

1 I, Frank Morgan, do hereby declare:

2 My name is Frank Morgan, I am 55 years old and I have lived in a waterfront home in
3 Discovery Bay, California for the past 16 years. However, my testimony doesn't start there, it
4 started many years earlier in Buena Park California where I was living with my parents at the young
5 age of 15.

6 At age 15 I was a highly motivated young man and earned enough money pulling weeds,
7 mowing lawns, and delivering newspapers to purchase my first ski boat for \$1,700 which was a 17-
8 foot Esquire with a 115 horse power Mercury outboard engine. I was so excited to own my own
9 boat I almost waxed the gelcoat right off the boat. However, I did have one major problem, I wasn't
10 old enough to drive nor did I have a car so getting my boat to the water was always challenging.

11 When I was lucky, my 18-year-old neighbor who did have a car with a tow hitch, would pull
12 my boat to the marina in Long Beach, CA so we could launch my boat in the ocean and ski within
13 yards of the Queen Mary.

14 I didn't think life could get any better but it did when one Sunday morning in 1975 a well-
15 dressed man presented a slide show and talked about a water ski camp his son ran on the California
16 Delta.

17 For the previous 15 years of my life I had no idea we had a California Delta nor did I know
18 it had hundreds of miles of waterways to ski and best of all, it was fresh water without ocean swells.

19 At the end of the presentation I was sold, I made arrangements to attend the water camp on
20 the Delta and started counting down the days until it was time to pack my ski and go. Attending the
21 camp was better than I could have ever imagined, I loved every minute of it and returned the next
22 year driving my own car and pulling my own boat so I could be the new ski instructor for the camp.

23 In-between scheduled camps and on my free time, I had time to take my boat and explore
24 many parts of the Delta with each slough, cut, and channel more spectacular than the one before it.

25 Little did I know at the time but my life was changed forever. Every chance I got in all the
26 following years, I would rent large houseboats and put together Delta houseboat trips with friends
27 so I could share what I called "The Promised Land".

28

1 In 2000 and at the age of 40, I was able to fulfill a lifelong desire and land a job in Contra
2 Costa County which afforded me the opportunity to move my wife and four daughters from Buena
3 Park to Discovery Bay.

4 After looking for a home on the Delta for several years, we decided on Discovery Bay for
5 many reasons but at the top of that list was the small town feel and sense of community when your
6 own children end up in the local newspapers for participating in a community event.

7 I also loved the idea our family could participate in local events by boat such as concerts at
8 the marina, dinner at numerous restaurants along the Delta, and unique events like Music festivals
9 and more.

10 I consider Discovery to be not only the place I live and raised my family, but I consider it a
11 close knit community that's culture promotes all the great aspects of life that people look for when
12 deciding where to locate their family and call home.

13 As a result of my love for the Discovery Bay community and the Delta region as a whole, I
14 started a Houseboat Charter tour business in 2012 called Captain Morgan's Delta Adventures, LLC.
15 which provides various types of boat tours which lets others experiences what I have experienced
16 for the past 40 years.

17 On October 12th 2012, I received my Certificate of Inspection from the United States Coast
18 Guard for the "Rosemarie" which is a 55-foot Fun Country houseboat converted into an approved
19 passenger vessel. The Rosemarie's home port is the Discovery Bay Yacht Harbor in Discovery Bay,
20 Ca. The Rosemarie can accommodate up to 35 guests and 4 crew on any given tour.

21 Starting a Charter Boat business on the Delta is not hard, but operating a successful Charter
22 Boat business on the Delta is. In our first year of operation we did a total of 12 cruises both private
23 and public cruises combined. As we developed our business model over the past 4 years and
24 became a significate partner in the Discovery Bay community and surrounding Delta areas, we have
25 been able to grow exponentially to the point of 135 cruises in 2015.

26 A lot of our tour businesses focuses on educating the public about human uses of the Delta,
27 including flood control, water supply in the Delta and for export, and the ethnic and cultural history
28 of the Delta including environmental justice issues.

1 We educate the public about the Delta's levee system and from the deck of the Rosemarie
2 you can see how much farmland in the Delta has sunk below the level of the surface of the water.
3 This shows how important it is for the levees to hold back the Delta's waters. We believe that these
4 tours improve public understanding of flood control and can improve flood control by gaining
5 public support for flood control public spending.

6 We educate the public about farming in the Delta and how Delta farms draw water from the
7 Delta to irrigate their crops. We explain how problems with water quality in the Delta hurt our
8 farmers.

9 We also explain how water is exported from the Delta to central and southern California and
10 explain the conflicts between exporting water and maintaining the Delta.

11 We believe that educating the public about the Delta's role in California water supply will
12 help solve California's water problems because politicians respond better to an educated public
13 than they do when only special interests are lobbying and making campaign contributions for one
14 side or the other.

15 As a result of huge community support, Captain Morgans Delta Adventures has been able to
16 branch out and we now offer overnight water and land adventure's called "Discovering The Delta"
17 which markets the Delta Region throughout the State of California. In fact, we have groups as far
18 away as Torrance California being bussed to Discovery Bay to enjoy a 4-day and 3-night Delta
19 Adventure throughout the Delta region.

20 During our Discovering The Delta tours, guests learn all about the Delta's water system,
21 levees, bridges, wildlife and much more. This unique opportunity spends each day with half the
22 time on the Rosemarie cruising the many waterways of the East Delta, and the other half of the day
23 exploring some of the Delta region's most hidden treasures such as the Electric Train Museum in
24 Suisun City, the only operational Japanese Bath house left in the country located in Walnut Grove, a
25 visit to the town of Lock for the history of the Chinese who built the levee system, and much more.

26 Along the way, our passengers are able to observe the many ethnic fishermen and women
27 who fish in the Delta as a source of daily food. I believe that the tunnels will make it much more
28 difficult for these people to catch their daily food supply. I can say that there are many people who

1 earn their daily food in this way. I see them. I hope that our educational efforts will help the public
2 understand that the needs of subsistence fishing people should be considered when making
3 decisions about the Delta.

4 In addition to the cruises listed above, Captain Morgans Delta Adventures is a huge
5 supporter of community events. In 2015 I donated 87 free cruise packages (\$320 value each) to
6 local non-profit organizations so they can raise funds for worthy causes such as Breast Cancer,
7 School computers, Homeless shelters, Brain tumors, etc. As a result, non-profit organizations
8 throughout the East Bay area have been able to raise tens of thousands of dollars for their causes
9 from tickets we donate each year.

10 As you can see from my comments above, the Delta region and its water systems are more
11 than just a recreational opportunity for me, it is a way of life for my family and one that I share with
12 as many people as I can so they too can be inspired to love and preserve the California Delta.

13 In my view the California Water Fix does nothing to ensure that all of the reasons I fell in
14 love with the Delta are preserved for generations to enjoy in the future. I am asked literally on
15 almost every cruise, "How do you feel about the Tunnel project", and my answer is always the
16 same, "What good does the tunnels do for the Northern California Delta"?

17 I have yet to hear a compelling answer. The next question I get is "how is the drought
18 affecting the Delta" and then I give them the simple explanation, "The height of the water is not
19 effected since we are at sea level, however, if we don't get enough run off from the Sierra
20 Mountains or we don't get enough rain fall, then the fresh water flow from the north will slow and
21 if it slows to the point the incoming salt water from the ocean over comes the fresh water running
22 down, then the ocean salt water will push inland and once that salt water reaches the sloughs of the
23 Delta, the Delta will be changed forever." If the tunnels go through and water is taken from the
24 Sacramento River upstream according to the plan, then in times of drought these problems will be
25 made worse by the tunnels, not better. We offer freshwater tours and keeping the Delta as fresh
26 water is crucial to our business. If the Delta becomes salty it will hurt my business and fewer people
27 will come to learn about the Delta on our tours.

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1 The hour meters on the Rosemarie are currently reading 2,277 hours. That means I have
2 been cruising a lot over the past two years when I installed the hour meters. I cruise the Delta waters
3 at all times of the day, night, and year and probably spend more actual time on the water than any
4 other person in Discovery Bay. I understand that we face many difficult issues with maintaining a
5 clean water supply for wildlife, plants, fish, Farmers, and Homeowners, but reducing the flow
6 through the Delta will make water quality worse in places like Discover Bay.

7 I do realize that proponents of the tunnel project say the water flow through the Delta will
8 not be reduced with the construction of the tunnel project, but I also know this is the same
9 government that said our insurance premiums would go down with the new health care law. Mine
10 did not! People don't trust the California Water Fix to take a sip in lean times and a gulp only times
11 of plenty.

12 Clean fresh water moving through the Delta is essential for the health of the Delta and my
13 livelihood as a boat operator.

14 In the past two years the Delta has dealt with two major issues, the first was the huge
15 outbreak of water hyacinth, I remember just last year having to call the Discovery Bay Harbor
16 Master so teams of workers in boats could help move the water hyacinth from in the marina because
17 I had scheduled cruises and the Rosemarie was locked in her slip with water hyacinth. The issue
18 created huge community outrage, housing prices fell in Discovery Bay and the problem continued
19 for months and months.

20 I believe that the tunnels will make the water hyacinth problem much worse and outbreaks
21 will be more frequent. I believe that the Discovery Bay marina and other Delta marinas may
22 become unusable due to the tunnels worsening the hyacinth problem and problems with other
23 invasive weeds. It will also make it much more difficult to navigate in many areas of the Delta. I
24 may not be able to get my vessel out of the harbor for weeks or months at a time. Many areas of the
25 Delta may become un-navigable because of the weeds. My business and livelihood will be severely
26 hurt. The public's education about flood control and water supply will suffer because I will not be
27 able to get my boat out of the harbor.

28 The most recent issue for the Delta is the Blue Green algae issue.


1 Clearly people should not swim in water that has elevated blue green algae levels, however,
2 the areas affected by the algae were between the docks and the levee and only a few bays in
3 Discovery Bay where water turns over less frequently. Out on Indian slough, Old River, and Middle
4 River where I cruise numerous times per week, there was no noticeable algae areas. In spite of the
5 fact there were only a few areas affected by the algae in Discovery Bay, the News media made it
6 sound like sharks we in the entire Delta and people should not swim in any of the "Delta".

7 I believe that the tunnels will make the algae much worse. Summers are getting hotter and it
8 seems like that is going to continue. Less fresh water and warmer Delta waters because of the
9 tunnels will certainly exacerbate the blue green algae issue because it is precisely the continuous
10 flow of fresh water that keeps the Delta flushed out and the delicate eco system balanced.

11 We have already had much negative news coverage over the small algae outbreak this year.
12 Some people have already been scared away from the Delta. If the tunnels go through and make the
13 algae problem worse, I believe it will scare everyone away from the Delta and I will have to close
14 down my business and lose the income from my business.

15 We MUST protect the California Delta for human uses and legal users of water. I realize
16 that this issue is very complex and there are many competing interests with opinions on what should
17 be done. However, we will not get a do over once the Delta flows are reduced and the ocean salt
18 water infiltrates the rivers and sloughs of the Delta. No excuse like "unfortunately that was not in
19 our modeling" or "that was an unusual event that we did not have in our study" etc., will ever
20 replace the "Promised Land" that we call the Delta today.

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22 Executed August 31, 2016, at Discovery Bay, California

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25 By:  _____