

Delta Counties Coalition

Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County

"Working together on water and Delta issues"

October 2, 2019

Chair Tony Estremera and Board Members
Delta Conveyance Design and Construction Authority
1121 L Street, Suite 1045
Sacramento, CA 95814

Re: Delta Construction Authority (DCA) Stakeholder Engagement Committee

Dear Chair Estremera and DCA Board Members:

On September 19, 2019, the DCA Board voted to form and accept applications for membership on a "Delta Stakeholder Engagement Committee" ("Stakeholder Committee"). DCA staff stated that the narrow purpose of the Stakeholder Committee was to:

"...provide a forum for various Delta stakeholders to provide input and feedback on technical, engineering issues related to the DCA's current activities. These discussions would hopefully identify engineering and design considerations that avoid, reduce or mitigate significant impacts to environmental and cultural resources in the Delta and affected communities."

(DCA Staff Report, 9/19/19, Item No. 7c.)

The DCA's "current activities" undoubtedly refer to the design and construction of a single tunnel water conveyance facility "that would convey water from the Sacramento River north of the Delta directly to pumping plants located in the south Delta," as indicated in the Recitals of your Resolution creating the Stakeholder Committee.

The Delta Counties Coalition (DCC), consisting of elected officials from each of the five delta counties, (Sacramento, San Joaquin, Contra Costa, Solano, and Yolo), has given consideration to submitting an application for a seat on the Stakeholder Committee. We have strongly advocated for greater local outreach and consultation by DWR through the BDCP and WaterFix processes and this renewed process. Ultimately, however, the member counties of the DCC elect not to submit applications due to the restrictive scope of the Committee and, more generally, the narrow focus of the DCA.

Your Resolution creating the Stakeholder Committee states that the Committee will provide a forum for DCA staff to publicly present and receive feedback on technical, engineering and design issues related to DCA activities. Limiting the Committee to this level of detail arguably skips a step in the decision-making process and conflicts with the Governor's instruction to "first inventory and assess current planning to modernize conveyance through the Bay Delta with a new single tunnel project."

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2

Accordingly, at this stage, DWR and the DCA should be involving local stakeholders in the “inventory and assessment” aspects of the renewed endeavor. The Committee, instead, treats the approval of a single tunnel project as a fait accompli, before any inventory and assessment of current planning takes place in a public forum.

The Resolution precludes the Committee from discussing (1) whether or not DWR should undertake a Conveyance Project and (2) DWR’s consideration of the Conveyance Project and any alternatives under CEQA. Given that DCA’s “current activities” are being carried out in partnership with and by delegation of DWR, it is unlikely that the DCA can separate the Committee proceedings from the larger CEQA process. These constraints would foreclose any meaningful discussion or consideration of alternatives to a tunnel project, including a “no project” alternative. The DCC does not wish to abide by this apparent CEQA violation by taking part in the DCA’s proceedings as an acquiescing Committee member.

In hopes of having a broader discussion about the Governor’s water resilience strategy, the options for solving the state’s water supply issues, and the health of the Sacramento-San Joaquin Delta, the DCC representatives will continue to participate in the Roundtable meetings organized by Resources Secretary Wade Crowfoot. We will also be an active participant in the CEQA process for the revised project. Finally, while we have reservations about the role of the Stakeholder Committee, we do anticipate attending, monitoring and commenting.


Sincerely,



Don Nottoli
Supervisor, Sacramento County



Patrick Kennedy
Supervisor, Sacramento County



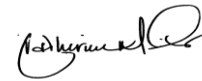
Karen Mitchoff
Supervisor, Contra Costa County



Diane Burgis
Supervisor, Contra Costa County



Chuck Winn
Supervisor, San Joaquin County



Katherine Miller
Supervisor, San Joaquin County



Skip Thomson
Supervisor, Solano County



John M. Vasquez
Supervisor, Solano County



Oscar Villegas
Supervisor, Yolo County



Jim Provenza
Supervisor, Yolo County

cc: Wade Crowfoot, Secretary, Natural Resources Agency
Kathryn Mallon, Executive Director, Delta Conveyance Design and Construction Authority