From:

Nelson, Tim@DWR <Tim.Nelson@water.ca.gov>

Sent:

Monday, November 02, 2015 7:23 AM

To:

**BDCPcomments** 

Cc:

Agustinez, Anecita S.@DWR

Subject:

Ca Water Fix: Comments to EIR/EIS and PA/HPTP

Importance:

High

Comments from United Auburn Indian Colony need to be logged in for CA WaterFix Project. These comment will be addressed in the normal fashion.

Thanks

Tim Nelson, P.E.
Dept. of Water Resources
NCRO- Tribal Liaison
3500 Industrial Blvd, Suite 100
West Sacramento, CA 95691
Office - (916) 376-1926
Fax - (916) 376-9676
Email - Tim.Nelson@water.ca.gov

**From:** Marcos Guerrero [mailto:mguerrero@auburnrancheria.com]

Sent: Wednesday, October 28, 2015 10:18 AM

To: Agustinez, Anecita S.@DWR; Nelson, Tim@DWR; Polson, Nikki SPK

Cc: Jason Camp; Melodi McAdams; Fancher, Zachary J SPK; Gilfillan, Mark A SPK

Subject: Ca Water Fix: Comments to EIR/EIS and PA/HPTP

Importance: High

Hello All,

Below are UAICs some comments previously submitted to USACE, DWR and BoR regarding the RDEIR/SDEIS for the BDCP/CA Fix Project:

- 1. RDEIR/SDEIS does not appear to contact an Environmentally Preferred Alternative that is required under CEQA Guidelines 15126.6(e)(2) and NEPA. The tribe would like to be allowed to microsite or get other design features incorporated to reduce the potential for direct cultural impacts.
- 2. UAIC left out of RDEIR/SDEIS analysis as Tribe, government or partner. There is no discussion of the Tribe/tribal values in areas of controversy, construction timing, project and alternatives screening criteria (i.e., a tribal burial mound avoidance alternative), environmental commitments for cultural resources, social effects, environmental justice or identified as a viewer group for visual impacts. The UAIC requests to be allowed to participate in the RDEIR/SDEIS analysis.
- 3. On Alternatives, it appears that very little consideration was given to any others. The rationale for rejecting other design features and preservation in place falls short of what the Tribe considers a minimum level of effort. The Tribe requests a complete and full analysis of such preservation in place and avoidance alternatives as alternative siting locations for the intake tanks. The fact that the project is being approved with not adequately identifying all known resources and a finding of no adverse effect is of concern to the UAIC.

- 4. If the USACE materially revises any section of the RDEIR/SDEIS then the document should be recirculated. USACE shall evaluate, determine effects, and develop treatment before the project construction activities begin. The tribe does not consider data recovery, curation and testing/analysis appropriate which is in fact a negative effect and direct impact to the cultural resources. The RDEIR/SDEIS addresses solely scientific archeology, there is zero discussion regarding tribal cultural values, sanctified cemeteries, or cultural landscapes. Include a section on why preservation in place is a feasible alternative. RDEIR/SDEIS does not admit that human remains could be impacted and that state law would be followed.
- 5. The RDEIR/SDEIS also will any new sections on PG&E utility relocation be in the RDEIR/SDEIS? Especially of this work includes use of cranes, land leveling, poll removal and relocation, tree replanting and vegetation removal all activities that could have significant impacts on cultural resources.
- 6. The cumulative impact section is wholly deficient and also contains improper analysis such as cultural resources are typically not subject to cumulative effects which is unsupported in CEQA/NEPA. Yet RDEIR/SDEIS then admits impacts are cumulatively significant but then offers no mitigation for that impact. Again, there is no mention of tribes or cultural landscapes, the latter is especially relevant when dealing with cumulative effects or effects across several phases or projects over wide geography.
- 7. Specific borrow and staging sites were not identified in the RDEIR/SDEIS, it is not appropriate to recommend cultural resource areas for these types of activities;
- 8. Will there be a section on Wetland delineation.
- 9. Will the project be avoiding FEMA land use restrictions and are barges included in the project use of barges could help to reduce impacts on cultural resources?
- 10. Other concerning points, we would like to discuss are:
  - Admits no further federal action assumed, raises question of whether feds could assume the project without reopening the environmental review;
  - No analysis of vibration or compression effects on project on cultural resources;
  - No analysis of vegetation impacts that relate to native or cultural plants including those that might have been part of the burial mounds or part of the tribal cultural landscape;
  - Will there be conservation bank purchased for giant garter snake why not for cultural landscape;
  - Please note that post approval technical studies are not okay;
  - No section in climate change discussing whether it makes sense to consider alternative to proposed intakes;
  - No text references to NPS Bulletin 38 (TCPs) or ACHP guidance on cultural landscapes, document takes a very stilted view of what Section 106 means. We understand this may be in the RDEIR/SDEIS, yet to be developed, but it would be good to include the important of place, setting, landscape, to the Tribe;
  - NAHC not listed as a trustee agency.

In regards to the PA and Programmatic HPTPs, our main concerns are:

- the UAIC requests to be an invited signatory on the PA just as SHPO, DWR and CVFPB are listed;
- UAIC is a federally recognized tribe that has maintained it has sanctified cemeteries and burial sites within the project APE that are in immediate danger of irreparable harm;
- the UAIC is opposed to any type of curation, data recovery and testing/analysis of those sites determined to be or listed as sanctified cemeteries, shrines, places of worship, and burial sites;
- both the HPTP and PA have no mention about tribal monitoring;
- UAIC would like to be a partner in the PA and have the same comment and review;
- UAIC request to go their own survey to confirm the presence of additional resources in the project APE;
- consultation regarding adverse effect and alternatives analysis;
- discussion regarding the need for a burial treatment plan, tribal monitoring plan, and tribal cultural resources treatment plan;

• information for evaluation of Native American sacred and burial sites under Criteria A, B, C, and D should also be done prior to construction and in consultation with the tribes who may ascribe significant to a place in the APE for a particular event, person, aesthetic, or the resources ability to transmit knowledge;

Marcos Guerrero, RPA
Cultural Resources Manager
United Auburn Indian Community
Tribal Historic Preservation Department
10720 Indian Hill
Auburn, CA 95603
Direct: 530-883-2364

Cell: 916-300-8792 Fax: 530-883-2390

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From:

Nelson, Tim@DWR <Tim.Nelson@water.ca.gov>

Sent:

Monday, November 02, 2015 9:22 AM

To:

**BDCPcomments** 

Subject:

Requests and comment from California Indian Water Commission

Please log in these comments and requests from California Indian Water Commission.

Here's a list of the requests and comments:

- 1) Any conversation with U.S. Army Corps Engineers' Nikki Polson for Tribal consultation needs to include Gerald Jones of BIA and CIWC for correspondence
- 2) How long before payment to California Indians is expected for taking their water?
- 3) California Indians want payment for previous projects, like the Peripheral Canal, for the loss of traditional Agricultural in the form of similar land and money to harvest the land.
- 4) The group made a request for a field trip of the project sites with Nikki Polson, Gerald Jones, and other affected Tribes.
- 5) Add historical restoration to impacts to Indians agriculture, sacred sites, ancestral burial sites, and traditional gathering areas.
- 6) Request to go through geotechnical samples from the recent exploration for CWFP.
- 7) Request copy of the complete project design for the CWFP and its components.
- 8) Request a copy of the cultural resources map used for BDCP and CWFP.
- 9) Request a map of all geotechnical exploration and drilling sites.

Tim Nelson, P.E.
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NCRO- Tribal Liaison
3500 Industrial Blvd, Suite 100
West Sacramento, CA 95691
Office - (916) 376-1926

Fax - (916) 376-9676

Email - Tim.Nelson@water.ca.gov

#### Oct. 30,2015

Dear Cal Water Fix Personente NOV 0 3 2015 I'm sorry, but I strongly office your BOCP/ Cal Utate Pigs, First, its uchamentoahing more water out of will result in degrad teriptrusion lowering of ground water levels, loss of lette fague itigation gosts, scause a leau war area to become an tion but for mounter A Real trabutions cierco arllogical of ass. of the prise, Singrey -301-1802

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John Minnehard
541 Sikase St.

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Oct 29, 2015

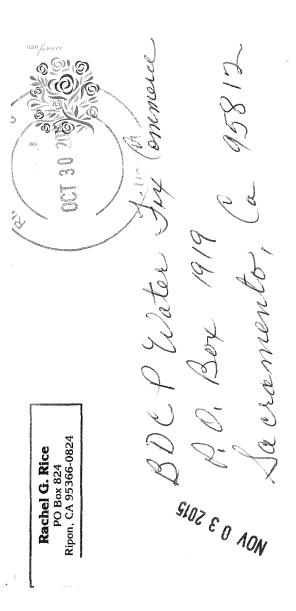
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Rachel H. Rice 143 Uregon P. O. Box 824 Ripon, Ca. 95366.



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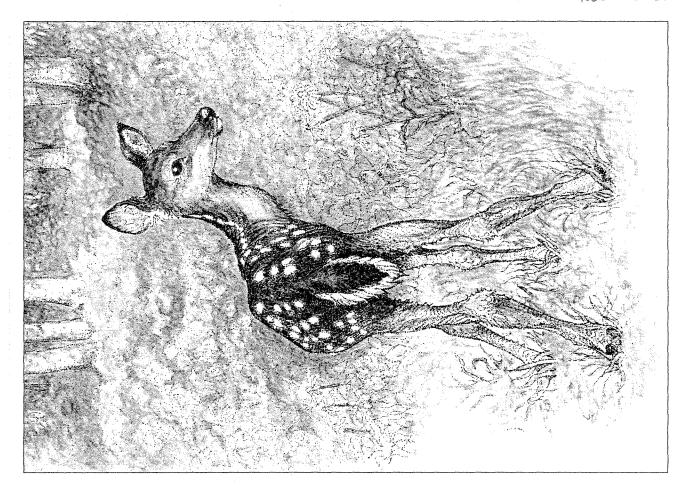
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# © Kari Vick

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OCT 2 9 2015 10/25/2015 BDCP/WAter fix Comments How can the North send water South when there is not enough is the North during the DROGEGHT for growth. Where is the water for Growth in the North going to Come table drops it never comes back.
One year in the 1970's the water table And it's been dropping every year since. Any Questions or corrections call 209-823-3438 George Handy 385 CONCORLC+ MANLOCK, CA

# TWIN TUNNEL WATER GRAB

#### State plan threatens SSJID, OID water

By DENNIS WYATT

The biggest threat to future South County water supplies may not be a lingering drought.

The state — in a bid to increase Delta water quality that will be impacted under the twin tunnels diversion plan pushed by Gov. Jerry Brown — wants to mandate "unimpaired flows" on the Stanislaus, Tuolumne and Merced rivers. Essentially increased water flows from the three riv-

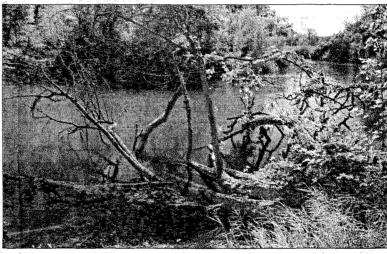
#### WATER

ers is designed to make up for the loss of Sacramento River water that would be diverted north of the Delta and returned to the California Aqueduct south of the Tracy pumps. The loss of the Sacramento River water flowing through the Delta is expected to seriously impact water quality and therefore fish habitat. The specific targeting of the three rivers for more water is the state's way of addressing critics who contend diverting Sacramento River water into tunnels will severely hurt the Delta's ecological system.

As it stands now a federal biological opinion is in place requiring unimpaired flows on the Stanislaus River between January and June be set at 30 percent of what precipitation falls in the watershed in a typical year.

The state wants to increase unimpaired flows on the

SEE TUNNEL, PAGE A8



The state wants to take more water from the Stanislaus River for the Delta to replace Sacramento River water diverted into the Twin Tunnels.

> HIME ROMERO/ The Bulletin

#### TUNNEL

FROM PAGE A1

Stanislaus River to between 40 and 50 percent. To do that, the state would have to infringe on the historic superior water rights of both the South San Joaquin Irrigation District and Oakdale Irrigation District. The two districts currently are legally entitled to the first 600,000 acre feet of unimpaired flow into the New Melones Reservoir that they split 50-50. That is based on an agreement reached with the federal government in exchange for the Bureau of Reclamation inundating the original Melones Reservoir built 100 percent on the back of SSJID and OID taxpavers in order to construct New Melones. The 600,000 acre feet ties directly into water rights SSJID property owners secured in 1909 by approving what was then considered a risky \$1.4 million bond debt. The SSJID noted a number of Manteca, Ripon, and Escalon area farmers lost their land during the Depression because they couldn't pay their share of the bond debt. There was no federal or state bailout.

Since the watershed in an average year has a million acre feet of runoff, that means if the state succeeds the only way the unimpaired flows work is if they seize water currently being used for irrigation and to supply drinking water to the cities of Manteca, Lathrop, and Tracy.

At the same time there would be no water from New Melones Reservoir for other basin users, those with Bureau contracts or even for storage.

The Save the Stan — an organization the SSJID and OID formed to inform the public of efforts the two districts are undertaking to protect farming, fish, urban water users, and water recreation against initiatives that they contend threaten the Stanislaus River watershed - note that the "state has not directly acknowledged that increasing unimpaired flows is related to Governor Jerry Brown's twin tunnels project, for those who are impacted, it's hard not to think they aren't linked."

The two districts argue the more water diverted to the Delta from the Merced, Stanislaus, and Tuolumne watersheds means more Sacramento River water that can be diverted to Southern California before it ever reaches the Delta.

Save the Stan also notes the three rivers are the only ones currently being targeted by the state's bid to increase unimpaired flows beyond what the federal government has had in place for years.

The districts have been spending \$1 million plus annually since 2004 to have biologists study fish and water flows on the Stanislaus River as well as improve habitat for fish.

They note there is no peerreviewed scientific journal or research showing more water equals more fish. Pulse flows have provided no scientific benefit to improve salmon or rainbow trout/steelhead population. Scientists who actually have worked on the river point out that habitat restoration and predation control are far more effective ways to increase the number of fish. An estimated 95 percent of young salmon and steelhead are eaten before they ever reach the Delta.

The unimpaired flows envisioned for the Stanislaus River would mean less cushion for storage. The two districts cite historical data that shows if unimpaired flows are put in place per the state's plan, it is estimated New Melones would be "empty" one out of every five years.

The State Water Resources Control Board calls the economic and social impacts that SSJID and OID are warning about "significant but unavoidable."

The water board, however, hasn't conducted any meetings in the region to explain its plan.

The SSJID and OID believe the burden of solving the statewide issues connected with the Delta "is falling disproportionately on those who live in the Northern San Joaquim Valley."

A fact sheet about unimpaired flows can be found on the website www.savethestan.org.

#### Ban some new ag wells until drought ends

s he manages the terrible drought, Gov. Jerry Brown has persuaded Californians to reduce their water use by more than 25 percent and led the campaign to convince voters to approve a \$7.5 billion water bond, which will help us get through future droughts with less economic and environmental damage.



BY GERALD H. MERAL

But the drought continues to damage the economy and environment.

Every extended dry period brings a rush to use more groundwater as rivers turn to trickles and reservoirs recede. This is understandable: Central Valley groundwater supplies are vast, and have sustained cities and farms for decades. But California needs restraints on new pumping.

Heavy pumping, even in normal or wet years, has

consequences. Ground-water levels are dropping in parts of the Central Valley much faster than they have for decades. This causes increased energy use to pull the water up from greater depths and that results in air pollution, as pumps work harder to bring water to the surface. Since rivers rely on groundwater to augment their flows,

overpumping groundwater depletes the flows of the rivers.

In parts of the San Joaquin Valley, where the soil is made up of sand and gravel, groundwater pumping does not affect the surface level of the ground. In these areas, such as much of the Northern San Joaquin Valley, water often seeps back into the aquifers during periods of heavy rain and runoff, restoring groundwater levels.

In other areas, such as

the west side of the San Joaquin Valley, the soils contain more clay, which compacts and sinks as groundwater is withdrawn. This lost space below ground can never be regained. Even worse, the surface of the ground above subsides. In some areas, this isn't much of a serious problem: The farmland is relatively flat and there is little impact.

But in other areas the surface decline due to

SEE MERAL, 3D

### MERAL

subsidence is causing serious problems. The United States Geological Survey has found the surface elevation near the vital California Aqueduct has declined a foot or more just this year. This decline has greatly affected canals, wells, roads and other infrastructure in various San Joaquin Valley locations.

The canal that diverts water to the Central California Irrigation District from the San Joaquin River now barely flows in the right direction. Bridges are sinking. Perhaps most seriously, the declining ground surface is lowering levees, which could lead to terrible floods when the rivers rise again.

Overpumping causes problems for residential and community water use as well. Thousands of domestic wells have failed since the drought began because they are shallower than irrigation wells, which are stronger and pull the water away.

#### OVERPUMPING CAUSES PROBLEMS FOR RESIDENTIAL AND COMMUNITY WATER USE AS WELL.

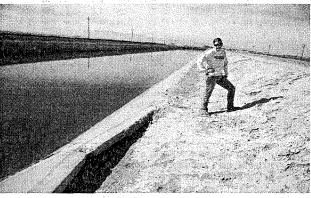
The first rule of holes applies: When you are in one, stop digging.

Some counties have responded by prohibiting the drilling of new wells. But other counties, sympathetic to farmers who have no other water supply but groundwater, have been reluctant to act.

"We don't believe we can sustain this type of pumping," said Department of Water Resources Director Mark Cowin.

The economic damage caused by sinking ground-water and surface levels must be addressed.

The governor should use his emergency powers under the existing drought



HECTOR AMEZCUA Sacramento Bee file

Michelle Sneed, a USGS hydrologist, stands near a buckled section of the Delta-Mendota Canal in 2014. The ground had subsided in the area due to the collapse of the aquifer below.

to ban new wells in areas where groundwater pumping is causing significant economic damage.

I don't take this position lightly. I understand it would harm people who need groundwater to keep their farms producing.

But their economic benefits are outweighed by the costs local and state governments face to repair badly damaged infrastructure. People seeking to drill new wells are not likely to agree to pay for the damage they cause to roads, levees and other infrastructure by their pumping.

The new well ban could end when the governor declares the drought over. In the meantime, the governor should encourage a more robust system of trading groundwater and surface supplies to alleviate the economic damage of constrained groundwater pumping.

Gerald H. Meral is former deputy director of the California Department of Water Resources and former deputy secretary of the California Natural Resources Agency. He wrote this for The Sacramento Bee.

George HAND 38 FCONCORLET MANTECT CA 95336



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Jo Beorge HANGY 385 CONCURD Ct. MANTELA, CA. 95336

Please read letter and articles -Sign \_\_\_\_\_ And Mail this self addressed posterard.

Feel free to tell me you are going to Vate No on the (Della) twin tunnels

Questions - Feel Free to Comment.

Thank you

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BDCP Water fix Commosts FO. Box 1919 SACramento Ca

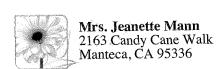
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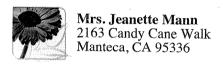
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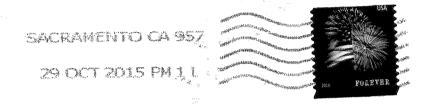
George Hash
3856 wordch
Mattera Ca-

To Whom this my concern,,,,,, I think these tunnels would be the worst thing to happened to Calif at Least North Ca,,,, Southern Calif .uses the water they want all the time,,and Northern Ca, would dry up to nothing,,,we grow all the food here what do they doing?????? DON'T LET THIS HAPPENED,,,,,

NOV 0 2 2015







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BDCP/au atu Fix Comments P.O. BOX 1919 Lacramenta, Ca 95812

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Assemblymember, 12th District
KRISTIN OLSEN
3719 Tully Road, Suite C



# The Bay Delta Conservation Plan/California WaterFix ("Delta Tunnels") public comment period is **ENDING ON OCTOBER 30!**

San Joaquin County residents have a unique opportunity to have their voices heard by submitting comments or resubmitting previously sent comments.

**Mail:** BDCP/WaterFix Comments, P.O. Box 1919, Sacramento, CA 95812 or **Email:** BDCPComments@icfi.com

#### **FAST FACTS**

- Under the Governor's plan, the California Department of Water Resources and U.S. Bureau of Reclamation are taking public comments on the Bay Delta Conservation Plan/California WaterFix.
- The project would build three giant water intakes, each longer than three football fields, to draw water from the Sacramento River to feed through the tunnels. The would furt the valley only ones.

The project could cause further harm to the unique and fragile Sacramento-San Joaquin Delta. Yes & would let Jagran

- The WaterFix does not provide a single drop of new water and could severely impact Delta communities.
- The Delta region is home to nearly 4 million people, including 2,500 farmers who contribute \$2 billion to California's economy each year.
- · At an estimated cost of \$15 billion, the people of California deserve a better solution and a more prudent investment to address the state's water supply needs.

  Jagree / Couldn't say it all better!

  We in farming in valley wouldn't be helped

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Gertrude Voortman 26914 Jones Rd Escalon CA 95320-9404

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P.O. Boy 1919 Scenerto a 95812 BDC & Water Fig Comments

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We do not need che z tunnels

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BDCP/Caij. Weller For P.O. Barramento, CA 95812 Sacramento, CA 95812

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No Posimark - assumed rec'd by 10/30/15

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Mr. and Mrs. Phichard E. Hyde

Drear Governor Brown,

Richard and I wish to express
our extreme unhappainess at the

prospect of the tunnels to convey
our precions water to the south
of the state. Please stop the

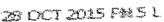
project! Sincerety,

NOV 0 2 2015

Kan & Hyde



Richard Hyde 10 Bewyigw Aver 11 (150) (24, 34) Belvedere Tiburon, CA 94920-2367





BDCP California Wonter Fix

P.O. Box 1919

Sacramento, OA 958/2

NOV 0 2 2015 19/26/2015 To - BDCP/Water Fix Comments; Please - do not put into effect The Bay Delta Conservation Plan / Balif. Water Fix. Me, Rece in Northern takk have a water shortage How! Jam ald enough to remember the catastrophic water plan of Covers Valley. The "water grab" by Las angeles water District

It would be a disaster for further realley, which could not be corrected "ever".

Myain, slease do not let this Water Grab by So. Calif." take our water!

> 7. Skannen 1463 Nikkel Way Ripon, O. 95366

OS. Take the advice of a 93 yr old person who lived thru the last Water Grab "for Lo, Calif. Carlo de Car

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BECOMMENDED TO SERVING THE SER

10-28-15

BDCI/Calofornia Water Fry,
Reau Reep Stovernor Brown
from depleting the Delta's
cosystem. The men is so
unispensible!

Strank your.

Robert and Faire Parks 3232 Central annue Clamede CA 94501

Registered Voters.

NOV 0 2 2015



Ms. Laurie Parks 3232 Central Ave. Alameda, CA 94501-3109

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BDCP/ California Water Fex

P.O. Box 1919

Sacramento

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my Wife and I are against the twin turnels

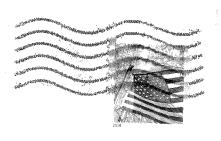
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Thank you

mr. + mrs, John a. Kellogg Sr.



MR. JOHN KELLOGG SR. SACRAMENTO CA 957 1444 MIDLAND CT. MANTECA, CA 95336-2948



MON 05 5012

BDCP/water Fix comments P.O. Bot 1919 Javamento, ca. 95812 10/27/15 (COMMENTS) BDCP/CA WATERFIX:

SURELY, GOV. BROWN CAN PROPOSE A MORE PLAUSIBLE LEGACY PROJECT THAN HIS REDUPLICATE PERIPHERAL CANAL "PIPEDREAM!"

ITS PROFLIGACY PARALLELS THAT OF THE
ANCIENT SPARTAN
CITY PLANNERS, THE
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BDCP/CALIFORNIA WATERFIX COMMENTS

P.O. BOX 1919

SACRAMENTO, CA 95812

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BESSINGS

Cuenta Nuesta NOV 03 2015 Re: Public Comment.

\* Delta-San Tagguin
Central Valley
So: \* Movement of Water P. Sus-Benediciones V heard Lack of Notification RANDI DAZTON P.O. BOX 3, Hws, Today (last day) on KZYX Willits, CA, 95490 Radio Francisco Med for more STUDY Oct. 30, 2015. RSVPo-Want Fo F Environmental Impact \* Significant-Yes! What is being Proposed? Know To whom it may concern -POINTS of Information follow, see last I am a California Native born page and bred in the San Francisco - Contra Danielo, Vubacity, Mendouno No. Caly, Stockton, alamo, resident. I received 100% on my SAT-Scholastic Aptitude Test, in 1964 1972-48 ntoch at Dalileo High School, when I graduated, 1979 My husband graduated from U.C. Berkeley in 1978 in CNR-Conserve From of Natural Resources (Sorts antoch Forestry Watershed, Tundra Water Wells we studied 32 weeks in depth for his Dr. Thesis.) We moved No. to Caspa, It 1981-Bragg, Albion, mendorino, Laytonville [35 485] and have Tare raised raising 6 children 11 grandchildren. Itwent to S.B. State Collège 5 Years - from 1969-1969, and have taken numerous classes since.

# -2- much more

of Ecology Information, Incorporated at the Contra-Costa Corop, for 5-years, and Edited the monthly news-Sletter from 1972-1977, and have controlled my/our environmental consciousneds ) observation/ reflection Critical analysis and appleciation of our precious, irreplaceable common twealth of Hod given beauty, wealthy California re sources; (from A to I - archeologyan biology, botony, geography, hydrology isology 300 togy too much to include for this letter of informations. X throvered connect—the dots too fast) DOWN My grandfather, Carl Kikney Twas an Honor build the Golden Gate Bridge, Hetch what Hetchy Dam CTwolemne River J. Dakland Bay have and was 'run over by a 10-Tone Now Water Truckat, age 73, as a Co./Sta Inspector overseeing Highway 680 Preeing In Antioch Concord By-passe Key.

RECIRCIB34 Randi Dector POBOX 216 Lay Tonorle, CA. TO WHOM IT MAY CONCER. B.PA Blessed Be, Be CAZIFI INAIAN TRIBES NATIVE AMERICAN BASKET-Indigmons WBAVERS SAZMON,

RECIRCISTY Crom POBIX3, Willits, CA 15 TRUE FULL Open - GRANS- BARENTI Needed. Public Discussion Continued = to Be Extension of Time WATER- IMPACTS SOIL/CARBON PSYCHOLOGY ATTUE AMERICAN

Delta BAY STOP (10/29/2015 5 ACPA-CERT WORRSTER) MORE OPEN-DISCUSSION -MORE TIME/Public Comment we need more time to STUAY - SALMON-C Monitor, Kescarch, Graph, WALD TAKE CARE of EARTH HOS destroy Photograph Listen, Learn, NATURE, Grace
Blessed Be Lot it Bes
God given Balance tharmony.

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