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8
9 BEFORE THE

10 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

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

**PART TWO TESTIMONY OF
VIRGINIA HEMLY CHHABRA**

15
16 **I. INTRODUCTION AND SUMMARY OF TESTIMONY**

17 My name is Virginia Hemly Chhabra. I have been the packing house manager at
18 Greene and Hemly, Inc. since 1997. My testimony addresses the direct and indirect
19 effects of the California Water "Fix" on Greene and Hemly, Inc. and the community
20 surrounding our operation.

21 **II. DISCUSSION**

22 Greene and Hemly is a family owned and operated grower, packer, and shipper of
23 pears and apples in the Sacramento River Delta. Our family history is a little unusual for
24 California, in that we have been in the same place since 1850. Our history is not that
25 unusual for the Delta however. There are many people up and down the river that share
26 a similar family story, a history tied to the place as much as to the people. We are still
27 here because of a bone-deep love for the land, this place. It really isn't exaggerating to
28 say that there is no other place like it on Earth.

1 I occasionally get asked if we have made any significant changes since our
2 company started, and I have to laugh because it's tough not to change in 167 years, not
3 if you want to stay in business. The family farm has expanded and contracted and
4 expanded again through the decades, diversifying and simplifying and diversifying. My
5 brother and I are the sixth generation of our family to work on the family farm, and we
6 want our children to have the opportunity to do the same.

7 In high school, I hand wrapped pears in the very same packing house where I
8 work now. It looks a little different than it did way back then, but it is still recognizably the
9 same building, built in the same place the original packing house stood in the 1800s.
10 But should the tunnel project go through, I very much doubt that this place that is so
11 important to me and to my family will still exist.

12 Greene and Hemly is at ground zero for the proposed California Water "Fix". Of
13 the three current proposed intakes from the Sacramento River, each one touches us in a
14 close and specific way. The northern one takes out a pear orchard we have farmed for
15 decades and displaces a family we have been related to by sentiment if not by blood for
16 generations. The middle one takes out an apple orchard owned by our neighbors and
17 whose fruit we pack. The most southern of the three intakes is immediately to the north
18 of our office, main packing and cold storage facilities, and my parent's house, built by my
19 grandmother's grandfather. Importantly, this intake will sever the driveway leading to all
20 these buildings. (See Exhibit LAND-3, LAND-57, p. 3.)

21 Aside from the huge question of "How can Greene and Hemly stay in business if
22 our driveway is severed for ten plus years?" I wonder about other unintended
23 consequences of the tunnel project. I am concerned that dewatering will run the aquifer
24 dry and leave the packing house and cold storage plant without water to wash the fruit
25 and run defrost on the storage rooms. (See Exhibit DWR-218, p. 7 [recognizing that
26 even with the use of slurry walls, dewatering is likely to occur and DWR will still need to
27 monitor groundwater levels and offset well impacts].) Construction of the Water "Fix"
28 intakes and the associated truck trips and worker commutes will significantly increase

1 the noise at our packing and storage facilities and my parents' house. (See Exhibit
2 SWRCB-102, FEIR/EIS, p. 23-132:5-11, 20-24; Figure 23A-04, Figure 23A-11.) In
3 addition to disrupting our rural way of life, the increases in noise will impact our ability to
4 detect problems with the equipment before something breaks. (See Exhibit
5 SWRCB 102, FEIR/EIS, p. 23-9 [current noise levels in Sacramento County range from
6 40 to 50 dBA], p. 23-121 [chart predicting up to 102 dbA for construction of intakes].)
7 We anticipate significant construction-related vibration associated with construction of
8 Intake 5. (See Exhibit SWRCB-102, FEIR/EIS, App. 1813, p.18B-69 [Greene House
9 mitigation acknowledges potentially significant adverse construction-related vibration].)
10 Not only may construction-related vibration risk the stability of historic buildings on the
11 property, but also the constant vibration from the construction could cause problems with
12 the ever more sensitive electronics of the packing equipment. (See SWRCB-102,
13 FEIR/EIS, pp. 23-134 – 23-136 [identifying the adverse effects of groundborne vibration
14 from intake construction].) Packing house personnel will have added obstacles with
15 such a large construction project so close, such as added traffic, noise, and decreased
16 air and water quality, and general quality of life during work. (See Exhibit SWRCB-102
17 FEIR/EIS, pp. 19-210-211 [showing substantial increases in hourly traffic volumes on
18 Hwy. 160 between Hood and Courtland (CT26, CT27)].) I am concerned that the dust
19 from construction will increase pest populations in the area or degrade fruit appearance
20 so it cannot go to market. (See Exhibit SWRCB-102, FEIR/EIS, pp. 22-286 [showing
21 dust emissions from construction], 22-304 [noting impacts from dust].) Road closures
22 and traffic will make trucking companies unwilling to deliver or pick up at our facility,
23 given the ongoing construction and the inevitable delays involved. The permanent loss
24 of orchards and fruit will inhibit our ability to enjoy future business and marketing
25 opportunities.

26 My focus is naturally enough on the impact to Greene and Hemly in particular, but
27 the tunnels will not hurt just us. The entire area in and around the intakes and everyone
28 we interact with will be affected: employees, suppliers, growers, buyers, local towns,

1 wildlife – everyone and everything. The landscape of the northern Delta will be forever
2 changed, and the very existence of its small towns put in jeopardy. Boaters and
3 waterskiers will not be able to enjoy the river. (Exhibit SWRCB-102, FEIR/EIS, p.15-
4 472:11-13, 15-16 [impeding boat passage and navigation and resulting impacts on
5 recreation would occur during construction of the intakes].) Who wants to recreate in an
6 industrial construction zone? Wildlife, native and migratory, will be affected, disturbed by
7 both the construction and by permanent loss of habitat. What had been a rural farming
8 area will be forever changed into an industrial zone. The small town of Hood will
9 essentially disappear, swallowed under the construction on either side of it as it becomes
10 an afterthought at the dead end of a road. (See Exhibit SWRCB-102, FEIR/EIS, Figure
11 M3- 4: Sheet 2 of 15 [showing staging area adjacent to Hood].) This means the loss of
12 the market, the post office, the restaurant, and the fire station as well.

13 In farming, the physical impacts of any project are direct financial impacts to the
14 business. Loss of an orchard is loss of income, loss of flexibility, loss of economies of
15 scale, and loss of time. It is my understanding that Water “Fix” will result in salinity
16 intrusion due to the removal of Sacramento River flows. (See Exhibit II-24 Revised, p.
17 8.) If given the chance, Bartlett pear trees are economically productive for over a
18 century. But they are not immune to salt poisoning, and degradation of water quality will
19 kill them. This means not just the definite and immediate loss of one pear orchard and
20 one apple orchard, but the gradual loss of many more farther downstream, as well as
21 cherry orchards and vineyards and everything else that is grown in the Delta. The death
22 of Hood will be echoed all down the Sacramento River as other towns slowly wither
23 away with the decline of their economic base.

24 The Delta as a place is unique. The tunnels will destroy that.
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