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CALIFORNIA CENTRAL VALLEY  
**FLOOD CONTROL**  
ASSOCIATION

October 12, 2011

Mr. Anthony Saracino, Chair  
California Water Commission  
1416 - 9<sup>th</sup> Street  
Sacramento, CA 95814

Dear Mr. Saracino:

The California Central Valley Flood Control Association (CCVFCA) would like to raise issues regarding evidence the Commission will consider in making findings for Resolutions of Necessity for the 24 parcels identified in Item #12 of your October 19, 2011 agenda. Specifically, the CCVFCA requests the Commission to consider the concerns and issues the Reclamation Districts (RDs) have regarding the public safety risks associated with the location of some of the geo-technical drilling sites proposed by DWR.

The CCVFCA was established in 1926 to promote the common interests of its membership in maintaining effective flood control systems in California's Central Valley for the protection of life, property, and the environment. The Association's members consists of more than 70 reclamation districts and other flood control entities along the Sacramento and San Joaquin Federal Project Levee system and non-project levees within the Sacramento-San Joaquin Delta.

Exploratory drilling near a levee is of great concern to a Reclamation District for several reasons. First, during drilling, it is possible to punch through impervious layers into a confined aquifer. The pressure from this aquifer could cause artesian flow strong enough to move sands, silts and other materials in the levee section, or foundation. Enough migration of these materials can lead to piping failure. After drilling, exploration holes are typically backfilled, or plugged, so that water will not flow back out as is proposed by DWR for the parcels proposed for eminent domain for the BDCP. However, it is quite common for these plugs to fail over time.

The result is a continuous spring of water flowing from the sealed and abandoned exploration bore hole. During high flows in the channel, the pressure on these springs increases and thus increases the flow rate. If the flow velocity is high enough, it can move material, and the results would be similar to the enclosed photos taken during a flood fight on Grand Island in 1997 pursuant to such an event.

The photos depict what the RD's engineer believes to be a former drilling location for seismic testing conducted for natural gas exploration, which subsequently sprung a leak and was creating an artesian flow of water and sand up to about 18-inches in height. If this had gone uncontrolled, enough material could have been evacuated from the foundation of the levee to cause a failure. This one happened to be about 350-feet from the levee toe, so we are concerned about doing any drilling near a levee for fear that someday the water pressure from high water events could cause a major catastrophe.

The CCVFCA and its members are concerned that without early consultation with the Reclamation Districts and their engineers, DWR will inadvertently select a drill site that may pose a threat to levee integrity. Some parcels may be in locations where the RD engineer is aware of existing levee stability issues that make it a poor candidate for a drilling site and *therefore may not be in the greatest public good and may result in public injury.*

Based on the 4X4 drill hole sites shown in the maps provided by DWR at the September 21, 2011 meeting, we have identified drilling sites that appear to abut levees in the following Reclamation Districts, which bear the responsibility for ensuring levee integrity through operation and maintenance:

RD 3, Grand Island (MBK Engineers)  
RD 501, Ryer Island (KSN Inc)  
RD 551, Pearson District (MBK Engineers)  
RD 563, Tyler Island (KSN Inc)  
RD 813, Ehrhardt Club (MBK Engineers)  
RD 999, Netherlands (MBK Engineers)

The CCVFCA encourages the Commission as part of their due diligence in making decisions on the four findings required for approval of Resolutions of Necessity for these parcels, to hear evidence from DWR that their staff has contacted the local RDs and their engineers regarding drilling locations and duration, considered any conditions and information provided by the district during the contact, and made reasonable changes to the plans if appropriate to address any district concerns.

In a recent discussion with Mr. Alan Davis, Supervising Land Agent with DWR, regarding RD concerns regarding location of drill sites, he informed me that "*RDs don't have jurisdiction over DWR and can't tell us what to do.*" Although RDs do not have permitting authority over DWR, they certainly do have jurisdiction over the resource,<sup>1</sup> as well as the duty and responsibility to operate and maintain Project levees. Therefore, the CCVFCA expects DWR to respect the districts role in protecting public safety through their requests for conditions as part of the levee encroachment permit issued by the Flood Protection Board and

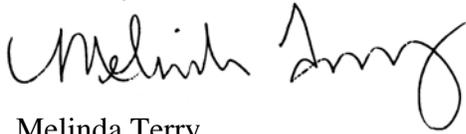
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<sup>1</sup> Water Code § 50652 (RD's board of trustees has "complete control over the construction, operation and maintenance of ...the reclamation works"); *see also id.* § 50300(b) (RDs are formed to maintain, protect, and repair reclamation works).

suggests this can best be achieved through early consultation with the aforementioned district engineers.

Thank you for your consideration of this important public safety matter as you deliberate Resolutions of Necessity for properties in Sacramento, Solano, and Yolo Counties.

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Terry". The signature is fluid and cursive, with the first name "Melinda" written in a larger, more prominent script than the last name "Terry".

Melinda Terry,  
Executive Director



CCC crew about 1/3 of the way into boil sandbag ring.



CCC crew constructing sandbag ring around boil.

R.D. No. 3 - Boil on Right Bank of Sacramento River - 1/4/97

(M. Fortner - Photographer)



Boil on Grand Island south of Ryde.



CCC crews working around boil.

**R.D. No. 3 - Boil on Right Bank of Sacramento River - 1/4/97**

(M. Fortner - Photographer)



**R.D. No. 3 - Grand Island - Site Review of Boil Near Sacramento River Levee  
January 4, 1997**

Looking at boil 400 ft. from levee toe downstream of Ryde at levee mile 8.15 on the  
Sacramento River levee; 1120 hours.  
(G. Cosio - Photographer)