



RBOC
Protecting your boating interests.

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January 24, 2011

Terry Macaulay
Deputy Executive Officer
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

**RE: California Environmental Quality Act (CEQA) Scoping Meetings
on the Development of the Delta Plan**

Deputy Executive Director Macaulay:

As the Delta Stewardship Council proceeds with scoping meetings on the development of the Delta Plan, and receives public comments, Recreational Boaters of California [RBOC] re-iterates and reinforces our previously-communicated position urging that navigable boating of the Delta waterways in the Delta be sustained, that boating access to Delta waterways be retained, and that the mitigation for any physical barriers - such as gates - that may be placed across any existing Delta waterways include boat locks that are constructed, maintained and operated at no cost to recreational boaters.

RBOC is the nonprofit governmental advocacy organization that works to protect and enhance the interests of the state's recreational boaters before the legislative and executive branches of state and local government. RBOC is in its 42nd year as a statewide organization, and since 1968 it has continued its commitment to promoting the enjoyment, protection, and responsible use of our waterways.

One issue of special significance to boaters is the Two-Gates Demonstration Project. Enclosed is a copy of the RBOC position on this issue. The boating community is concerned that, without the inclusion of locks, the program would negatively impact recreational boating. These concerns are not new. RBOC and others have been communicating these concerns and the request for boat locks to the United States Department of the Interior, the United States Bureau of Reclamation, the California Department of Water Resources, as well as individual members of the California State Legislature throughout the past year.

We would appreciate having the opportunity to discuss this issue further at your convenience. Please feel free to contact me or our legislative advocate Jerry Desmond, Jr. at 916-441-4166.

Sincerely,

Linda Bendsen

Linda Bendsen,
President

Enclosure



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RBOC Policy on the Delta Two Gates Project

July 1, 2010

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Recreational Boaters of California [RBOC] the Two-Gates Fish Protection Demonstration Program must provide for the installation, maintenance and operation of the two proposed boat locks without cost or expense to recreational boaters.

The boat locks serve as necessary mitigation to overcome the Two-Gates Program obstructing the now-navigable waterways of the Delta at the two proposed locations.

As currently proposed, the Two-Gates Fish Protection Demonstration Program would negatively impact recreational boating through the installation and operation of two experimental barriers on Old River and Connection Slough in the Sacramento-San Joaquin Delta. These gates would jeopardize boating safety, infringe on the long-established right of unimpeded vessel passage, restrict boat passage for significant periods of time, and diminish property values in nearby communities.

These concerns are not new. RBOC and others have been communicating these concerns and the request for boat locks to the United States Department of the Interior, the United States Bureau of Reclamation, the California Department of Water Resources, as well as individual members of the California State Legislature throughout the past year.

RBOC and the boating community continue to be very concerned about the tremendous impact that the Two-Gates Project would have on the current unrestricted access by recreational boaters navigating the Delta waterways. The project is an obstruction to the navigable waterways that would be a significant adverse impact on recreational boating. The only acceptable mitigation to overcome this significant adverse impact is the installation of boat locks that are designed to meet the length, depth and width of recreational boats that have customarily traveled these waterways, and that are staffed, operated and maintained at no cost to recreational boaters.

It is important to note that the term "gate" is a misnomer as when closed the proposed structures are actually dams - the waterways will be completely blocked for extended periods of time. These are in fact fixedcrest / low head dams which are particularly dangerous to boats. These types of dams cause hydraulic or churning re-circulating currents below the structure which can actually hold or draw even a motorized boat into danger. Re-circulating currents contain air bubbles that can make propellers useless and escape nearly impossible. This is especially dangerous to kayaks, canoes, dinghies and other such craft. Also floating debris and shags are common hazards to boaters around such dams. Removal of floating debris and weeds are also documented. This is of great concern to boaters as is submerged debris and weeds. These can cause significant damage to boats to the point where a boat starts taking on water and might sink or the propeller becomes jammed and the boat stops.

It is clear to RBOC that the only way to ensure safe passage of boats through these gates is the installation of boat locks to accommodate boats that navigate the waterway. Such a boat lock should be staffed, operate 24/7 and be at no cost to boaters.

Recreational boaters have a long established right of vessel passage under the public use doctrine to transit waterways unimpeded by gates or barriers. This should be fully honored and mitigated by incorporating an operable boat lock into the design of this project.