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11 Attorneys for Local Agencies of the North Delta / Specially
12 Appearing for Daniel Wilson for Purposes of Presenting
13 Part 2 Testimony

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BEFORE THE
CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

HEARING IN THE MATTER OF
CALIFORNIA DEPARTMENT OF WATER
RESOURCES AND UNITED STATES
BUREAU OF RECLAMATION
REQUEST FOR A CHANGE IN POINT OF
DIVERSION FOR CALIFORNIA WATER
FIX

TESTIMONY OF DANIEL WILSON –
REVISED
LOCAL AGENCIES OF THE NORTH
DELTA/DANIEL WILSON

I. Professional Background and Approach to Analysis

My name is Daniel Wilson. I graduated from the University of Californian at Davis with a Bachelor of Science in Mechanical Engineering. I have been involved with levees, floods and water for 44 years since the 1972 Brannan Andrus flood. I was the contract administrator for the reconstruction of Tyler Island and Dead Horse Island in 1986 and Dead Horse Island in 1997. I served eight years on the Delta Protection Commission. I am or have been a trustee on Reclamations Districts 2111, 554 & 3.

I am a sixth-generation farmer managing over 1,344 acres of pear orchards in the Delta. I also manage Riverside Elevators in Isleton, the only major public grain storage facility in the Delta. I own and manage a trucking company that operates in the Delta. In addition, our family operates a pear packing facility that is located on Andrus Island at the location of the proposed second original muck pit.

My main focus to today will be on transportation issue in the Delta. I manage and own Riverside Transports. Riverside Transports hauls our family's agricultural product in the Delta. We also haul other Delta farmers' products to various processing facilities. We have 18 power units and over 100 trailers. These are flat trailer, grain hoppers, wine tubs and gravel trailers. I am very familiar with issues of hauling on the levees in the Delta, and I am painfully aware of the damage caused to our trucks by the deficient pavement on these levee roads. We have to use special air ride suspension to lessen jostling and bruising of the fruit. Traffic delays on a 105 degree day can literally burn our pears. So, I speak today as a farmer, a resident of the Delta and a manager of a trucking company in the Delta

II. Impacts from Petitioned Project Would Be Contrary to the Public Interest**A. Conversion of Agricultural Land**

There are many farming operations and agricultural support operations in the Delta. They grow, transport, pack, bottle and market our products to the entire United States. Our marketing relationships with our customers require us to provide a steady supply of product. One of the proposed intakes would destroy some of our most key orchards and vineyards permanently. (See LAND-20, pp. 2-3, D. Wilson Testimony.)

1 There is also a discussion of short term conversion of farmland in the project
2 documents. (See, e.g., SWRCB-102~~5~~, FEIR/S, pp. ES-118 to ES-119~~191~~.) In the fruit
3 business, there can be no short-term conversion. It requires many years to bring an orchard or
4 vineyard into production. To destroy these permanent orchards and vineyard on a temporary
5 basis is a completely uneconomical situation.

6 Packing facilities, wineries, agricultural trucking companies, fertilizer and parts dealers,
7 and grain elevators are essential to maintain the Delta farming. Loss of agricultural land to
8 build and maintain the Delta Tunnels convert thousands of acres of farmland permanently, and
9 indirectly affect even more acreage. The cost of production would be significantly increased
10 for the remaining farmers. This project would also eviscerate legacy towns in the Delta
11 through loss of jobs that would occur with the destruction of farms and the resulting loss of
12 farm support businesses.

13 **Concerns Regarding Impact TRANS-1: Increased Construction Vehicle Trips**
14 **Resulting in an Unacceptable Level of Service Conditions.**

15 This particular section begins with the thought that the project will attempt not to exceed
16 the rated level of service (“LOS”). When I look at Table 19-25 that shows the existing LOS for
17 the various roads where I live and work, I was struck by an interesting number. The baseline
18 LOS for area leading into proposed intakes is listed as 1,740 trips per hour. (SWRCB-102,
19 FEIR/S, Table 19-25, pp. 19-210 to 19-211 [CTs 23-32]; see also LAND-123~~190~~, Road
20 Segment Concern Figure from FEIR/S Chapter 19.) That is 29 cars per minute, which is a
21 vehicle every two seconds. In my opinion, this is not the correct baseline. (SWRCB-102,
22 FEIR/S, p. 19-217.) In addition to the data being outdated, Delta roads now have significant
23 traffic issues caused by super commuters through the North Delta. The advent of Waze and
24 similar traffic management software has only exacerbated this situation.

25 The level of traffic should be researched as it exists throughout the entire year, including
26 the harvest season to reflect current conditions. Traffic during harvest season is already
27 congested with trucks and harvest crews moving around on these levee roads. Farm
28 equipment such as grape harvesters and their support equipment is a long line of slow moving

1 vehicles. If you add in large amounts of construction trucks, conditions would be even worse.
2 The prospect of nine years of heavy construction traffic added to the current situation on the
3 existing roads is absolutely an unacceptable situation.

4 The assumption that this project would be completed in nine years of construction in the
5 North Delta is absurd; I believe it would take far longer, if approved. I base my opinion on the
6 fact that significant government construction projects are plagued with many delays. The San
7 Francisco Bay Bridge is a good example how politics and bureaucracy delayed this project
8 many years. The Seattle tunnel was delayed for two years when the drilling machine hit a
9 steel pipe that was installed in 2002. The Big Dig in Boston was scheduled to finish in 1998; it
10 was finished 19 years later in 2007. This project is significantly bigger than both Seattle and
11 Boston. To assume construction traffic would end in nine years is very naive.

12 Even if it was only nine years, the quality of life in Hood and Freeport will be completely
13 destroyed. The folks in Courtland and Walnut Grove will not have it much better. Real estate
14 values in those legacy towns will plummet. No one wants a house with trucks rumbling by
15 every two seconds. These traffic issues alone would essentially be adverse condemnation.

16 It should also be noted that “Orphan Bridge” on Twin Cities road and the Miller’s Ferry
17 Bridge are obsolete. Both bridges are slated for replacement, likely many years in the future.
18 That would leave us with a scenario with tunnel construction traffic conflicting with bridge
19 replacements. That would be followed by brand new bridges being prematurely worn out by
20 thousands of construction trucks.

21 **Concerns Regarding Impact TRANS-2: Increased Construction Vehicle Trips**
22 **Exacerbating Unacceptable Pavement Conditions.**

23 Delta roads are simple “farm to market” roads, essentially unchanged for over a 100
24 years. Other than an occasional pot hole filled or a small section of asphalt added, they get
25 little maintenance. Many areas previously farmed in grain crops yielding four tons per acre
26 have now been replaced by vineyards or orchards with crops having far more volume and
27 weight.

1 The analysis in the FEIR/S is based on 2009 data and shows the roads in the proposed
2 intake area as “Deficient”. (SWRCB-102, FEIR/S, Table 19-~~525~~, pp. 19-~~18210~~ to 19-~~19214~~
3 [CTs 23-32].) I agree with that assessment. These roads have deteriorated over the last
4 decade. I am quite sure they will be worse in the decade it would take for this project to get
5 started.

6 I am concerned that destruction of these roads would also destroy the levees that also
7 protect the current state and federal water projects. I believe it would be penny wise and
8 pound foolish to not maintain the current water system, including the levees, and to choose to
9 build the ridiculously expensive tunnels.

10 It is of note that all through the discussion of various traffic mitigation measures it is
11 made quite clear that there is an intent to pay as little as possible for the maintenance of the
12 roads in the North Delta. There is much discussion about the “fair share” and other
13 noncommittal words. (See e.g., SWRCB-111, MMRP 2-92, 2-93, 2-96.) From my perspective,
14 DWR will fight to pay the least amount for the maintenance of these roads and levees; and not
15 take proper responsibility for damage the infrastructure in the Delta

16 I have already had experience with the parsimony of the DWR and other proponents of
17 the tunnels. DWR attempted to condemn our property to drill test wells for Intake #2. Our
18 family chose not to accept their offer of four dollars for a permanent easement that would
19 significantly reduce the value of our land. The DWR arrived at this absurd number by taking a
20 low per acre value then prorating it by the square foot.

21 The DWR even went to the extreme of having a process server visit my elderly mother
22 late at night in a rain storm. It is fair to assume that the project proponents would have a
23 similar attitude when negotiating their “fair share” of road maintenance with Sacramento
24 County. The idea that the tunnel could calculate its “fair share” in a fashion that satisfied the
25 local county after the project is started seems unlikely to me based on my experience.

26 In the unlikely event that all parties were able to determine a cost sharing agreement,
27 the FEIR/S appears to assume that other agencies such as the county or Cal Trans would be
28 able to pay the remainder of the road maintenance. (See, e.g., SWRCB-111, MMRP, pp. 2-87

1 to 2-98.) Past experience with tight agency budgets leads me to believe this would not be the
 2 case. Assuming the project did not provide adequate mitigation, as appears to be allowable in
 3 the MMRP, Delta farmers would be required to haul produce over increasingly deteriorating
 4 roads. The rough road damages the produce that lowers the value that the farmer can receive
 5 for it. Road damage also damages trucks, which increases the cost of hauling for the farmer.

6 **Concerns Regarding Impact TRANS-3: Increase in Safety Hazards, Including**
 7 **Interference with Emergency Routes During Construction.**

8 It is already difficult to deal with emergencies in the Delta. Additional congestion
 9 caused by construction traffic would make this existing problem much worse. One should also
 10 factor in that there would be industrial accidents on the job constructing the tunnels and
 11 associated facilities. The Delta area is served primarily by small volunteer fire departments
 12 with limited resources. It is not reasonable to expect volunteer firefighters to enter an unsafe
 13 tunnel construction project to deal with the inevitable industrial injuries and deaths. (See also
 14 LAND-~~188155~~ and LAND-~~156~~, Testimony ~~and PowerPoints~~ of D. Robinson.)

15 **Concerns Regarding Impact TRANS-8: Increased Traffic Volumes and Delays**
 16 **During Operations and Maintenance.**

17 I believe that the same problems associated with construction discussed previously
 18 would also occur during project operations, given the constant need to clean and maintain
 19 these tunnels. The only difference is the construction period would be temporary for a period
 20 of nine (or more) years, whereas these problems would be for the life of the project.

21 **Concerns Regarding Impact TRANS-9: Permanent Alteration of Transportation**
 22 **Patterns During Operations and Maintenance.**

23 It is difficult for us to discuss the harm to the public interest from the project when no
 24 detailed plans have been provided. I believe that the public has a right to see a clear set of
 25 plans that show how the facilities would be operated, and that has not been provided.

26 I am also concerned that the turns are very sharp in the area of Proposed Intake #2 that
 27 would destroy our pear orchard. (S019377; DWR-2, slide 21; see also LAND-57, LAND- 69, p.
 28 91 [DCE CM1 Property Acquisition Management Plan].) These turns, in conjunction with the

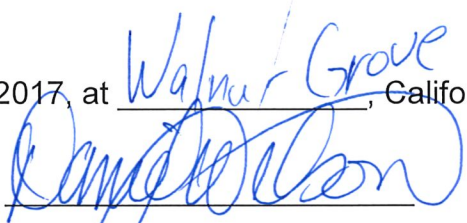
1 huge new facilities would slow down and congest traffic. These turns would also put the
2 proposed facilities and people working at them at risk.

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CONCLUSION

This project would not be in the public interest both due to the unreasonable interference with Delta farming.

Executed on the ____ day of November, 2017, at Walnut Grove, California



Daniel Wilson