



Delta Counties Coalition

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"Working together on water and Delta issues"

April 7, 2020

Via Email: Wade.Crowfoot@resources.ca.gov
Mr. Wade Crowfoot
Secretary, California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Re: Request for Stay of Public Processes for Delta Conveyance Planning During Novel COVID-19 Pandemic

Dear Secretary Crowfoot,

The Delta Counties Coalition (DCC) respectfully requests that you direct the Department of Water Resources (DWR) to pause all Delta Conveyance Project planning and engineering design processes that require Delta stakeholder engagement during the COVID-19 crisis, until the public can fully participate. We request that you ask the Delta Conveyance Design and Construction Authority (DCA) to pause its processes that require public participation, including Stakeholder Engagement Committee meetings, so that the Delta tunnel engineering design can be informed by meaningful public input. We also ask that you direct DWR and other resource agencies to extend public comment periods by at least 45 days beyond the end of the declared emergency.

It is clear to the DCC that meaningful public engagement on the Delta Conveyance Project, including conceptual engineering design, environmental review, and permitting is not possible at this time. Our counties are currently focused on fighting the COVID-19 pandemic, which is both a national and state emergency. County staff must prioritize supporting their Emergency Operation Centers and conducting other activities necessary to address COVID-19. All county workers are designated as emergency and/or disaster response workers and are being reassigned or called to Emergency Operations Centers as needed to help with essential services, including our water resources staff. In addition, many are caring for loved ones, including the elderly relatives and children no longer able to attend school.

Thus far, there has been little indication that Delta conveyance related activities are making the appropriate adjustments to address the very real effects of the ongoing COVID-19 crisis on public processes. At the last DCA Board meeting on March 19, tribal representatives noted that due to the pandemic, tribal consultation under AB 52 had ceased. Tribal representatives and other members of the public requested that the DCA delay further meetings to allow the public to focus on primary health and safety concerns. Yet the DCA still plans to have a Board meeting on April 16, 2020 and a Stakeholder Engagement Committee meeting on April 22, 2020. DWR's Delta Conveyance Project website indicates that the DCA will "work to arrange for remote participation for both committee members and the public for future meetings." In addition, DWR attempted to have the Central Valley Flood Control Board issue a Letter of No Objection to initiate the Section 408 permitting process with the USACE on its consent calendar on March 26, 2020. Upon objection from flood control and other interests, this item was continued to the Flood Board's next meeting on April 24th, which we must assume will also be by webcast only.

The DCC believes that disruptions caused by COVID-19 will deprive citizens, local communities, and other stakeholders the opportunity to engage with agencies on important matters, and this includes the Delta Conveyance Project. We also feel that virtual meetings are an inadequate substitute to a temporary stay of public processes around Delta conveyance. Remote meeting options are most appropriate for situations where an agency must conduct its business without delay, for instance in relation to the COVID-19 crisis and other operational necessities. Public participation via webcast or telephone cannot provide the robust public input necessary for the controversial Delta Conveyance Project. Many residents of the rural Delta and in underserved urban areas adjacent to the Delta lack reliable internet service to participate in meetings held via webcast.

We hope that you will exercise your authority to protect the right of the public to meaningfully participate, once this crisis ends. Thank you for considering this request and we look forward to your response.

Sincerely,



Don Nottoli
Supervisor, Sacramento County



Skip Thomson
Supervisor, Solano County



Karen Mitchoff
Supervisor, Contra Costa
County

Secretary Crowfoot
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Oscar Villegas
Supervisor, Yolo County



Chuck Winn
Supervisor, San Joaquin
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cc: Governor Gavin Newsom
DWR Director Karla Nemeth (Karla.Nemeth@water.ca.gov)
DCA Executive Director Kathryn Mallon (KathrynMallon@dcdca.org)