of the  
13 Los Vaqueros Reservoir Expansion, as it would have  
14 similar benefits. The annual yield of 22,000 acre feet  
15 per year of raw water freed up by the refinery project  
16 could be used to fill Los Vaqueros Reservoir and reduce  
17 the diversion from the Delta; it could be transferred  
18 to other project participants; or it could be released  
19 upstream for environmental enhancement.

20           The participation of the outside partners  
21 provided the opportunity to obtain outside funding to  
22 offset Contra Costa Water District's revenue loss. We  
23 submitted a letter to Contra Costa Water District and  
24 CALFED in August 2003 requesting that recycled water be  
25 included in the Los Vaqueros Expansion studies. I will

1 provide copies for your information.

2 Now, more than five years later, we are  
3 greatly disappointed to find that recycled water has  
4 been dismissed in the environmental documents. There  
5 are few potential recycled water projects in the State  
6 of California with the potential for generating yield  
7 of 22,000 acre feet per year on a continuous  
8 year-in-and-year-out basis.

9 The Los Vaqueros Expansion Alternatives  
10 themselves, in reading the EIR, claim benefits of a  
11 maximum of 3,000 acre feet per year during a six-year  
12 drought for Contra Costa Water District water supply  
13 reliability.

14 A recycled water component to supply the  
15 refineries would increase the yield in the expansion  
16 alternatives by 22,000 acre feet per year. If this  
17 yield were used to benefit Contra Costa water supply  
18 reliability, it would have more than seven times the  
19 benefit of the Los Vaqueros Reservoir Expansion.  
20 Alternatively, this additional yield could be used to  
21 supplement the environmental water management benefits  
22 of the Reservoir Expansion.

23 In summary, water is a valuable resource and  
24 we must use it wisely. As a public agency with a  
25 mission to protect the public health and the

1 environment, we must respectfully request that the Los  
2 Vaqueros Reservoir Expansion environmental  
3 documentation incorporates the supply of recycled water  
4 to the Shell and Tesoro refineries in Martinez as a  
5 component of each and every Expansion alternative.

6 Thank you.

7 PETE LUCERO: Thank you, Ms. Farrell.

8 Mr. Ohlson, please step up. Thank you.

9 BRUCE OHLSON: Good evening, Hearing Director and  
10 Project Managers. My name is Bruce Ohlson. I'm a  
11 citizen of Pittsburg. I'm a member of the board of  
12 directors of the East Bay Bicycle Coalition, and I'm on  
13 the advocacy committee of the Delta Pedalers Bicycle  
14 Club. I also want to disclose that I'm on the Planning  
15 Commission for the City of Pittsburg, but tonight I'm  
16 speaking for the bicyclists.

17 We respectfully request and suggest that it  
18 would be eminently reasonable to be able to bicycle on  
19 a trail from the north paved public access to the south  
20 paved public access. That would be a very small  
21 mitigation to include. It wouldn't cost a whole lot.

22 I'm here tonight requesting this because the

23 Water District tends to not like bicyclists. And we  
24 have -- our current rules do not allow bicycling in  
25 most of the watershed, and we respectfully request the

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1 permission -- the construction of a trail from one end  
2 to the other -- not expensive.

3 And if you allow any vehicles anywhere in the  
4 watershed or cattle anywhere in the watershed, it  
5 certainly wouldn't hurt to allow a bicyclist or two in  
6 there.

7 Thank you very much.

8 PETE LUCERO: Thank you, Mr. Ohlson.

9 Are there any speakers who have not turned in  
10 or filled out a blue card who would like to?

11 (No response)

12 PETE LUCERO: In that case, we'll go off the  
13 record, and we will re-adjourn at the end of the hour  
14 in order to make sure we have closed out this hearing  
15 officially.

16 Do you have another speaker? Oh.

17 Okay. We're off the record. Thank you.

18 (Recess taken)

19 PETE LUCERO: On the record. We are at the end of

20 the official hearing time. If there are no more blue  
21 cards or no more speakers -- that was a question by the  
22 way. No? Didn't sound like one, but it was.

23 So on behalf of the Bureau of Reclamation and  
24 Contra Costa Water District, I'd like to thank you for  
25 taking the time to attend this hearing, providing your

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1 comments. Please remember, if you still plan to  
2 provide written comments, they must be received by  
3 close of business at 5:00 p.m. on Tuesday, April 21st,  
4 2009.

5 This closes this hearing on the Los Vaqueros  
6 Reservoir Expansion Project Draft EIS/EIR. We are  
7 adjourned.

8 (The proceedings concluded at 8:30 p.m.)

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1 STATE OF CALIFORNIA )  
2 COUNTY OF MARIN ) ss.

3 I, DEBORAH FUQUA, a Certified Shorthand  
4 Reporter of the State of California, duly authorized to  
5 administer oaths pursuant to Section 8211 of the  
6 California Code of Civil Procedure, do hereby certify  
7 that the foregoing proceedings were reported by me, a  
8 disinterested person, and thereafter transcribed under  
9 my direction into typewriting and is a true and correct  
10 transcription of said proceedings.

11 I further certify that I am not of counsel or  
12 attorney for either or any of the parties in the  
13 foregoing proceeding and caption named, nor in any way

14 interested in the outcome of the cause named in said  
15 caption.

16 Dated the 1st day of April, 2009.

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19 DEBORAH FUQUA

20 CSR NO. 12948

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LOS VAQUEROS RESERVOIR EXPANSION  
PUBLIC HEARING ON DRAFT EIS/EIR

Iron House Elementary School  
5180 Frank Hagley Drive, Multi-Purpose Room  
Oakley, California

Thursday, April 2, 2009

REPORTED BY: DEBORAH A. FUQUA, CSR #12948

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A P P E A R A N C E S

Pete Lucero - Public Affairs Officer  
Bureau of Reclamation Mid-Pacific  
Region

Sharon McHale - Project Manager  
Bureau of Reclamation

Marguerite Naillon - Project Manager  
Contra Costa Water District

PUBLIC OUTREACH:

Charles Gardiner - Project Manager, CirclePoint

I N D E X

SPEAKER	PAGE NO.
Bill Veitch.....	6

ALSO PRESENT: Terri Gillen, Representing Congresswoman

23  
24  
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Ellen Tauscher  
Paul Adler, representing Contra Costa  
County Supervisor Federal Glover.

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1 Thursday, April 2, 2009 7:30 o'clock p.m.

2 ---o0o---

3 P R O C E E D I N G S

4 CHARLES GARDINER: Thanks very much for coming.  
5 We're happy you're here. This is the last of our five  
6 public meetings on the Draft Environmental Document for  
7 the Los Vaqueros Reservoir Expansion.

8 What we're going to do now is convene the  
9 formal public hearing portion of the meeting. We've  
10 set it up this way with information here so that you  
11 can come and learn about the project, ideally inform  
12 your comments on the environmental document.

13 So far we only have one person who's indicated  
14 that they want to speak. If anybody who does want to  
15 speak could fill out a speaker card, we'd be happy to  
16 take it. So we're going to convene the hearing  
17 formally, take that comment, and then we can go back to  
18 the informal part of our meeting.

19 So if you've been talking to the project team,

20 hopefully you've been getting some information. But if  
21 you have been providing comments to them, ideas or  
22 thoughts, those won't be on the record. So if you want  
23 to be on the record, we're going to go on the record a  
24 second, and you can make some comments.

25 So with that, I'm going to pass it over to

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1 Pete, who is going to formally convene us.

2 PETE LUCERO: Good evening. My name is Pete  
3 Lucero. I'd like to welcome you to this public hearing  
4 on the Los Vaqueros Reservoir Expansion Project Draft  
5 Environmental Impact Statement/Environmental Impact  
6 Report, called the Draft EIS/EIR. This is the last of  
7 five hearings being held in accordance with  
8 requirements of the National Environmental Policy Act.

9 And again, my name is Pete Lucero. I am the  
10 Public Affairs Officer for the Bureau of Reclamation's  
11 Mid-Pacific Region. And I'll be serving as a hearing  
12 officer tonight. And a court reporter is recording the  
13 proceedings.

14 Here with me on stage is Ms. Sharon McHale,  
15 the Project Manager from Bureau of Reclamation, and  
16 Ms. Marguerite Naillon, the Project Manager from Contra

17 Costa Water District.

18 Today we're accepting verbal and written  
19 comments on the Draft EIS/EIR. To provide verbal  
20 comments, you should have submitted a speaker's card.  
21 That's this blue card. If you've not completed one,  
22 please go to the registration table. If you did  
23 complete a speaker's card but didn't turn it in at the  
24 registration table, please take it there right away.

25 You may also provide written comments today on

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1 this yellow sheet of paper, which is available also at  
2 the registration table.

3 If you're speaking from your written comments  
4 and would like to submit them to us, please fill out  
5 the top portion of the comment card, attach your  
6 comments and provide them before you leave.

7 Written comments maybe submitted at this  
8 hearing or to the address, fax, or e-mail indicated on  
9 the comment card. You need to submit your comments by  
10 close of business at 5:00 p.m. on Tuesday, April 21st,  
11 2009. Please understand that written and verbal  
12 comments receive equal consideration.

13 Now I want to take a moment to explain what

14 happens next with this process. All the comments will  
15 be reviewed, and responses to comments will be  
16 prepared. Assuming all major issues can be addressed,  
17 a Final EIS/EIR will be prepared which will include the  
18 responses to the comments. The Final EIS/EIR will be  
19 circulated for a 30-day review after which Reclamation  
20 will make a decision on the project. A record of  
21 decision will then be prepared to document that  
22 decision. The Contra Costa Water District board of  
23 directors will consider certifying the Final EIS/EIR  
24 under CEQA and approving the project following this  
25 review period.

5

1 Today we'll proceed in this manner. I'll call  
2 the speakers to the front in the order you signed up,  
3 which, thankfully, is one. And if I call your name and  
4 you aren't present, you'll be moved to the end of the  
5 speaker's list -- which is kind of circular logic.

6 Since we have one person signed up to comment  
7 and we have one hour to make those comments, you'll  
8 have as much time as you need to make your comments,  
9 sir. If you decide to go past the hour, you can submit  
10 your comments in writing. When it is your turn, sir,

11 if you please state your name, your affiliation, spell  
12 your name and -- your first and your last names. And  
13 please remember this is a formal hearing and a court  
14 reporter is recording your comments.

15 Please speak clearly so your comments can be  
16 captured accurately. And I'll be the time keeper,  
17 giving you your full hour if you need it, sir.

18 We do have with us today Mr. Paul Adler, who  
19 is representing the Contra Costa County Supervisor  
20 Federal Glover.

21 Welcome. Thank you very much for coming.

22 And with that, Mr. Veitch, please come up and  
23 make your comments.

24 BILL VEITCH: Bill Veitch, V-E-I-T-C-H, Contra  
25 Costa Farm Bureau. My question was, what effect will

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1 the peripheral canal have on water quantity and quality  
2 for the reservoir?

3 PETE LUCERO: Mr. Veitch, thank you very much for  
4 your question. It has been written into the record,  
5 and we will consider -- you will see an answer to that  
6 question in response to the comments in the final  
7 document.

8                   If there are no other questions -- anybody  
9                   want to make another comment or question? Then what  
10                  we'll do now is, based on that, we've still got to stay  
11                  in the room until 8:30. What we'll do is go off the  
12                  record now, and then we'll re-adjourn at the end of the  
13                  hour unless someone else wants to speak.

14                  So with that, we're in recess. Thank you.

15                  (Recess taken)

16                  PETE LUCERO: So we're on the record.

17                  Are there any other speakers?

18                  (No response)

19                  PETE LUCERO: No?

20                  On behalf of the Bureau of Reclamation and the  
21                  Contra Costa Water District, I'd like to thank you for  
22                  taking the time to attend this hearing to provide your  
23                  comments. Please remember that, if you still plan to  
24                  provide written comments, they must be received by,  
25                  close of business, 5:00 p.m., on Tuesday, April 21st,

7

1                  2009.

2                  This closes this hearing on the Los Vaqueros  
3                  Reservoir Expansion Project Draft EIS/EIR. Thank you.  
4                  We are adjourned.

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(The proceedings concluded at 8:30 p.m.)

1 STATE OF CALIFORNIA )

2 COUNTY OF MARIN ) ss.  
3 )

3 I, DEBORAH FUQUA, a Certified Shorthand  
4 Reporter of the State of California, duly authorized to  
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11 I further certify that I am not of counsel or  
12 attorney for either or any of the parties in the  
13 foregoing proceeding and caption named, nor in any way  
14 interested in the outcome of the cause named in said  
15 caption.

16 Dated the 6th day of April, 2009.

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DEBORAH FUQUA

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CSR NO. 12948

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