



Delta Counties Coalition

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

May 10, 2024

The Honorable Mike McGuire,
California State Senate President *pro Tem* and
Chair
Senate Rules Committee
1021 O Street, Suite 8518
Sacramento, CA 95814

The Honorable Senator Shannon Grove, Vice
Chair
California State Senate Rules Committee
1021 O Street, Suite 7150
Sacramento, CA 95814

The Honorable Senator John Laird
California State Senate Rules Committee
1021 O Street, Suite 8720
Sacramento, CA 95814

The Honorable Senator Susan Eggman
California State Senate Rules Committee
1021 O Street, Suite 8530
Sacramento, CA 95814

The Honorable Senator Brian Jones
California State Senate Rules Committee
1021 O Street, Suite 8530
Sacramento, CA 95814

Re: **Gubernatorial Delta Stewardship Council Appointments**

Dear Pro Tem McGuire, Senator Grove, Senator Laird, Senator Eggman and Senator Jones:

On behalf of the five Delta Counties we collectively represent, we write to express our deep concerns with the troubling trend of appointments being made to the Delta Stewardship Council (DSC).

The DSC has seven members; four are appointed by the Governor, one each by the Senate and Assembly, and the seventh is the chair of the Delta Protection Commission (a local government representative from one of the five counties in the Delta). (Water Code, § 85200.) When the Delta reform package was enacted in 2009, the Delta Counties collectively voiced their strong concern that the DSC could be filled with members that would not have true ties or connection to the Delta to genuinely understand the Delta as a place, but instead would simply view the Delta as a water supply source to powerful Bay Area and Southern California interests. Our concerns have been repeatedly realized as Governor Brown and subsequently Governor Newsom continued to fill the majority of the voting seats of the DSC with candidates that do not have any knowledge of Delta communities and agricultural to assist the DSC in planning for stewardship, meeting the coequal goals, and protecting the Delta as a Place.

The DCC believes that DSC appointment candidates should:

- Be aware of the basic geography and communities of the Delta as well as the regulatory landscape governing management of resources in the Delta, including the DSC.
- Have some experience with agriculture, whether as a farmer or in some other capacity, such that there is an understanding of what is involved in successfully bringing crops to market.
- Have some experience with the State Plan of Flood Control or basic flood control concepts.
- Have some familiarity with restoration projects, with some understanding of the physical changes involved in carrying out restoration as well as potential offsite impacts and other challenges.

The next few years at the Delta Stewardship Council will be filled with critical work regarding the Delta, consistent with the 2009 Delta Reform Act's "Coequal goals" of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. These goals must be achieved in a manner that "protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place." (Water Code, § 85054.) Specifically, it is anticipated that the DSC will determine whether the Delta Conveyance Project (a.k.a. the Delta Tunnel) is consistent with the Delta Plan.

As such, the appointments to the DSC that the Senate confirms in the next few years will be pivotal to the welfare and future of our Delta communities. It is vital that the Legislature's long-standing tradition of remaining neutral on legislative and funding proposals that could benefit "the Tunnel" (currently, the Delta Conveyance Project) be continued when considering any appointment or confirmation to the DSC. Moreover, the Legislature should ensure that appointees have the minimum qualifications outlined above. We would further urge that candidates be asked by the Rules Committee members to describe and disclose any past, current, or anticipated future work or work relationships that could be connected to the approval of any iteration of the Tunnel project.

Confirmed appointees to the DSC must have some knowledge about the Delta, be able to properly balance the co-equal goals, be clear of any professional conflicts-of-interest related to the construction of a major infrastructure project and be prepared to uphold meritorious appeals to a consistency determination if the project is in fact inconsistent with the Delta Plan.

Your actions regarding these appointments will permanently affect the communities in our five Delta Counties. We sincerely appreciate your consideration of the concerns we are raising to you and hope your committee will ensure that all future appointments to the DSC meet the criteria described in this letter as well as the 2009 Delta Reform Act. We also ask that the DCC be notified

May 10, 2024

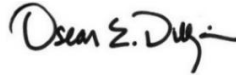
-3-

(via our coordinator Elisia De Bord at DeBordE@saccounty.gov) of any upcoming appointment decisions, if feasible, so that we may provide our input.

Sincerely,



Patrick Hume, Supervisor
Sacramento County



Oscar Villegas, Supervisor
Yolo County



Ken Carlson, Supervisor
Contra Costa County



Mitch Mashburn, Supervisor
Solano County



Tom Patti, Supervisor
San Joaquin County