

Support Governor Newsom's Proposed Trailer Bill Language to Streamline Approvals for the Delta Conveyance Project



Californians for
Water Security

The trailer bill language proposed by Governor Newsom streamlines and fast-tracks the advancement of Delta Conveyance Project. This is in recognition of the importance of the State Water Project to the people of California and to our state's economy.

✔ Problem Solved by the Delta Conveyance Project

Water deliveries from the State Water Project are expected to decline by up to 23% in the coming decades because of climate change and are susceptible to disruptions from seismic risks and sea level rise. Modernizing infrastructure would stabilize State Water Project deliveries and mitigate against existing risks.

✔ How the Delta Conveyance Project Helps

The Delta Conveyance Project would protect against changing precipitation patterns and a catastrophic earthquake. It will adapt the timing and location of water diversions in response to climate change so that the State Water Project can continue to deliver water today and for future generations of Californians.

✔ Importance of Stable Water Deliveries

Stable water deliveries from the State Water Project would allow local public water agencies across California to:

1. Fill storage more frequently
2. Replenish groundwater banks
3. Enter drought periods with higher reserves
4. Impose fewer periods of mandatory rationing
5. Reduce the severity and frequency of water shortages
6. Support investments in recycling by stabilizing the foundational source of surface water

Governor Newsom's Fast-Track Proposals

There are four primary ways that the trailer bill language helps to streamline administrative processes and fast-track the Delta Conveyance Project to save money by avoiding delay.

1 Simplifying permitting by

- Eliminating certain deadlines from existing SWP water rights permits
- Recognizing that the SWP should continue serving Californians' water needs indefinitely, and
- Strengthening enforcement of the Water Board's existing statutory requirements for permit protests

PROBLEM THIS SOLVES: The State Water Board has incorporated issues into the Delta Conveyance Project change in point of diversion hearing that are related to the State Water Project overall. This creates unnecessary complications and is making the process take much longer than it should. In addition, clarifying the statute related to protests will reinforce that protests must meet existing statutory requirements.



2 Confirming that DWR has the authority to issue bonds to finance the cost of the DCP, like other SWP projects, and to be repaid by participating public water agencies.

PROBLEM THIS SOLVES: SWP revenue bonds are typically purchased by investment banks, insurance companies and other institutional investors who need assurance that the bonds they are considering investing in have been properly authorized by the agency that plans to issue them. This will resolve that question for investors and help to establish a high bond rating with correspondingly lower interest rates. DWR is currently seeking to validate this authority through the courts, which is taking an extraordinary amount of time. This proposal would remove the need for lengthy litigation over this issue.

3 Preventing unnecessary litigation delays by

- Setting time limits to initiate and resolve litigation challenging project approvals
- Limiting the ability for litigation to halt construction by specifying the standard required to stop construction (an imminent threat to public health and safety)

PROBLEM THIS SOLVES: The DCP and associated approvals and actions have already been subject to pending multi-year lawsuits, creating significant delay, disruption and costs. Including a timeline for resolution will ensure the process is streamlined. This proposal builds on models for other large public works projects and will preserve the opportunity for the public to challenge DCP permits and approvals while ensuring the processes do not unnecessarily delay construction of the project.

4 Streamlining construction and land acquisition processes by

- Exempting DWR's water supply infrastructure, flood control projects and habitat restoration projects from the requirement of DGS review of land acquisition.
- Allowing DWR to pay in advance for electrical utility work to expedite projects beneficial to the SWP.

PROBLEM THIS SOLVES: Administrative processes can add unnecessary red tape and time, and this would streamline those processes to avoid delay. DGS reviews real estate transactions before they are complete, but there are exceptions for highway systems, high-speed rail, and other entities. This change would eliminate duplication of processes. For utility work, advance payment expedites the work to ensure timely start of construction.

How the Governor's Proposals Help

The Governor's proposals will streamline administrative processes for the Delta Conveyance Project and will significantly save time and cost to adapt the State Water Project to the effects of climate change and protect against earthquake risk. These actions preserve environmental protections while promoting efficiency and expediency. And they will allow the state's most important surface water supply and climate adaptation project to save years, and billions of dollars by avoiding delays.