

**From:** [Leland Frayseth](#)  
**To:** [Quintero, Armando@CWC](#); [Baker, Carol@CWC](#); [Ball, Andrew@CWC](#); [Byrne, Joseph@CWC](#); [Curtin, Daniel@CWC](#); [Del Bosque, Joe@CWC](#); [Keig, Catherine@CWC](#); [Herrera, Maria@CWC](#); [Orth, David@CWC](#); [Orrock, Chris@DWR](#); [Yun, Joseph@DWR](#); [California Water Commission](#); [Yang, Mary@Waterboards](#); [viet.truong@cpuc.ca.gov](#)  
**Subject:** Los Vaqueros Proposition 1 funding application - Rock Slough 2,4-D and RoundUp Custom  
**Date:** Monday, November 06, 2017 12:26:27 PM  
**Attachments:** [DBW MOU 2017.pdf](#)

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Dear California Water Commission (CWC) Commissioners Quintero, Baker, Ball, Byrne, Curtin, Del Bosque, Keig, Herrera, Orth, staff, the public, Ms. Yang (SWRCB), Mr. Truong (CPUC)

My name is Leland Frayseth, I am a 30+ year Contra Costa Water District (CCWD) customer, I am interested in water, water cost and water quality issues. I oppose the Los Vaqueros 275,000 AF expansion.

At the October CWC meeting Marguerite Patil of CCWD recommended under public comment that applicants reference the section of the application they were talking to in their December slide presentations. In the following written comment I refer you to the following sections that reference Rock Slough in CCWD's Los Vaqueros Proposition 1 funding application: Executive summary section ES.5.1, page ES-8 and Tab 3, section 3-4.6.2.12.

Last month in my written comments that I submitted to the CWC, I included the following picture of dying hyacinths in Rock Slough.



At that time I also imitated a CalEPA complaint which has worked its way through the system. I appreciate that CalEPA and Waterboards use a Sales Force Software as a Service (SaS) application to track complaints I like seeing that type of thinking in state government. I tried to get CCWD to save \$1.1M by not building a new server room and instead moving into a data center co location facility as is the current industry trend but they ignored me. This is another reason why all water districts in California should be consolidated eliminate duplicate management, billing systems, testing systems, cyber security systems and data centers. I may talk to this matter before an upcoming joint State Water Resources Control Board(SWRCB) and California Public Utilities Commission(CPUC) meeting on consolidating water systems.

As I wrote last month the only thing I know of that kills hyacinths as shown in the above picture is RoundUp. Sure enough after my complaint was closed in the Sales Force application I received an automated email that my case was closed and gave me the email address and phone number of the San Francisco Regional Water Control Board engineer to contact. I spoke with her and got additional detail. Sure enough in April 2017 CCWD and California Parks Boating and Waterways (DBW) signed a 5 year memorandum of understanding (MOU) to apply herbicides around CCWD intakes to control invasive aquatic plants. Attached is a copy of that MOU, if CWC staff posts that MOU with this email on the

CWC website they may wish to redact the email and phone numbers within that document. I also learned DBW applied 2,4-D July 26 & 27 and RoundUp Custom Aug 22 and Oct 5 in Rock Slough targeting water hyacinths and Uruguay water primrose. RoundUp contains glyphosate listed effective July 7 under Prop 65 as known to the State of California to cause cancer. From the following link you can see 1 part per trillion glyphosate can cause breast cancer, <https://www.naturalblaze.com/2017/11/orange-juice-glyphosate-monsanto-weedkiller.html>. I like girls my Mom was a girl and my sisters are girls.

2014 was a particularly bad year in the delta for hyacinths the following pictures are from up around Rio Vista where I fish. Once sprayed with RoundUp the hyacinth dies and sinks. As it decays it takes dissolved oxygen (DO) from the water which fish need to breathe. I have hooked many submerged hyacinths while trolling for salmon around Rio Vista they take a long time to decompose. I certainly can understand why CCWD customers complained about water taste and odor Aug 6, 2 weeks after DBW sprayed 2,4-D on Rock Slough hyacinths they take a long time to decompose. CWC staff should scrutinize CCWD's claim they will save 33 fall run chinook salmon, 2 spring run chinook and 6 steel head in ES.5.1 when calculating their public benefit ratio. A salmon in Rock Slough would be very lost migrating upstream to its spawning ground and the lower dissolved oxygen levels from decaying vegetation will kill them I have seen it happen in 2014 in Steamboat Slough.



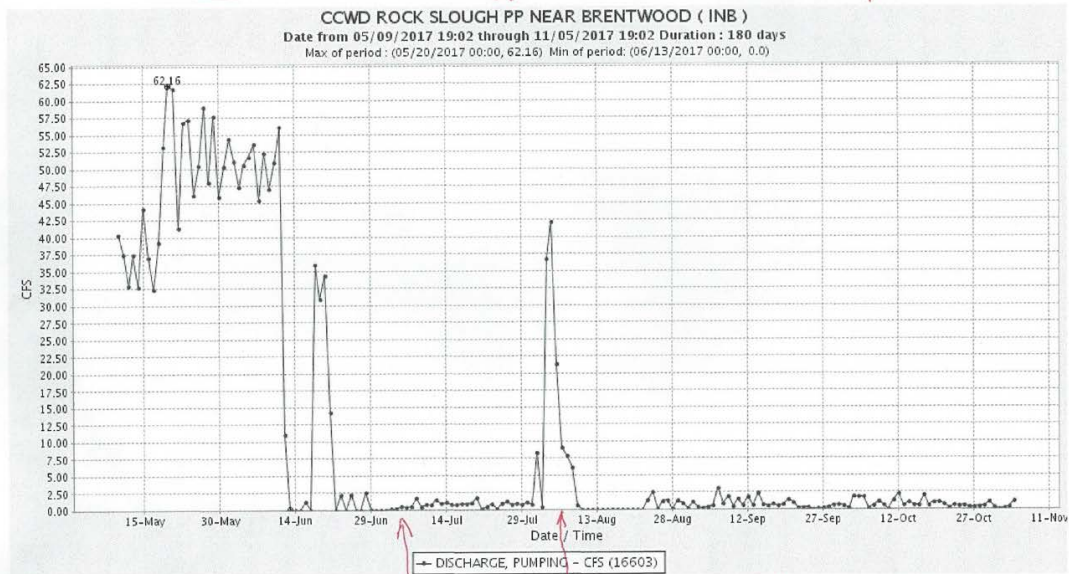




The following graph of CCWD's Rock Slough turnout is annotated with what I learned from my complaint case. In my opinion CCWD and Reclamation did a poor job designing and building the fish screen and CCWD and DBW using glyphosate (known to cause cancer) has made the turnout unusable, they have not used it in 5 months and when they did they got customer complaints.

Memorandum of Understanding 2017-2022 signed 4/6/2017 (A parts 4/25/2017 CCWD) 11/5/2017 LHF  
 Agreement to allow Boating & Waterways to use herbicides around CCWD intakes  
 DBW contact Edward Havel CCWD Andrea Flores

Invasive aquatic plants targeted water hyacinth and Uruguay water primrose  
 2,4-D applied July 26 and 27 RoundUp Custom applied Aug 22 and Oct 5



Generated on Sun Nov 05 19:02:57 PST 2017

Plot all INB Sensors | Real-Time INB Data | INB Data | Daily INB Data | Show INB Map | INB Info

CCWD customer Taste & Odor complaints Aug 6  
 Glyphosate listed effective July 7 under Prop 65 known to the  
 State of California to cause cancer



Last year I recommended CCWD management take leadership and project management training and gain certification that went over like a skunk at a picnic. Please don't give them anymore money for Rock Slough or Los Vaqueros please put our Prop 1 money into Sites reservoir where the water is fresher upstream and does not have the invasive aquatic plant problems because the water is flowing and not stagnant.

Thank you CWC Commissioners and staff for reading this and my previous comments I am also sending this to the SWRCB and CPUC hosts for the upcoming workshop on water system consolidation because we really need to take a bigger system look at where we want to put our money so we end up at a more workable future state.

Respectfully, Leland Fraysth



## MEMORANDUM OF UNDERSTANDING

2017-2022

### I. PURPOSE OF AGREEMENT

This Memorandum of Agreement is required pursuant to Harbors and Navigation Code, Section 64, subsection (e). This agreement outlines the conditions in which the California Department of Parks and Recreation Division of Boating and Waterways (DBW) is allowed to control submerged aquatic vegetation (SAV) namely Brazilian elodea (*Egeria densa*), curly leaf pondweed (*Potamogeton crispus*), coontail (*Ceratophyllum demersum*), fanwort (*Cabomba Carolina*) and Eurasian watermilfoil (*Myriophyllum spicatum*); and floating aquatic vegetation (FAV) namely water hyacinth (*Eichhornia crassipes*), spongeplant (*Limnobiium laevigatum*), and water primrose (*Ludwigia spp.*), through chemical and mechanical means, in the waters surrounding the intakes of the Contra Costa Water District (CCWD).

For this agreement, the term application shall mean the use of herbicides mutually agreed upon by CCWD and DBW, for the purpose of controlling the growth of weed species mentioned above.

### II. APPLICATIONS

- A. No application shall occur in Rock Slough or within one mile of the confluence of Rock Slough and Old River, CCWD's Victoria Canal intake for the Middle River Pump Station, Old River intake, or Mallard Slough intake without consensual agreement between CCWD and DBW. These spatial limitations are to be known and applied as the area "near" CCWD's intakes. No application limitations apply to Sandmound Slough.
- B. Applications within one mile of CCWD's intakes may only occur with the prior consent of CCWD. In addition, CCWD may request application by DBW when conditions warrant (e.g., new weed growth or severe infestations which impacts navigation and/or water intakes).
  1. The DBW will make every reasonable effort to schedule applications near CCWD intakes during periods when CCWD's intakes are shut down for environmental or maintenance reasons, allowing for at least two complete tidal cycles between application and intake restart.
  2. To obtain concurrence from CCWD to make applications near CCWD intakes, at least two weeks advance notification is required.



3. When requested by CCWD, DBW will schedule a treatment, if possible, as soon as CCWD operations and tidal conditions permit, but no later than two weeks after notification. Because of the treatment regimen required for *Egeria densa*, this item will apply only for Water Hyacinth.
  4. The contact person for CCWD is the Water Quality Superintendent, currently Ms. Andrea Flores, (925) 688-8183.
  5. The contact person for DBW is the Environmental Program Manager (Managerial) currently Mr. Edward Hard (916) 327-1865.
- C. All applications will be made in accordance with all local, state and federal laws and regulations. Copies of a new biological opinion or an amendment issued by USFWS or the letter of concurrence issued by NMFS that impacts the waterways identified in Item 2(A) above shall be furnished to both parties.

### **III. HYDROLOGIC CONDITIONS**

As water conditions dictate, applications near CCWD intakes will be timed to coincide with tidal cycles to maximize dispersion and dilution of herbicides before reaching the intakes.

### **IV. COMMUNICATIONS**

- A. All DBW boats will be equipped with cell phones for direct communications with field supervisor and CCWD. Field Supervisors Edward Somera and Albert Gold can be reached at (916) 416-0480 and (916) 261-8710 respectively.
- B. In the event of a chemical spill, CCWD, Contra Costa Environmental Health, and Contra Costa Agricultural Commissioner's Office will be immediately notified. Any of the Field Supervisors mentioned above will initiate the notification.

### **V. MONITORING**

- A. DBW and CCWD have separate water quality monitoring plans on file at the Central Valley Regional Water Quality Control Board, as required under the National Pollutant Discharge Elimination System (NPDES) permit.
- B. DBW will be responsible for sampling and analysis of SAV and will share results of the monitoring with CCWD. Results will be sent to the CCWD principal contact within two days of receipt of the laboratory results by DBW. Fastest water sampling is required of all SAV treatments.
- C. DBW or CCWD can utilize aerial photogrammetry from fixed wing aircraft or a satellite to help facilitate early warnings or forecast aquatic weed infestations or locations of nursery sites provided the technology or system is in compliance with applicable laws and regulations.

### **VI. VOIDING OF AGREEMENT**

This agreement may be terminated by either signatory, DBW or CCWD, given thirty 30 days written notice.



## VII. EFFECTIVE DATE

This Memorandum of Understanding between DBW and CCWD shall be immediately effective upon execution by both DBW and CCWD and expires December 31, 2022, unless renewed by both signatories, or terminated at an earlier date pursuant to Section VI of this agreement.

## VI. CONTACT PERSONS

DBW and CCWD designate the following individuals as principal contacts for the work outlined in this MOU:

For DBW: Mr. Edward Hard  
Environmental Program Manager  
California State Parks Division of Boating and Waterways  
1 Capitol Mall, Suite 500  
Sacramento, California 95814  
Tel No. (916) 327-1865

For CCWD: Andrea Flores  
Water Quality Superintendent  
Contra Costa Water District  
1331 Concord Avenue  
Concord, California 94520  
Tel No. (925) 688-8183

Mailing Address:  
P. O. Box H20  
Concord, CA 94524

## AUTHORIZATIONS

4/6/17  
Date

Lynn Sadler  
Lynn Sadler  
Deputy Director  
California State Parks  
Division of Boating and Waterways

4/26/17  
Date

Jerry Brown acting for  
Jerry Brown  
General Manager  
Contra Costa Water District