



## **Delta Counties Coalition**

Contra Costa County | Sacramento County | San Joaquin County | Solano County | Yolo County  
"Working together on water and Delta issues."

March 4, 2025

SENT VIA EMAIL ([DeltaConveyanceCBP@water.ca.gov](mailto:DeltaConveyanceCBP@water.ca.gov))

California Department of Water Resources  
715 P Street  
Sacramento, CA 95814

Re: Delta Conveyance Project Community Benefits Program Discussion  
Draft Implementation Plan and Guidelines

To Whom it May Concern:

The Delta Counties Coalition<sup>1</sup> ("DCC") represents the five counties that comprise the California Delta and the four million residents who live in our communities. DCC submits the following comments on the October 2024 Department of Water Resources (DWR) Delta Conveyance Project Community Benefits Program Discussion Draft Implementation Plan and Guidelines<sup>2</sup> ("Guidelines"). For the reasons described below, the DCC does not accept nor support the proposed Community Benefits Program, nor the Delta Conveyance Project (DCP).

### The Guidelines Overstate the Impact of the Community Benefits Program

The Guidelines state that the goal of the community benefits program is to "develop ways to identify, fund, and implement local projects that can provide tangible, lasting, and valuable economic and social benefits to the residents, businesses, and organizations affected by the Delta Conveyance Project." (Guidelines, p. 1.) The proposed dispersed community benefits associated with

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<sup>1</sup> The Delta Counties Coalition consists of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties. The DCC's mission embraces, but is not limited to, the following goals: to protect and improve water quality in the Delta region, to ensure representation of local interests in Delta governance, to support local flood risk reduction, to protect the existing water rights held by Delta users and the water rights priority system, and to protect and restore the Delta ecosystem.

<sup>2</sup> The California Department of Water Resources, October 2024, Public Review Draft, *Delta Conveyance Project Community Benefits Program Discussion Draft Implementation Plan and Guidelines*, is posted here: [https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Public-Information/CBP-Draft-Implementation-Plan\\_Final\\_Oct2024\\_Final.pdf](https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Public-Information/CBP-Draft-Implementation-Plan_Final_Oct2024_Final.pdf).

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grant-funded projects, however, does not and cannot alleviate the direct impact on Delta landscapes and economy from construction and operation of proposed new intakes, tunnels and other isolated conveyance facilities. The DCP would directly convert 2,600 acres of land in the Delta, much of which is in agricultural or other open space uses. In addition, the DCP's **new major diversions would** significantly increase the physical capacity for water to be exported out of the Delta. This is at a time when multiple fish have special status under state and federal law due to their scarcity in the Delta. Water quality is also worsening, especially in times when Sacramento River inflows are less. The DCP is the wrong project, both for the Delta and for those that rely on the Delta for water supplies.

The impacts of the DCP are also inconsistent with the policy of the state to protect the Delta as a place, memorialized in the Delta Reform Act. (See Wat. Code, § 85020, subd. (b).) In addition, increased water exports are inconsistent with the policy of reducing reliance on Delta water supplies. (Wat. Code, § 85021.) DWR has provided no meaningful assurances to support representations that it would not export more water from the Delta, or take water at times when the Delta does not have excess water supplies. The impact on the Delta as a place, and the economic impact of the worsened conditions in Delta communities, as well as water quality degradation, that would come with water exports from the North Delta under the DCP, would not be alleviated by dispersed community benefits through grant-funded programs.

### The **"Integrated Benefits" Concept Lacks a Clear Linkage to the Real** Impacts of the Delta Conveyance Project

The Guidelines propose to use an "integrated benefits" approach whereby temporary construction features such as haul roads would be adapted into new bike paths or public roadways **as a beneficial "leave behind."** (Guidelines, p. 5.) This approach lacks a clear nexus with the physical and other impacts of DCP, and may in fact create new permanent impacts on the Delta landscape. To the extent there **would be any "leave behind facilities,"** they would need to be locally approved. **DWR should not assume that the proposed "leave behinds" will be accepted by the local communities and should include the costs of deconstructing such facilities as part of the project cost.**

### Any Land Purchased by DWR for the Project May be Subject to Special Benefit Assessments

The Plan should address impacts from reduced local assessments, given that about 2,600 acres of land may be taken by eminent domain and transferred to the state under the project. Under the California Constitution, **"[p]arcel[s] within a district that are owned or used by any agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit."** (Cal. Const., art. XIII D, § 4.) The Plan should include a commitment to payment of special benefit assessments for any state-acquired

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lands to ensure no reductions in funding for continued local agency provision of needed services.

### The Proposed Grant Process Would be Burdensome and Inadequate

The Plan acknowledges that environmental mitigation for the DCP **"typically do not address all adverse effects on local communities."** (Plan, p. 5.) As DWR is aware, the adequacy of mitigation provided in the environmental review and other processes is in dispute. The Plan proposes to create a fund that is about one percent of the currently estimated cost of the DCP (\$20 Billion). In addition to the amount in the fund being inadequate, DCC also notes that the grant application process would be burdensome for local communities impacted by construction. In addition, the Plan does not appear to be intended to address impacts on the community from operation of the DCP, such as reduced water quality for irrigation, drinking water and other beneficial uses. As such, the Plan is inadequate.

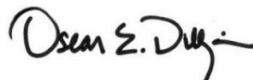
### Conclusion

Thank you for considering these comments. Please contact our DCC Coordinator Elisia De Bord at [deborde@saccounty.gov](mailto:deborde@saccounty.gov) or 916-874-4627 if you have any questions.

Sincerely,



Patrick Hume, Supervisor  
Sacramento County



Oscar Villegas,  
Supervisor  
Yolo County



Shanelle Scales-Preston, Supervisor  
Contra Costa County



Mitch Mashburn, Supervisor  
Solano County



Steven Ding, Supervisor  
San Joaquin County

cc: Contra Costa County Board of Supervisors  
Sacramento County Board of Supervisors  
San Joaquin County Board of Supervisors  
Solano County Board of Supervisors  
Yolo County Board of Supervisors