



June 20, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

The Honorable Anthony Rendon
Speaker of the Assembly
California State Assembly

The Honorable Phil Ting, Chair
Assembly Budget Committee
California State Assembly

The Honorable Toni Atkins
President Pro-Tempore
California State Senate

The Honorable Nancy Skinner, Chair
Senate Budget Committee
California State Senate

Re: Opposition to Infrastructure Budget Trailer Bill's Inclusion of Controversial Delta Tunnel Project

Dear Governor Newsom, Speaker Rendon, President Pro-Tempore Atkins, Assemblymember Ting, and Senator Skinner,

As representatives from the Delta Caucus and other impacted regions of California, we write to respectfully oppose the inclusion of the Delta Conveyance Project in the recently proposed Infrastructure Package, and **request this package refrains from advancing for as long as this project remains a part of the proposal.**

The Delta Counties Coalition, and over 100 environmental organizations, continue to be deeply concerned about provisions that expedite the controversial Delta Tunnel project. If built, the Tunnel would physically span and leave permanent scars across three Delta counties (Sacramento, San Joaquin, and Contra Costa). Beyond this, the effects of construction and the water diversions would be felt throughout Northern California and the San Francisco Bay. Bear in mind two entire historic towns will be leveled to make way for the intakes alone. This truncated process that is currently being pursued does not allow adequate time to vet how this may impact such a troublesome project and should be reviewed through the proper policy channels.

As currently proposed, the Delta Tunnel should not be subject to the [CEQA Judicial Streamlining](#) portion of the package because:

- The Delta Tunnel Project is exponentially larger than any other project that has previously been subject to CEQA judicial streamlining. Rather than taking up a few blocks like a stadium, the Tunnel would span multiple counties and impose water and air quality concerns throughout the region. If the project is litigated under CEQA, the process should not be rushed. Setting an expedited judicial review timeline for this would obstruct potential litigants from presenting their claims and unnecessarily burden our courts which will need more than 270 days to consider the merits of such an unprecedented concept.
- Other versions of CEQA judicial streamlining have required projects to meet heightened standards, such as greenhouse gas (GHG) neutrality, meeting LEED building standards, creating highly skilled jobs at prevailing wages, and other “uplift” provisions to ensure that the project is worthy of “Leadership Project” designation benefits. Contrary to this, the Delta Tunnel Project would significantly increase GHG emissions over an estimated 14-year construction period through many disadvantaged communities. The operation of the Tunnel would also require mass amounts of energy in order to pump 6,000 cubic feet of water per second, resulting in more GHG emissions throughout the region.

We also continue to oppose the [Fully Protected Species Reclassification](#) language that would unjustly ease the permitting process to take (kill) species around the Delta. Fully Protected Species such as the iconic Greater Sandhill Crane are very sensitive to disturbance and susceptible to dying on new or enlarged power transmission lines that the Delta Tunnel Project would entail. Modifying protections of sensitive and endangered species must occur within the Legislative process with appropriate public and expert input.

Finally, the [Delta Reform Act Streamlining](#) provisions would authorize the Delta Stewardship Council to take final action on a proposal by a vote of the majority of councilmembers present at a meeting, rather than a majority of the Council. This effectively removes the guarantee that a vote by the Council reflects the majority opinion of the Council by allowing a final determination to be made by only a majority of the quorum.

In closing, we urge for the removal of the provisions discussed above as how they pertain to the Delta Conveyance Project. We appreciate your consideration of this matter, and look forward to working towards an Infrastructure Package that meets the needs of everyone, including the beautiful Delta community.

Sincerely,



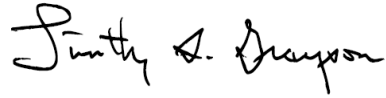
Assemblymember Carlos Villapudua
Assembly District 13



Senator Bill Dodd
Senate District 3



Assemblymember Lori D. Wilson
Assembly District 11



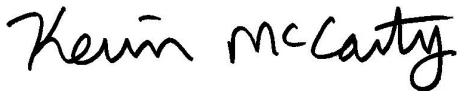
Assemblymember Timothy S. Grayson
Assembly District 15



Assemblymember Stephanie Nguyen
Assembly District 10



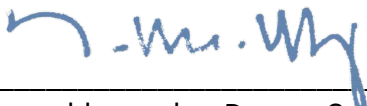
Assemblymember Heath Flora
Assembly District 9



Assemblymember Kevin McCarty
Assembly District 6



Assemblymember Josh Hoover
Assembly District 7



Assemblymember Damon Connolly
Assembly District 12



Senator Brian Dahle
Senate District 1