

Delta Counties Coalition

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"Working together on water and Delta issues."

MYTHS and FACTS ABOUT THE DELTA TUNNEL PROJECT

CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) MYTH: *The purpose of the Delta Tunnel is to ensure water supply reliability in the face of climate change.*

FACT: Delta water quality and reliability would suffer in the face of climate change from operating the Delta Tunnel with chronically lower flows through the Delta. The Final Environmental Impact Report (EIR) for the Delta Tunnel assumes that the new North Delta Diversions on the Sacramento River would only be used for brief periods of time. If operated this way, the Tunnel would only provide the State Water Project (SWP) a 23% volume improvement over current conditions.¹ A \$20+ billion Tunnel that is only used episodically does not provide much benefit compared to the cost. If the State operates the Delta Tunnel differently than described in the Final EIR, impacts on fisheries and water quality, among other impacts, would be much more severe than disclosed.

As pointed out by the Delta Independent Science Board, calling the diversions "Storm Water Capture" is potentially misleading as the environmental conditions under which water will be diverted is not limited to the winter, and diversions can occur year-round, taking nearly 30% of the flow at times.² The bypass flow requirements for the North Delta Diversions could allow diversions of up to 6,000 cubic feet per second (cfs), with only 5,000-7,000 cfs bypass flows left in the Sacramento River. As a result, these new diversions would have the potential to create drought-like conditions all year long in the Delta and may not be limited to big storm events.

Past operations of the SWP failed to adequately protect fisheries and other in-Delta beneficial uses. The Delta Tunnel would be yet another stressor on the already-overstressed Bay-Delta system.

DWR MYTH: *The Delta Tunnel protects the health and safety of ALL Californians by providing access to affordable, reliable, and clean water in the face of climate change.*

FACT: The Delta Tunnel attempts to solve water quality and supply problems for some water users at the expense of water quality and reliability for the Delta and surrounding area water

¹ Final EIR, Table 4B-3. Annual Average Exports at Banks Pumping Plant, Jones Pumping Plant, and the North Delta Diversion; and Delta Outflow (thousand acre-feet) under Existing Conditions, Alternative 5, and Alternative 5 North Delta Diversion Priority Scenarios. The table shows an increase of 543,000 af/yr average increase in exports to the SWP over existing conditions. Available at: <https://cadwr.app.box.com/s/0hce4abr0kpw56ijady8x7uo900o71vr>

² <https://deltacouncil.ca.gov/pdf/isb/products/2022-12-16-isb-delta-conveyance-project-eir-review.pdf>, p. 54

users. According to the Final EIR, Delta exports with the Delta Tunnel are estimated to increase by approximately 25%, average Sacramento River flows near Hood would decrease by up to 7%, and Delta *outflow* would be reduced by 4%.

Freshwater outflows protect Delta water quality and habitat, which is essential for fish, wildlife, and people. Other impacts of reduced freshwater flows in the Delta include increased harmful algal blooms, invasive weeds, and salinity intrusion.

Modernizing the existing levee system, rather than building a new Delta Tunnel, is more cost-effective, protects the Delta, and provides water security for those who rely on the SWP, especially in the face of climate change.

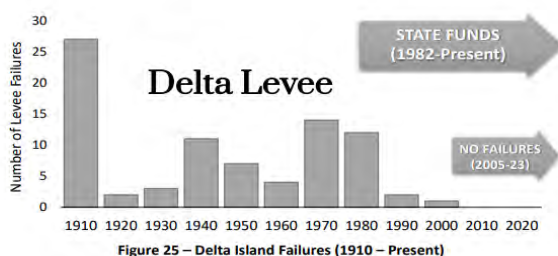
DWR MYTH: *The Delta Tunnel will capture water that would be otherwise unavailable without the project.*

FACT: The Delta Tunnel does not create any new water. It would instead deprive the Delta of needed freshwater inflows from the Sacramento River and create permanent drought-like conditions in the Delta by exporting fresh water supplies at the expense of water quality in the Delta.

The State claims that if the Delta Tunnel had been operational from January through April 11, 2024, it would have captured about 909,000 acre-feet of water. However, this claim fails to explain *where* this captured water would be stored after flowing through the Tunnel and does not provide details as to how it would have been possible to capture this much water while complying with existing regulations. The State also assumes without basis that no changes to operations would be required to protect fisheries in the future, even though all four major salmon runs would have to pass the new intakes on the Sacramento River. Assertions about what the Delta Tunnel “could have” diverted are unfounded and unlikely.

DWR MYTH: *Upgrading levees is not a realistic way to address rising sea levels, earthquakes, and flooding from extreme weather and changing precipitation patterns.*

FACT: Current levee designs already provide protection against numerous risks, including sea level rise, earthquakes, and climate change-induced flooding. Since the State started a program in 1982 to invest in funding annual maintenance of the levees, the number of levee failures has dropped significantly, and the 2004 breach of the Jones Tract levee was the last levee failure in the Delta.³

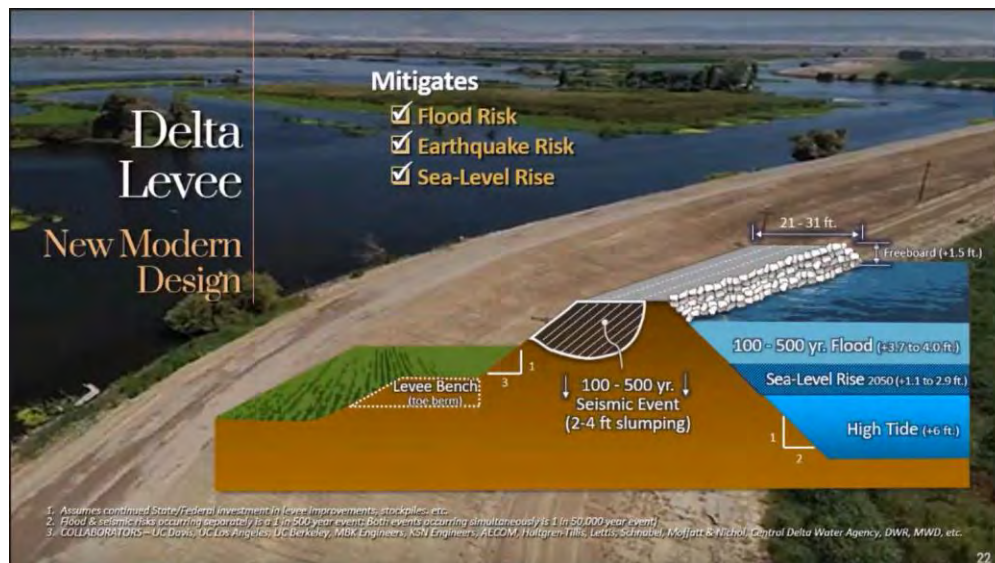


Investments in technology can help monitor levees’ status in real-time and identify key areas for preemptive maintenance in advance of extreme events. Upgraded levees protect both local Delta

³ <https://mwdh2o.legistar.com/View.ashx?M=F&ID=12643424&GUID=4564B343-8513-4C05-882A-51476E50B969>, p. 82.

communities and water supplies for users across the State. Furthermore, levee upgrades of the entire system could be completed for an estimated \$3-5 billion, compared to the Delta Tunnel's \$20 billion price tag.⁴

The State plans to continue to rely on the existing levee system to reach the existing South Delta diversions. Therefore, funding to modernize the levee system would still be needed to address risks to water supplies and local communities and should be accounted for in the Tunnel cost.



DWR MYTH: *The Delta Tunnel design effectively minimizes impacts to the Delta and surrounding communities.*

FACT: The Delta Tunnel would still have massive negative impacts on the Delta and surrounding communities despite the changes made in this new iteration compared to the WaterFix. The Delta Tunnel could take approximately 13 years to construct, subjecting Delta communities to over a decade of noise, traffic, and disruption, not to mention delays that are expected for major construction efforts of this scale. Building and operating the Tunnel would harm Delta communities, permanently scar Delta landscapes and waterways and negatively impact water quality and recreational opportunities, and more. The project would harm family farms, agricultural operations, and historic legacy and Delta communities. Though the Final EIR attempts to underreport project impacts, it does show:

- **3,787+** converted acres of prime, unique farmland along with more saline water and reduced crops.
- **70+** significant impacts requiring mitigation identified.
- **17+** significant impacts on Delta communities identified, including noise, air quality, aesthetics, and agriculture.
- **\$20+ billion** cost to statewide ratepayers.
- **13+** years of disruptive construction across 6 counties with 200,000+ truck trips on Delta roads.
- **Massive water intake structures** on top of productive farms and adjacent to Delta legacy communities.

⁴ <https://mwdh2o.legistar.com/View.ashx?M=F&ID=12651614&GUID=59B2A03B-AD82-4ABA-B8FE-1D9B74FABCA5>, slide 70.

The State has also developed the concept of a Community Benefits Program in recent years. However, this program would not address any environmental impacts of the project. No amount of funds or “leave behind” infrastructure could restore the damage done to the Delta if the Tunnel was built and operated.

DWR MYTH: *The Delta Tunnel protects fish species and reduces fishery conflicts in the South Delta.*

FACT: Some argue that moving some of the exports to the North Delta would reduce reverse flows in the South Delta that draw fish to those export pumps. However, reverse flows would still occur in the South Delta if the Delta Tunnel was built because those facilities would continue to be used for up to 87% of the State’s water exports from the Delta according to the project described and approved by DWR. When the new Delta Tunnel would be used, it would cause reverse flows in a new location – the Sacramento River. The Tunnel intakes just add massive new fish killing facilities, and don’t fix anything.

DWR MYTH: *The mitigation and design features included in the Tunnel’s environmental analysis effectively minimize potential impacts to salmon.*

FACT: The Final EIR does not identify a beneficial impact on salmon as a result of constructing the project. According to the Delta Independent Science Board, the environmental analysis did not fully address whether the Delta Tunnel may impair the ability to meet the Delta Plan’s goals of expanding habitat and doubling the size of the adult salmon population.

All four major salmon runs would need to pass by the new water diversions on the Sacramento River. The Final EIR calculates the survival of juvenile winter-run salmon through the Delta decreasing by 1 -10% because of the preferred project, which is likely an underestimate since a high percentage of young salmon will be exposed to significantly greater predation rates. The proposed fish screens for the Sacramento River are vastly larger than any other fish screens in operation and are experimental.⁵

DWR MYTH: *The Delta Tunnel is an essential component of maintaining the future reliability of the State Water Project.*

FACT: Modernizing Delta levees, upgrades to existing SWP facilities, and developing new water supplies that increase regional self-sufficiency are more cost-effective solutions that guard the future reliability of the SWP, and thus improve water security for 27 million people and protect communities and water quality in the Delta.

DWR MYTH: *DWR has sufficiently engaged with Tribes during the Delta Tunnel planning process.*

FACT: Though the State engaged with Tribes, impacts of the project would continue to unfairly burden environmental justice and other communities in and around the Delta.

DWR MYTH: *The Delta Tunnel is an affordable source of water.*

⁵ <https://www.dropbox.com/scl/fi/f6mhykskd3b2b5mpyp3m/8-Herbold-Comments.pdf?rlkey=wx7zeuoppxxr34f7m5ep7egor&st=ttmpmm6a&dl=0>, p. 15

FACT: The Delta Tunnel is estimated to cost \$20+ billion⁶ and would not be completed until 2039 at the earliest. In comparison, modernizing the Delta's entire system of existing levees would cost approximately \$3-5 billion (about ¼ to 1/5 of the cost of the Delta Tunnel), making it a much more cost-effective solution to address risks to the Delta and to export water supplies from climate change, sea level rise, and seismic activity. Levee improvements could provide benefits in the near term and be completed in a sequence that reduces the biggest risks first.

DWR claims that the benefits of the Delta Tunnel would exceed the costs.⁷ A recent review⁸ of the Benefit-Cost Analysis conducted by DWR found that, even accepting the inflated benefit estimates, three important conclusions can be drawn from examining the materials provided in the analysis:

1. For agriculture, the benefit-cost ratio is only \$0.39, an estimated 39 cents in benefits for farmers for each \$1 in cost.
 - Implication: Farmers will likely opt-out or default. Thus, the Delta Tunnel should be viewed as an urban-only project, and the Metropolitan Water District (MWD) would likely pay 75% of its costs – not 47% as currently planned. Other urban State Water Project water agencies will also likely see their cost shares rise by about 60%.
2. The seismic reliability benefits are relatively small.
 - Implication: Seismic risk reduction is a poor justification for the Delta Tunnel, and there are less costly and controversial ways to address the risk.
3. Water supply accounts for almost all of the Delta Tunnel's benefits.
 - Implication: MWD (and other State Water Project agencies) should evaluate the Delta Tunnel like any other water supply project in the context of their long-term water planning.

While DWR claimed that only those who actually receive water from the Delta Tunnel would pay for it, DWR actively touts the alleged “public benefits” of the SWP and constantly looks for ways to foist some of the enormous Tunnel costs onto state and federal taxpayers. The Delta Tunnel has already cost millions if the cost of the public agency permitting and review processes are counted; these costs are not repaid by SWP contractors.

DWR MYTH: *The Delta Tunnel would minimize the threat of earthquakes.*

FACT: DWR's constant references to earthquakes to justify the Delta Tunnel are extremely insensitive because there is no regard for the safety of the Delta communities. The Delta Tunnel would do nothing to make the Delta safer.

No earthquake, including those of 1906, 1989, and 2014, damaged Delta levees. Seismic risk to water conveyance systems appears to be much greater in the southern San Joaquin Valley and Southern California regions where major fault lines cross poorly maintained water delivery systems than in the Delta. If there should be an earthquake that affected water exports, water agencies currently have the resources to withstand a supply interruption of six months in the Delta, should the ability to divert from the Delta be temporarily lost. Levee maintenance and improvement are the best ways to protect critical water supply infrastructure from earthquake risks and protect from sea level rise and climate change-induced flooding.

⁶ <https://www.dcdca.org/wp-content/uploads/2024/05/2023-Bethany-Total-Project-Cost-Estimate.pdf>

⁷ <https://water.ca.gov/-/media/DWR%20Website/Web%20Pages/Programs/Delta%20Conveyance/Public%20Information/DCP%20>

⁸ <https://www.pacificcbpr.org/wp-content/uploads/2024/06/DCP-BCA-review-062424.pdf>

DWR's own analysis of potential benefits and costs of the Delta Tunnel shows that earthquake risk is insignificant when assigned dollar values. The benefit-cost report estimates that the seismic reliability benefits are worth less than \$1 billion to water users. (There appears to be a calculation error in this part of the analysis, so the benefits are actually much lower.) In any case, seismic reliability is not a compelling economic reason to build the Delta Tunnel as there are more effective, cooperative, and far less expensive ways to address this risk.

The major SWP contractor, Metropolitan Water District, acknowledged that actual levee failure poses a small risk to total water deliveries, as the levees can be repaired in a matter of days to months.⁹ These materials also show that the cost of reclaiming an island after flooding in the wake of a complete levee failure ranges from \$40 to \$70 million. The time to repair a similar-sized levee breach is approximately one month or less.

DWR MYTH: *The Delta Tunnel will help the state's water supply adapt to climate change.*

FACT: Governor Newsom's August 2022 Water Supply Strategy: Adapting to a Hotter, Drier Future states that California's water supply may shrink by 10%. However, the Delta Tunnel Final EIR analysis unreasonably assumes the hydrologic future will be similar to the last 100 years and did not make any adjustments based on the August 2022 report. Additionally, the State continues to ignore the fact that during drought conditions, there will be no water to reliably deliver, and yet the Delta Tunnel would still need to be paid for by ratepayers and taxpayers in the service area.

DWR MYTH: *The court ruling rejecting DWR's attempt to fund the Delta Tunnel with bond financing is of little consequence and presents no obstacle to the Delta Tunnel.*

FACT: DWR litigated its "validation" lawsuit through trial because DWR recognized its critical importance "to finance the cost and expense" of its proposed Delta Tunnel project. Upon losing the case, DWR appealed the Judgment because it understood the ruling's consequences for the Delta Tunnel project were critical, not inconsequential. DWR sought to pledge revenue and permanently bar challenges to authorizing bond financing for all phases of DWR's conveyance-driven "Delta Program" – a smoke screen to impose uncapped billions of debt on water customers for the Delta Tunnel project. The Court ruled that the bond resolutions exceeded DWR's lawful authority and rejected DWR's claim to almost unlimited authority in such matters. With its Delta conveyance bond resolutions deemed unlawful, DWR cannot avoid the consequences of the ruling by altering definitions or circumventing the legislative process.

(Revised 8-2-24)

⁹ See <https://mwdh2o.legistar.com/View.ashx?M=F&ID=12643424&GUID=4564B343-8513-4C05-882A-51476E50B969>, pp. pp. 76-78