



STAKEHOLDER ENGAGEMENT COMMITTEE (SEC)

February 19, 2021

Delta Conveyance Design and Construction Authority
Stakeholder Engagement Committee Members

Subject: ***Materials for the February 24, 2021 Regular Committee Meeting***

Members of the Stakeholder Engagement Committee:

The fourteenth regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Stakeholder Engagement Committee is scheduled for a remote video conference on **Wednesday, February 24, 2021 at 3:00 p.m.**

Please join our meeting from your smartphone, computer or tablet.

<https://webinar.ringcentral.com/j/1480658465>

SEC Members are asked to join the meeting at 2:45pm to ensure priority entry by the meeting hosts and to resolve any technical issues prior to the start of the meeting.

Enclosed are the materials for the committee meeting in a PDF file, which has been bookmarked for your convenience.

- **Meeting Agenda**
- **Meeting Minutes**- December 9, 2020 Regular SEC Meeting
- **Brown Act Update Re: Social Media**
- **Meeting Presentation**

All files presented during the meeting will also be available at dcdca.org by the Monday following the meeting.

Regards,

Sarah Palmer, DCA Board Member
Stakeholder Engagement Committee Chair

Barbara Keegan, DCA Board Member
Stakeholder Engagement Committee Co-Chair

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY STAKEHOLDER ENGAGEMENT COMMITTEE
REGULAR MEETING AGENDA

Wednesday, February 24, 2021, 3:00 p.m.

Remote – Conference Access Information:

Phone Number: 1 (650) 242-4929 **Access Code:** 148 065 8465

Electronic Meeting Link:

Please join our meeting from your smartphone, computer or tablet.

<https://webinar.ringcentral.com/j/1480658465>

The purpose of the Stakeholder Engagement Committee is to create a forum for Delta stakeholders to provide input and feedback on technical/engineering issues related to the DCA's current activities. Please note, this meeting is **not** part of the Department of Water Resources' California Environmental Quality Act public outreach process related to a potential Delta Conveyance project and therefore comments made in this meeting will not be recorded or tracked for those purposes. All items are information only.

In compliance with state and county health orders, the meeting will be held electronically only through the listed meeting link and telephone number. Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990; requests for accommodations can be made by contacting staff at (888) 853-8486 or info@dcdca.org. Members of the public may speak regarding items on the agenda when recognized by the Chair. Speakers are limited to three minutes each; however, the Chair may limit this time at her discretion. Please note that Items 4, 5 and 6 are single discussion items; subparts are listed for clarity. **Persons wishing to provide public comments remotely on Agenda Items must complete the online public comment form at <https://tinyurl.com/dcapubliccomment-SEC> by 4:00 pm.** The public may also provide written public comment by email to publiccomment@dcdca.org. All written comments received prior to the conclusion of the meeting will be included in the written record for the meeting but will not be read during the meeting. Additional information will be provided at the commencement of the meeting.

- 1. WELCOME/CALL TO ORDER**
- 2. ROLL CALL**
- 3. MINUTES REVIEW: December 9, 2020 Regular SEC Meeting**
- 4. DCA/SEC HOUSEKEEPING UPDATES**
 - 4a. AB 992 Brown Act Amendment – Social Media Postings by SEC Members
 - 4b. DCA Board Update
 - 4c. Public Comment on Item 4
- 5. TECHNICAL UPDATES & COMMITTEE DISCUSSION**
 - 5a. DWR CEQA Status Update
 - 5b. Bethany Alternative Wrap-Up
 - 5c. Geotechnical Field Work Update
 - 5d. SEC Questions or Comments on December 9th Meeting Presentation
 - 5e. Public Comment on Item 5
- 6. DWR PRESENTATIONS & COMMITTEE DISCUSSION**
 - 6a. Community Benefits Program Update
 - 6b. Project Financing Overview
 - 6c. Public Comment on Item 6
- 7. FUTURE AGENDA ITEMS & NEXT MEETING**
 - 7a. DWR Communications Plan 2021
- 8. NON-AGENDIZED SEC QUESTIONS OR COMMENTS**

9. PUBLIC COMMENT ON NON-AGENDIZED ITEMS

This is the time and place for members of the public to address the Committee on matters that are within the Committee's jurisdiction but that are not on the agenda. Speakers are limited to three minutes each; however, the Chair may limit this time when reasonable based on the circumstances. To provide public comment, complete the online public comment form at <https://tinyurl.com/dcapubliccomment-SEC> by 4:00 pm with their name, phone number or other identifier. As these items have not been agendized, the Committee is not legally able to discuss these items at this meeting unless a recognized exception applies.

8. ADJOURNMENT

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Next scheduled meeting: **Regular Stakeholder Engagement Committee Meeting: April 28, 2021 at 3:00p.m.**



STAKEHOLDER ENGAGEMENT COMMITTEE (SEC)

Memo

Contact: Valerie Martinez, SEC Facilitator

Date: February 24, 2021 SEC Meeting

Item No. 3

Subject: Meeting Minutes

The meeting minutes from SEC Meeting 14 (December 9, 2020) are attached for your review. Please send any edits to hannahflanagan@dcdca.org by **noon Tuesday, February 23, 2021**. Since the SEC is not a voting group, this process will facilitate the review process and allow us to efficiently address the minutes at the meeting.

STAKEHOLDER ENGAGEMENT COMMITTEE

MINUTES

REGULAR MEETING

Wednesday, December 9th, 2020

3:00 PM

(Paragraph numbers coincide with agenda item numbers)

[Editor's Comment: Minutes are provided to ensure an accurate summary of the Stakeholder Engagement Committee's meetings. The inclusion of factual comments and assertions does not imply acceptance by the Delta Conveyance Design and Construction Authority.]

1. WELCOME/CALL TO ORDER

The regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Stakeholder Engagement Committee (SEC) was called to order via RingCentral video conference at 3:00 pm.

Director Palmer welcomed the SEC and meeting guests and thanked all for their participation. The meeting is being held via phone and video conference pursuant to Governor Newsom's Executive Order N-29-20 in response to the COVID-19 State of Emergency.

The purpose of the SEC is to create a forum for Delta stakeholders to provide input and feedback on technical and engineering issues related to the DCA's current activities. The SEC is a formal advisory body to the DCA Board of Directors. As such, and like the DCA itself, the SEC is subject to public transparency laws applicable to local public agencies like the Brown Act and the Public Records Act. It is important to note that the SEC and its meetings are not part of the Department of Water Resources' (DWR's) California Environmental Quality Act (CEQA) public outreach process related to any potential Delta Conveyance project and therefore comments made at this meeting will not be tracked or recorded for those purposes. SEC member comments at this meeting will be recorded and tracked, but only for the purposes of the DCA.

2. ROLL CALL/HOUSEKEEPING

Committee members in attendance were Anna Swenson, Barbara Barrigan-Parrilla, Cecille Giacomini, David Gloski, Douglas Hsia, Gia Moreno, Isabella Gonzalez-Potter, James Cox, Jim Wallace, Karen Mann, Lindsey Liebig, Philip Merlo, Malissa Tayaba, Mike Hardesty, tribal representative alternate Chairman Jesus Tarango, Dr. Mel Lytle and Sean Wirth. Ex-officio members Gilbert Cosio and Michael Moran were also in attendance.

Members Angelica Whaley, David Welch and Peter Robertson were not in attendance.

DCA Board Members in attendance were Director Sarah Palmer (Chair) and Barbara Keegan (Vice Chair). In addition, DCA and DWR staff members in attendance were Kathryn Mallon, Valerie Martinez, Joshua Nelson, Graham Bradner, Phil Ryan, Nazli Parvizi, Claudia Rodriguez, Jasmine Runquist and Carrie Buckman.

Ms. Palmer reviewed meeting guidelines and norms. All meetings are subject to the Brown Act. The Chairperson presides over meetings and the Vice-Chairperson presides over the meeting in her absence. Discussion will be guided by the meeting facilitator, Valerie Martinez. Staff will provide technical information to support the committee's work. Each meeting will be goal-oriented and purpose-driven. The information provided is for purposes of discussion only and is subject to change. The committee holds no formal voting authority. We will seek consensus. All views will be listened to, recorded and reported. Participation in the SEC does not imply support for any proposed conveyance project.

Ms. Palmer stated that this meeting has a change of platform within RingCentral which places the SEC members in a different virtual meeting room than attendees. The SEC discussion and public comment processes remain the same. Attendees will remain muted and not have a video option unless they are speaking during public comment. The DCA will unmute the speaker however the speaker will have the option to turn on their video. The SEC members have full control of their video and audio. The chat function will not be used in this meeting even though it can be seen.

Ms. Palmer reviewed housekeeping items. Members of the public can request to speak during the public comment period by emailing publiccomment@dcdca.org. Written comments will be added to the record but not read during the meeting.

The meeting is being recorded and will be posted on the website following the meeting. Please be mindful of your background, and please mute your microphone and/or stop your video if you need to step away during the meeting. In order to provide organized comments and allow SEC members to speak without talking over one another, SEC members are asked to use the "Raise Hand" feature in order to be recognized to speak during the meeting by the Meeting Facilitator Valerie Martinez.

Ms. Palmer noted that this meeting pertains to engineering topics only and discussion can only contain topics in the DCDA purview.

3. MINUTES REVIEW: November 5, 2020 Regular SEC Meeting

There were no changes to the minutes.

4. DWR UPDATE: STAFF PRESENTATION & COMMITTEE DISCUSSION

4a. DWR Planning Status

Ms. Buckman briefly presented a DWR update. She said the team is still working on CEQA documentation and the focus has been on documenting existing conditions and providing models and tools to prepare for impact analysis. Some soil investigations have also been worked on. Ongoing soil boring is taking place until next week, then there will be a break until spring. She reminded that the Environmental Justice survey is closing on Friday, Dec. 11.

4b. Community Benefits Framework Discussion

Ms. Buckman moved on to introduce the community benefits discussion. A community benefits program is a defined set of commitments made by project proponents and created in coordination with the local community. She emphasized that the main focus of today's discussion is the process. The idea is that it be developed together with the community. The commitments are made separate from and in addition to permit conditions and environmental mitigation. If there is an anticipated impact, ways to avoid or reduce that will already be explored through mitigation. The community benefits program can include a wide range of benefits to address effects beyond what may be afforded by existing regulatory processes. The program is a demonstration of goodwill and concern regarding adverse effects communities may experience through construction of major capital works.

Ms. Barbieri continued the presentation. She added that the goal with the program is to identify and build in aspects of the project that could provide lasting benefits to the Delta communities. The program would provide opportunities for Delta communities to articulate ways the Delta Conveyance Project can address project conflicts with any local Delta uses that affect the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. The economic development opportunities are potentially substantial. This would be best achieved with local insight through collaboration.

A community benefits program would aim to provide a mechanism for the Delta community to identify opportunities for local benefits, provide a mechanism for the project proponents to demonstrate good faith, transparency and accountability to the community through commitments developed with stakeholder input, and support project consistency with the Delta Plan policy DP P2 and, ultimately, the state's coequal goals for the Delta.

The goal would be to build on and be responsive to the work that Delta communities have already done in creating a local vision. This could include the Delta Plan, National Heritage Area, Conservancy Grant Program, and other local community action plans and master plans.

Conceptual categories of benefits could be Delta As Place fund (a community driven fund) and project implementation commitments which could be hiring practices or local business commitments. This could also include broadband service, sidewalks, electric bus service, or bike lanes.

Ms. Barbieri explained that there are three distinct but complementary processes that come along with the project which are regulatory mitigation, community benefits program, and an ombudsman program. Each in their own way aim to be responsive to requirements and also to the community.

Ms. Mallon presented case studies and best practices. The case studies she chose to include were the LAX Expansion Program, NYC Dept of Environmental Protection Croton Water Plant, and various offshore wind programs in the US and international.

The LAX Expansion case study is an example of a very long-term project, with various phases of implementation. A new organization was formed that served as a negotiating partner with LAX. This coalition was responsible for coordinating input from a diverse array of existing community organizations in the area. This streamlined gathering the information and the negotiating process. There was a wide variety of benefits categories that included things like noise, which

could include things like funds for soundproofing affected schools and residences. Economic development was another category that could include local hiring programs to give priority for jobs at LAX to residents and low-income and special needs individuals. Another was community health which could include funds for studying the health impacts of airport operations on surrounding communities. The last category was air quality emissions reductions, which included electrifying airplane gates to eliminate pollution from jet engine idling.

This list of priorities from the community was developed before further developing a list of projects within each category. These were memorialized with a signed agreement and the organization releases a progress report yearly laying out the achievements and the performance metrics. They also have a third-party monitor that helps them mediate the program.

The next case study was the NYC DEP Croton Water Treatment Plant (WTP). It was a \$3.5Bil project with the selected site on a public golf course in Bronx, NY. Agreements for this project were negotiated in two areas: on-site impacts to the golf course and to the broader Bronx community. There was a community monitoring committee formed that held monthly meetings to review the overall progress and updates.

There was a temporary driving range and course reroute built prior to the start of construction and payments made for lost revenue. Post-construction, a new driving range and clubhouse were built. This example shows how to integrate the benefit into the design and construction process.

The second set of benefits that were to support the Bronx community included support for Bronx borough parks, such as a borough-wide tree planting fund and contributions to the parks department in New York to upgrade existing parks to absorb the diversion of park users from that of the treatment plant location.

The last case study focuses on the example features of offshore windfarms. These examples include ones where the local community is not necessarily the exact benefactor of the project, but they endure a significant portion of the construction, as well as visual impacts. The communities for each of the projects received a portion of the profits of the power as part of these agreements. There were also some environmental restoration projects, like the funding for the restoration of Bird Island with the Cape Wind Project in Cape Cod. In North Norfolk, England, a grant program was established for assistance on local projects such as the upgrade of a local village pond as its adjoining land. Power and fiber optic lines were added at the Block Island Wind Farm in Rhode Island to connect the island to the mainland grid to provide high speed internet and eliminate a diesel fueled power plant. They hired an ombudsperson to help keep the town informed. They also had grant money to hire a third-party expert to help understand the planning submission drawings and other technical issues.

As community benefits programs have been around for decades, it's led to an expansive list of best practices. Ms. Mallon highlighted some especially important to the Delta project. These include a grassroots process with open and transparent collaboration to encourage broad community participation and outreach to interest groups that do not always have voice or participate. The results of all meetings will be recorded and made public. Participants will be made aware that their participation does not affect their rights in the planning process, in this

case, CEQA. It's important to build on plans and strategies that have already been developed in the community and ensure that benefits are fair and proportional to the project magnitude. Clear oversight and a monitoring programs are important to ensure the sponsor and recipients are meeting their responsibilities.

Ms. Barbieri continued with next steps. Phase 1 is Information Gathering which would take place through February 2021 and include interviews. Phase 2 would be Develop Community Benefits Program Framework and would take place through December 2021. Phase 3 is Complete Benefit Identification and Finalize Program. Phase 4 is Implementation and Oversight.

Information Gathering would include interviews with Delta stakeholders and stakeholder groups to introduce the proposed Community Benefit Program concept and solicit initial feedback. These programs require communities to be clear on what they need and the long-term benefits that can be derived. Local planning organizations can often serve that function to work with citizens to develop long term plans. Input is needed on how to navigate the current Delta community structure and identify methods to work collaboratively with the community to develop the program and stakeholder identification.

Included in the Framework Document could be benefit categories and goals, tenets and stakeholders, objectives for each benefit category, and process design. The community engagement approach would be to first conduct interviews with community members and community groups. The thought is that the SEC would also be interviewed as one of several groups but could be done as individuals. These would all be documented and published for transparency.

Public workshops would come next. These would be a space to review the interview results, present draft language, and solicit public input. DWR would then use the interviews/workshops to prepare the Draft Framework. The current thought is that it would be included as an appendix to the DEIR.

Ms. Buckman closed the presentation with the core commitments. These include:

1. Transparent – Open process to collaborate effectively.
2. Constructive – Participation in good faith with the community to create a positive legacy.
3. Inclusive – Broad stakeholder participation to expand capture of voices.
4. Fair – Benefits related to localized nature of effects.
5. Unconditional – Community benefits are not dependent on support for the project.

Chair Palmer pointed out that it makes sense for DWR to include the SEC in this process because they know so much and have been so involved thus far. She expressed hope that the SEC will be open to participating.

Ms. Martinez provided some talking points for structure of the conversation including: do you understand the concept? Do you have any thoughts about how the SEC fits into the Framework development process? Do you have recommendations for who to interview? She reiterated that this discussion is focused on a potential framework, not what the benefits themselves will be.

Ms. Moreno asked if there are any community benefits examples that take place in a rural area? The examples in the presentation don't outline how a project of this scale would affect an area like the Delta. How did the programs work? Things like job training and such, when would that take place? There are a lot of agricultural jobs in the Delta. How would businesses function with traffic and such? It would bring more comfort if these types of issues were addressed.

Ms. Barbieri said the case studies were just a few examples, more so of the overall process. There surely are many more that the team could provide. Keep in mind, with the community benefits program, the idea is to acknowledge that a major project like this has an effect on the community, but benefits can also accrue to the community. The community needs to have a way to provide input though. These are great questions that would come out of the process that is developed. Right now, it is conceptual and needs to be organized to eventually get to those types of questions along the way.

Ms. Swenson said after researching other projects in California that DWR has participated in with community benefits programs, the one in Diamond Lake stood out. It's located in Hemet and was the largest earthwork project in the US at that time. DWR conducted this same process but a majority of the promises made were never completed. A majority of the community members there aren't satisfied. How can DWR be restructured to ensure that they are responsible for these projects and carry out what they promise to these communities? These examples hold opposition and problems that the community is left with. It seems like this project is promising the community what the Delta was supposed to get with the Delta Reform Act of 2009. Operations are an ongoing negative effect on the communities, and they have no say in how the project is operated or mitigated.

Ms. Barrigan-Parrilla said in terms of the way the community benefits process has been designed, putting together the plan makes sense. The transparency is good. The SEC fits into the framework because people here represent different constituencies. Interviews could be done with small groups that deserve a voice in the process. The initial framework needs some more work from the DSC. Vulnerability also needs to be part of the discussion. There needs to be protection around the community for flood threat. There will ultimately be water quality implications as a result of the project so DWR should begin talking with the community about mitigation for the project. The community needs to be engaged with the negative impacts that could occur. The framework is right. There aren't enough of those community benefits elements yet though.

Ms. Barbieri said one of the other things DWR has been working on is an outreach plan for the next 18 months. This acknowledges that the SEC has narrow focus, so this includes other topics that the community outreach needs to focus on in order to be successful. Hopefully by next year the team will give a solid outline for what DWR will do about outreach.

Ms. Barrigan-Parrilla added that there is a lot of uncertainty for a community regarding the vulnerability assessment and water district votes. The whole thing needs to be a package. With that much change, the vision needs to be articulated with solutions.

Ms. Giacomini said having dealt with hundreds of stakeholders in the Delta, there is a lot of negative input from the community. There are people with six-figure incomes who are

supportive of the project, but there are also Delta community members who will be struggling with this project so when they reach out, they need to be heard for a successful project.

Mr. Cosio said there are some issues that may come up as community benefits that are actually requirements with mitigation. Hopefully those get sorted out. Are there cost estimates? This is a big project.

Ms. Buckman said in terms of mitigation, DWR will be working on that as part of the environmental analysis. It's a broad process trying to figure out the topics and objectives. By the time there are specifics, the team will have a broad idea of the process. This is looking at more of the effects not captured with an EIR. In terms of funding, not there yet. Work is being done in concepts and the process and not so much the specific dollar amount at this point. It varies widely.

Mr. Cosio asked is there a rule of thumb for how much money could be in this fund?

Ms. Buckman said there is not.

Mr. Gloski said the discussion has focused on the difference between mitigation and benefits; it's important to keep those separate. There was a lot of talk today about principles/mission statements and not so much the process and framework. This would include funding, project criteria, and how that is evaluated. This needs to be worked on. The discussion about maintenance is also important. For any of these benefits there needs to be discussion and budget for maintaining these items. Besides just monetary benefits, once the project would be done, there could be room for benefits to the actual Delta with what the project is able to deliver and its functionality.

Mr. Wirth said the environmental community is going to be looking at CEQA and NEPA. No matter how much money is available. The importance of the legacy will be a concern. As an example, maintaining the dairy industry is important. A plan that could allow the dairy industry to be more sustainable would be good. The agricultural community is a big part of this discussion and in need of benefits.

Mr. Wallace said for those that are in the Delta and have opposed the project, this community benefits process is a paradox. They're still opposed to this project but if they don't engage in this process, they may get nothing to benefit their community. He pointed out that anyone who chose not to participate in the process due to concerns of DWR transparency, forfeited an opportunity. The term "grassroots" should be used instead of "community." Moving forward, it's important to look at existing organizations, such as the Delta Protection Commission and Delta Stewardship Council only as technical experts, not as participants or signees to the contract that would ultimately come out of the community benefits agreement. The community benefit agreement is a signed contract. There are no guardrails, and the process doesn't have to be fit into a box. Think of it open-mindedly, or it will not go well. It has to go to grassroots. He suggested that it not be the same organizations, counties, etc. that are usually dealt with. There are lots of opportunities for small grassroots organizations to be formed or represented that aren't currently. Community benefits agreements are not a new process. He hopes they can find a way to move forward with this.

Mr. Cox said that fishermen are anxious to be heard, they want to be heard, and they are deserving of benefits. Fishermen have felt they are being ignored from this process. Hope they are included.

Ms. Barbieri said the team absolutely wants to include all of the stakeholders that want to be included in this process.

Mr. Cox said money comes from water contracts, where would money come from that pays from community benefits? Is it the end-user?

Ms. Buckman said the funding would be part of the whole construction funding so it would come from water agencies.

Mr. Moran suggested to really clarify what mitigation is and what is community benefits. The Davis-Dolwig Act and funding need to be separate and clear. He supports ongoing funding because more will be needed for maintenance and such. Staffing needs to be stated as well, so that the money isn't just for road repairs, etc., on an ongoing basis for a long period of time. Some type of an ongoing per user fund turns into a big amount of money with the scale of this project and wipes out concern for schools. Scale is really important. Really bringing forth to people in these meetings why this is still being done. The public hearings have been the team coming to propose a tunnel while the community is coming to oppose a tunnel. How do we get past that? The idea of sharing the vulnerability studies is good to give a better understanding and reasoning behind decisions. That upfront education rollout is going to be critical. The SEC has good members who will help with that.

Ms. Barrigan-Parilla said there are grassroots categories. There are rural groups that will live with construction changes and people who will live with long term secondary impacts due to water quality of air pollution. It's not an urban community thing, it's an everyone thing. The AB 617 process is very good, it has people that represent organizations and then there are people that are just community members dealing with the impacts. AB 617 is for environmental justice communities and the participants receive stipends. That is a good idea. Dealing with people in the community are a gateway. Also avoids being taken over by politics.

Mr. Hsia said at the last meeting held with the Delta Protection Commission, they talked about the Sustainability Plan and the next five years. The marina industry in the Delta was high hit, so the benefit needs to improve the marinas. How is it perceived that the money is being used to help out private industries? Is it acceptable?

Ms. Barbieri said it's all on the table, having looked at other programs. It's also part of the community and a result of vetting different projects that come up. Once that step has arrived, it will be discussed. There would also need to be metrics, accountability and follow-through on how funds are used. There would be specific goals and timeframes. However, that organization is set up to vet and monitor, that would be part of the agreement.

Ms. Parvizi said for example, if the community needed help with something, to do that it would be giving money to private entities, but it would indirectly benefit the community as well. It will lift other areas in the community.

Ms. Moreno asked how will this process be diversified? There have been translations to Spanish, but some people weren't aware of this so how can we ensure that we get their voices as well? Will there be a translator?

Ms. Parvizi said absolutely. That is done as much as possible. It wasn't mentioned so thank you for the reminder and it will be brought up.

Ms. Moreno mentioned she hasn't seen a reference for people on the DCA website. She hasn't seen a way to get translated maps to people.

Ms. Parvizi said the new website can be translated but the issue is with PDF documents. The response to most state agencies is they just got rid of the back haul of material because they couldn't afford all the translations. The materials can be translated. If anything needs translating, please reach out. The team is aware. It gets tricky with DCA's requirements since it's not a state agency. Very few people took the survey in Spanish or Tagalog, so it's also a process of figuring out where to focus.

Ms. Moreno added that a lot of the materials are being requested in Spanish and this would be helpful to get to residents, so they know what's going on.

Ms. Parvizi said a translator can be organized for a presentation in groups.

Ms. Giacomini expressed concern about bridging the gap between the people against the project and winning them over to the efforts of good faith from the project team. Alternatives that are less destructive should probably be explored because more people would get on board. Consider the constructive element.

Ms. Swenson asked when does the project and money kick in for the community benefit fund? After the project, in years, or immediately?

Ms. Buckman said the detailed timing is still part of the process. The funding would not be available until the start of the project is approved. DWR is looking for feedback on whether the community prefers a large block of funding or disbursing smaller amounts over a longer time.

Dr. Lytle said it's an interesting proposal in the sense of community benefit. There was an effort by Secretary Crowfoot months back to gather stakeholders in the Delta to start a process that included discussion about how the project may impact as it's being developed but this faded. Is this a new process? There is a vast area between support and opposition, the City of Stockton opposes this project still. It's important to understand the intent. There is a division between regulatory mitigation efforts and a community benefits program even after construction is over. There has to be a way to better define how this will work. For this to be successful, need to identify those who are/could be in support but also those who oppose because this is a longstanding issue in the Delta. There needs to be change, which is critical to a process like this to be successful.

Ms. Barbieri said one of the slides that Ms. Buckman presented with core commitments laid out that community benefits are not dependent on support for the project. The goal is not to pull

support but just engaging in the community benefits. Participation in the discussion doesn't pull away from any disapproval to the project.

Ms. Buckman added that it is a core commitment from their end. This will continue to be a concern.

4c. Public comment on item 4

Ms. Osha Meserve representing the Local Agencies of the North Delta noted that the project implementation is one of the phases that can be looked at with respect to community benefits. One of the big concerns with the project is the long-term effects of water quality in the Delta. Looking at past versions of the project with respect to water quality, proponents generally stated that if the project complies with D1641 it does not constitute a significant effect. In trying to understand the operational scenarios last time, there were changes in salinity that would make it more difficult to grow crops in the Delta. Most of the farmers do not consider D1641 equivalent to better water quality for sufficient use. An attempt to address that could be to include the Delta interests. There are cities that are concerned with water quality. They should have a role in the operation of project. The South Delta has an adaptive management which includes contractors, the state, the fed, and fisheries to participate. The cities are impacted by the operation of the project. A role for this is necessary because otherwise the exporters will take what they want and the Delta is left with the impact of that.

5. DCA UPDATE: STAFF PRESENTATION & COMMITTEE DISCUSSION

5a. Bethany Complex

Mr. Ryan began his presentation with updates for the Bethany Alternative. To review, the Bethany Alternative uses the same alignment as the Eastern Alignment up to Lower Robert Island Shaft, at this point the shaft becomes a double launch shaft. Two additional maintenance shafts would be needed, Upper Jones Maintenance Shaft and Union Island Maintenance Shaft. The tunnel reach from Lower Roberts extends to the Pumping Plant complex near the existing Central Valley Project facilities just south of Byron Highway. He noted that the Lower Roberts Island is the drive shaft in this alternative. The Bethany Alternative has two drive shafts, Twin Cities and Lower Roberts, and they are both doubles, meaning they drive in both directions. The pumping plant diverts the tunnel flow and pumps it up to a discharge structure along the shore of Bethany Reservoir via 4 parallel pipelines.

Mr. Ryan explained the schematic of the system configuration for the reception shaft. This one is key because it is inside the surge basin. The reception shaft drive will be for the tunnel coming from Lower Roberts and it allows flow in a surge condition. This means when the project is flowing, and the pumping plant has some kind of an upset, the water would need to go somewhere, so it would come out of the shaft and into the surge basin to be let back in later.

The surge basin is right next to the pumping plant and flow will go into it from the tunnel, but the water from a surge overflow needs to be kept out of the tunnel because as the water swings in, it would swing back towards the intakes. This would result in less water to overflow

back upstream in a surge event. The project has been designed so that potential surges would be contained within the various facilities.

The pumping plant is a deep structure with the pumps themselves inside. The pumping plant building itself is not very big above grade, and there are support buildings around it. There are surge tanks for the flows that come from the downstream side of the pumps. During a power surge, there is the flow coming from the tunnels and also the flow going up to Bethany Reservoir.

Mr. Ryan presented a graphic of the entire Bethany Complex. There is a blue line on the left of the graphic that is the tunnel alignment into the surge basin. The pumping plant will discharge into the aqueduct, shown in black, which is four pipes that will go to the discharge area shown at the bottom. The red lines are the permanent footprint and the yellow lines are the temporary footprint. The temporary footprint is mostly just support to build facilities. The Bethany facility would not be much different at completion than during construction, similar to the golf course project that Ms. Mallon shared earlier.

Zooming in on the tunnel, the tunnel comes into the surge basin on the left. The reception shaft has an underground tunnel connected to the pumping plant. The pumping plant would have pumps to lift water into the pipes. Each of the four pipes have surge tanks and valve banks. In the event the pumps were to fail, these tanks would feed the flow behind and up the hill. There is a new electrical switch yard for connection to the Tracy substation from WAPA. Some holes will be dug here and as much material as possible will be reused onsite. Since there isn't the footprint of the Southern Forebay, there actually aren't enough places where excess material would be needed. It would generally be piled on the side facing the Mountain House community.

The surge basin itself is about 30-40 feet deep. The surge basin shaft comes up and has a branch that goes into the pumping plant. There is a bridge reaching over the shaft to dewatering and access. There is no building over the top of the pumping plant because everything is underground. The elevation here is about 40. There are some canopy structures where people could work outside protected from the weather. There is also an electrical building and an equipment storage building. The storage building is a little taller because there are cranes in there to do work. The substation is located as shown. The surge tanks are only about 25 feet tall and would be screened from views from at least Mountain House by the excavation stockpiles.

The main part of the temporary construction area for the Bethany Aqueducts other than the main corridor is the CLSM Batch Plant for the soil cement that will be used for the pipe trench. There are various places to manage the excavations. The red area is the permanent footprint of the project.

The discharge structure has four 15-ft tunnels coming in. They are pretty deep because they have to be underneath the conservation area. There is a valley in this area and the tunnels need to be well beneath that. The shafts are bigger than the tunnels for construction needs. The flow would come through the pipes and up into the structure. The water level is about 2/3 the way up the walls. It basically comes into a pool and flows out with low velocity into the reservoir. In order to ensure that the structure is protected from erosion, an area will be

riprapped and a cofferdam will be built to dry it out to work there, but would later be removed. There will also be a silt curtain. The main purpose of the structure is the transition from the aqueducts into the reservoir. The other part is in the event that something happens on one of the pipelines, it has to be isolated on this end so that the lake doesn't go draining back through the pipeline. Isolation will also allow the aqueduct to be pumped out to go in and work on it.

There is some red lines for the staging area as well. This area is not necessary to maintain any feature, but the red lines surround a permanent impact footprint. The area will need to be graded so its contours would be changed.

The schedule for Bethany is similar to the others, working off a 13-year schedule. The early works will be done with roads and such being built, then the reception shaft, and the pumping plant has connections to the pumping plant and the surge basin. The pumping plant encompasses the entire remainder of the schedule while the aqueduct and discharge structure can be built at the same time. The surge shaft is built in years 3-4 but the TBM isn't removed until year 11-12.

Mr. Merlo said he's curious as to where this location is by Bethany, Mountain House, and Clifton Court Forebay. There were a lot of references to indigenous peoples living in the area from the 19th century. Before the Clifton Court Forebay was formed there had been studies done in the 1920-30s of indigenous peoples that had lived in that area, both oral histories and archeological studies. Is consultation being done with the North Valley Yokuts Tribe? This could be done with Katherine Perez who is a former Chairperson of the tribe or Andrew Galvan. Do you know what their input would be and have you thought about potential mitigation with these findings and the land. Where would artifacts go if there was a consultation?

Ms. Buckman said the team is consulting with tribes that have native resources in the area to identify tribal cultural resources. The specifics are confidential but the EIR will include general information (without specific locations) presented in aggregate.

Mr. Gloski asked for a pros and cons list of the Bethany Alternative approach and other alignment approaches. How did this alternative get started?

Mr. Ryan said it's a smaller footprint since a 900-acre forebay won't need to be built. It would be built directly up into Bethany Reservoir which results in flexibility. That is an advantage to Bethany. The existing system to Clifton Court is still dependent on Banks. The Bethany version of Delta Conveyance Project would not be dependent on Banks. It's a big feature. If either system ever needs to be rehabilitated, there is a built-in backup.

Ms. Buckman said the team is looking at tradeoffs in terms of environmental impacts. Without the Southern Forebay, there is the potential for fewer impacts. More analysis is needed.

Mr. Gloski said it sounds like the advantage is that there's a second pump to rely on.

Mr. Ryan said that is a big advantage, but it can only be used for the tunnel. A separate pumping plant would be necessary to feed the existing forebay and pumping plant, and someone could do that as a separate project.

Mr. Gloski said it's great for the redundancy and in the future, it would be great if this repeated pumping station can be used so that way you don't have to use the next station only.

Mr. Ryan said it can only be used for the tunnel. A separate pumping plant would be necessary to feed the existing forebay and pumping plant, and someone could do that as a separate project.

Mr. Gloski said in reference to a comment last week, there was an overhead powerline going from Highway 4 down and was cutting through parcels. Can you provide a map of these parcels because a lot of people would be interested in this?

Ms. Mann said next to the inlet is a marina called Rivers End Marina. It is very active in the community. Is there an overview of Byron Highway and Mountain House Rd? Concerned about the effects to the boaters going in and out. They are mostly ski boats which are less than 10,000-15,000 pounds so they get pushed around a little more in the water. The water flow due to the increase of the intakes while the water is pumping into the Bethany Aqueduct at the same time as the Delta-Mendota Canal is concerning.

Mr. Ryan said keep in mind that the water is coming from the intakes at the North Delta, which is no different than the other alternative. Other than the changes in operation from dual operations with a new North Delta Diversion, in a different pattern than it would today, operations in the south Delta are no different than the southern and eastern. The impacts to people using the waterway in the South Delta would be nearly identical.

Ms. Mann asked would it be coming through the 40-ft tunnel?

Mr. Ryan said all of the flow in Bethany is coming from the 40-ft tunnel.

Ms. Mann asked to be shown where the tunnel goes. The people in this area don't have an idea that this could be a possibility. Would it be underground?

Mr. Ryan said it's 150 feet deep but it's not underneath the marina. It crosses the Old River there and the Delta-Mendota Canal, but it'll be 100 feet down. The flow into the system is the same as the others.

Ms. Mann asked will more water be put in Bethany Reservoir? Will there be a proposed expansion of Bethany Reservoir? Concerned about water pumping in two different directions but the water storage remains the same.

Mr. Ryan said theoretically it's the same amount of water coming from a different direction. There is no expansion, it will be delivering the same flows as the California Aqueduct. The main reason storage is not needed is because there is no dependence on sharing the Banks Pumping Plant with the existing South Delta diversions. This is still dual conveyance but a step beyond the Banks Pumping Plant; the facility does not need to be shared with the existing facilities. It takes it one step further downstream. In order for the balance of flows, the operational storage is needed. Bethany isn't necessarily storage. It is very small storage. The flow is essentially being pumped in the same direction.

Ms. Mallon said they can follow up and show some more detailed diagrams.

Ms. Mann asked is it correct that Bethany Reservoir is encased by the valley? What is the seismic activity? Hoping it's more stringent.

Mr. Ryan said Bethany has dams on the downstream side. There are all kinds of seismic criteria, probably more today than when the reservoir was built. The amount of water stored, nor the dams will be changed.

Ms. Mann asked do you have to beef up Bethany Reservoir dam for this project? When was the dam built? Was it the same people who built Oroville?

Mr. Ryan said no, the dam doesn't have to be touched. It was probably built with the rest of the project in the 1960s. Highly doubt it was built by the same people but not sure.

5b. Bethany Alternative Traffic Analysis

Mr. Hubbard presented on the Bethany Alternative Traffic Analysis. He reminded that this is not a CEQA EIR analysis. It is a planning study being done as part of the engineering work to identify the footprint of the project.

He reminded that the traffic is analyzed using Level of Service (LOS) and a grading level A-F. Levels A-C are good flows and allow traffic to move at the posted speed limit. Levels D through F have increasing levels of restriction from other traffic and make it harder to speed up and move around. LOS D is very common on urban roads that can be encountered on a normal day.

Most of the counties in the Central Valley have a LOS D target, including Sacramento and San Joaquin counties. Under existing conditions, that is already not being achieved. I-5 and I-205 see LOS F during peak periods of the day. SR-4 is LOS E during some points of the day. Byron Hwy is LOS E during some points of the day and LOS F during peak hours.

There are two parts to thresholds for remedial action. Construction traffic needs to create a LOS worse than the target LOS and the project's traffic is 10% or more of the total traffic volume. If both of these conditions exist, remedial action must be taken to make the traffic flow better. The target LOS is C for local roads, D for major commute routes (SR-4, SR-12, and Byron Hwy), and LOS D for any new roads built for the project. Note: this is similar to the LOS goals in San Joaquin and Sacramento Counties but with consideration of the project's traffic in relation to existing traffic (10% threshold).

The Bethany alignment has four main sites involved. At the north is the Lower Roberts Island Launch Shaft which will see much construction work at the beginning since it is a launch shaft. Then are the Upper Jones and Union Island Maintenance Shafts. These are relatively small, minor construction sites. At the south is the Bethany Reservoir Pumping Plant, Surge Basin, and Reception Shaft, which will collectively be referred to as the Bethany Complex.

The road serving Lower Roberts and Upper Jones is SR-4. Two sections were analyzed, one is close to the City of Stockton and the other is to the west of Bacon Island Rd. There is some traffic that will be coming up from the south on Tracy Blvd.

There is a big spike early on in the schedule when work is being done on Lower Roberts Rd. to build in the rail access. All traffic studies are done based on the peak month. The worst possible effect from the project is what will be shown.

Mr. Hubbard presented bar graphs for traffic conditions. The vertical axis is the traffic volume in Passenger Car Equivalents (PCEs). For reference, a car is one PCE and a truck is three. The horizontal axis is the time of day, starting at 6am and ending at 5pm. The blue bars are the volume of background traffic; traffic that would occur even without the project. The darker grey represents the truck volumes for the project and the lighter grey represents car volumes from workers going to and from the sites. The LOS is color coded with green being LOS A-C, yellow being LOS D, red being LOS E, and LOS F above that.

Beginning with the traffic conditions for SR-4 west of I-5, this area is already at LOS E for some periods of the day. This particular area is when SR-4 goes from a 4-lane road to a 2-lane bridge. The project would temporarily add 16% to the total so remedial action would be taken. In this case, it would be a park-and-ride shuttle in Stockton to take workers to the site. The result would be adding only 6% of traffic from the project and LOS would remain in E.

The background traffic for SR-4 west of Bacon Island Rd. is LOS D because project traffic would be minor. The target LOS is maintained.

For Tracy Blvd. between SR-4 and Clifton Court Rd., LOS would be C or better even with the addition of project traffic. Project traffic would be minor in relation to background traffic.

The peak month for Lower Roberts, Upper Jones, and Union Island, affecting Tracy Blvd. would be January 2027. For Tracy Blvd. between I-205 and Clifton Court Rd., project traffic would be significant in relation to background traffic, but LOS would be C or better even with the addition of project traffic.

For the Bethany Complex, there are various paths that the project traffic would take to reach those sites. Traffic would go on I-205, then north on Mountain House Pkwy., west on Byron Rd., to a new interchange at Lindemann Rd., then on a haul route to the site. Another route would be I-205, up Mountain House Pkwy to Grant Line Rd., through a roundabout to Mountain House Rd. to get to the Reservoir or shaft sites. The third route is from the west, coming from I-580 to Grant Line Rd., through the roundabout, and north on Mountain House Rd.

One of the main complications is Byron Hwy since it is already very congested for the majority of the day. The developer of that northeast quadrant, however, is widening the road from a two-lane undivided to a four-lane divided with turn pockets, allowing for a high capacity. They are only doing their frontage and a bit more, so DCA proposes to continue the expansion to the new Lindemann Interchange. The four-lane section would allow for a lot of capacity and good traffic conditions for both the project and background traffic.

Due to several different construction works at Bethany Complex, there are a couple different traffic peaks. The analysis was done for September 2033 since it would have the highest

combination of project and background traffic. Other alternatives had up to 21,000 truck trips in the peak month, but Bethany, with peaks at about 6,000, has much less problems to solve with regard to traffic because not as much is going to the sites and there are several routes to take.

The Lindemann Interchange allows project traffic to turn left without disrupting traffic. There is also a haul road there that would only be for construction traffic. This interchange would allow more capacity on Byron Hwy.

Where Mountain House Rd. and West Grant Line Rd. meet, there is currently a stop-controlled intersection that gets a lot of traffic. DCA proposes to replace and the left turns that make the stop signs necessary with a roundabout. This would allow the project traffic to get to Mountain House Rd. without having to go through the community at all.

The other road change being proposed is a bypass of Mountain House School. There isn't a lot of parking there and the school is very close to the road so having truck traffic go through here at a time when children might be crossing creates a safety issue. Existing traffic would continue to use the road, but the project traffic would use the bypass.

Without widening Byron Hwy between Lindemann Rd. and Mountain House Pkwy., existing traffic would be a LOS F during peak periods of the day and E during midday, so additional project traffic would be a big problem. With the widening with turn pockets, the traffic wouldn't change but the capacity would. The LOS would be C or better at all times of the day.

For Mountain House Pkwy. Between I-205 and West Grant Line Rd., LOS would be C or better even with the addition of project traffic. Nothing is needed here.

For Mountain House Pkwy. between Byron Hwy. and Arnaudo Blvd., LOS would be C or better even with the addition of project traffic. Nothing is needed here.

For West Grant Line Rd. between Mountain House Pkwy. and Mountain House Rd., LOS would be C or better even with the addition of project traffic. There is some more traffic later in the day due to cars avoiding the freeway, but project traffic would be minor in relation to background traffic.

On the other side of West Grant Line Rd. between I-580 and Mountain House Rd. going towards the roundabout, much more traffic is being added. The roundabout is expected to result in better operation so although project traffic would be significant in relation to background traffic, LOS would be C or better even with the addition of project traffic.

Mountain House Rd. between Bethany Reservoir and West Grant Line Rd., from the roundabout towards the school, there is not much existing traffic. Project traffic would be significant in relation to background traffic, but LOS would be C or better even with the addition of project traffic.

The final traffic conclusions for the Bethany Alternative are that the project would worsen traffic operations to an unacceptable level at two locations. The first is at SR-4 at the Swing Bridge where it's two-lane and traffic is near capacity. Project traffic would push it to LOS F. The

solution is to capture worker trips with a park-n-ride lot in Stockton to eliminate this problem. The second is Byron Hwy is already heavily congested, and project traffic to the Bethany Reservoir site would exacerbate the problem if no improvements are made to the road. Extending the current widening work to the proposed Lindemann Interchange would enable to project traffic to use this section while maintaining a good LOS. The Plus Project LOS on the other roads serving the Bethany Reservoir would meet the LOS target without capacity improvements.

Ms. Giacomini said regarding Bethany, when was the last seismic analysis done?

Mr. Ryan said they'll get back with that information and put it on the matrix.

Ms. Giacomini asked what kind of arrangement is there in this area with CHP and medical support? It's quite a way from a hospital.

Mr. Ryan said the team has evaluated the distance and this site is good, but there will be first responders and staff on the site. That burden will not be added locally.

Mr. Wirth asked for the Byron Highway road widening, how was induced demand done?

Mr. Hubbard said they believe it would be limited because there are two-lane sections on both sides. If you're just creating one 4-lane section and it's not controlling the total amount of traffic the facility would use, it wouldn't have induced demand effect. The widening would just be extended a bit further.

Mr. Moran said it seemed like the assumption is that the bulk of traffic will be coming from Stockton. Is that correct?

Mr. Hubbard said there may be traffic going to the northern site which is Lower Roberts Launch Shaft, that would be coming from I-5, whether it's Sacramento, Stockton, etc. From the south side, workers would be coming from the Bay Area.

Ms. Swenson said it's her understanding that the governor wants everyone to go all electric in the lifetime of this project so is that the intention here as well? She's worried about the air quality. Can you describe outreach to Mountain House community to install these roundabouts and widening? She's worried that they're unaware.

Mr. Hubbard said the team doesn't have any control over worker vehicles but when it comes to shuttle vehicles, there could be the option to make them EV.

Ms. Buckman said this was discussed last month as well. If an electric version of a construction-related vehicle currently exists, we are requiring use of that vehicle during construction. But we are not assuming that new options will become available.

Ms. Parvizi as soon as the Bethany Alternative came about, they started reaching out to Mountain House. They have monthly board meetings. Mr. Ryan walked them through. The team can also present to their Board. There have been changes to the county election-wise,

when that gets settled, we'll be reaching out again. That was a first round of outreach just for initial understanding.

Ms. Swenson said asked will there be land that will be taken or bought out because of widening roadways?

Ms. Parvizi said they are unsure at this point, not for the preliminary discussion. There is a process. Folks that are willing and able would be the goal when it comes to land acquisition. There is still no project, it's a conversation that will come after. The best than can be done now is inform folks about the process and get them involved. This community will probably be much more interested now but has some catching up to do. This will also be on us to ensure it happens.

Ms. Swenson asked would you consider bringing on a representative from Mountain House like we did with Hood so that they hear all of this information and have a voice here?

Ms. Parvizi said yes, that's a good idea. Regarding Hood, they will be impacted regardless of the alternative. We'll discuss about Mountain House. Information needs to go out, and once Bethany is done, that changes. It is worth discussing.

Ms. Mann said many people really dislike the state route for the swing bridge on Highway-4, especially truck drivers of diesel rigs. Only one diesel truck can go across that bridge at a time and everyone else has to wait.

Mr. Ryan said there are no plans for trucks there, that's why South Tracy Boulevard was shown.

Ms. Mann asked if the traffic would come in from Stockton to Byron Highway then south to the construction site? Would Mountain House Pkwy be widened as well?

Mr. Hubbard said the orange arrows on the map are the three routes. One comes up from the south on Mountain House Pkwy to Byron Hwy, then over to the new Lindemann Interchange. From there it goes on to some haul roads, that are just for construction traffic. This is how the traffic would get there. They'll be coming in from the 205. We'll tell them to do it but they would self-select anyways because it's unlikely that anyone would want to take the two-lane route on Byron Hwy if there is an alternative. There are different projects that are widening it Mountain House Pkwy.

Ms. Mann said regarding the roundabout on Mountain House Road, from Brentwood and Discovery Bay and Byron, the traffic that doesn't want to deal with Vasco Rd takes that road. Going around the school does make more sense. Can roundabouts handle more traffic?

Mr. Hubbard said yes it can, especially with trucks because they don't have to decelerate and stop and then start up again. It's better for the environment as well because they don't have to stop and start.

5c. SEC Questions or Comments on November 5th Meeting Presentation

There were no questions or comments.

5d. Public Comment on Item 5

Ms. Meserve noted regarding the earlier part of the Bethany presentation, it seems like a long-term plan to not rely on the Delta and the Banks in the future. The current configuration is part of keeping the South Delta fresh for water users in that area. The Bethany Alternative seems to include not updating Banks in the long term. If that is the case, it should be part of the analysis, including the water quality degradation. The DWR should be transparent on this issue. These are important concepts in CEQA. It's important to know what the whole project is and all that is required.

Deirdre DesJardin asked to observe the climate vulnerability analysis. Unless the levees are raised, 35% of the Delta is going to be at risk of flooding about 10 years after the project starts operating. You're showing so many visuals of tunnel shafts and I'm not seeing how you will access these if the levees fail. Adaptation to climate change is critical. With respect to Mr. Nejad, you have not clarified to local agencies what the actual input process is under Delta plan DPP2. They need to have way more than three minutes to make a public comment. These stakeholders are lay people who aren't completely aware and don't have expertise in these local impacts.

Ms. Parvizi clarified that people with different interests and expertise are welcomed. Other outreach is also conducted outside of the SEC. If it is helpful to have members from Mountain House be a part of these meetings, the SEC can help conduct that outreach. This is not the only time these members will have a voice.

Mr. Anush Nejad representing the Mountain House community stated that members of Mountain House are concerned about the traffic impacts especially on Grand House Road. Grand House Road is a major way that residents access the freeway. We are looking at either roundabout or traffic signal at the intersection of Mountain House Road. Ensure that whatever is proposed from the project matches these updates from Alameda County. Additionally, avoid additional traffic especially during peak hours. It's currently bumper to bumper as it is. The one lane roadway has minimal traffic analysis and is very crowded already. Consider additional widening to Byron Road. Make sure that any truck impacts are studied further and please coordinate with Alameda County.

6. FUTURE AGENDA ITEMS

Ms. Mallon stated the last of the Bethany updates as well as the geotechnical updates from the last couple of months will occur in the next meeting on January 27th, 2021. There will also be an update on the community benefits information gathering phase.

Chair Palmer noted it might be helpful to have a high-level reveal of the various Bethany Alternatives in a relatively simple format. Also, there will be an updated term glossary on the DCDA website. Any suggestions from the SEC members are welcomed.

7. NON-AGENDIZED SEC QUESTIONS OR COMMENTS

This is the time and place for SEC members to address the Committee on matters that are within the Committee's jurisdiction but that are not on the agenda.

Mr. Gloski said it would be great for the SEC members to be able to raise issues that we would like to discuss in the meetings. The meetings are packed with good information, but it would be helpful to be able to dive deeper into other topics that we are interested in. Topics could be about delivery of water to the South Delta and emergency operations.

Ms. Swenson said it makes it hard to prepare for these SEC meetings if the meeting materials are given to them 40 minutes before the meeting. Without time to review the materials beforehand, she felt behind the whole meeting. She would like to politely request the materials a little sooner so the SEC members can have it and to send out to the public as well. It creates for a better meeting and output.

Ms. Parvizi understands and is frustrated too. Sometimes the holdup could be as simple as an incorrect number in a graph. Maybe in the future the approach could be to keep materials as is and included a redacted page if there are certain elements that need to be updated or worked on.

Ms. Swenson said she doesn't want to miss public engagement because of this.

Mr. Hsia asked in case there is a slightly weak levee, whose responsibility is it to strengthen that levee?

Ms. Mallon said that answer will be posted in the Q&A matrix. There will be a follow-up to that.

Ms. Barrigan-Parrilla stated it is imperative that the members of the DCA do not misspeak on positions when working with the water districts. The DCA will lose the goodwill that you gain by working with the water community. It's for the good of everyone in the state. You cannot misrepresent other communities because of what one community wants.

8. PUBLIC COMMENT ON NON-AGENDIZED ITEMS

This is the time and place for members of the public to address the Committee on matters that are within the Committee's jurisdiction but that are not on the agenda. Speakers are limited to three minutes each; however, the Chair may limit this time when reasonable based on the circumstances. To provide public comment, complete the online public comment form at <https://tinyurl.com/dcapubliccomment-SEC> by 4:00 pm with their name, phone number or other identifier. As these items have not been agendized, the Committee is not legally able to discuss these items at this meeting unless a recognized exception applies.

There were no public comments.

9. NEXT MEETING: January 27th, 2021

Chair Palmer said the next DCA SEC meeting will be January 27th on RingCentral.

10. ADJOURNMENT

Chair Palmer adjourned at 6:24 P.M.



Memo

Item 4a

From: Best Best & Krieger LLP

Date: February 24, 2021 SEC Meeting

Subject: Social Media: AB 992, New Brown Act Restrictions on Both Elected and Appointed Members of Boards and Commissions

AB 992, effective January 1, 2021, addresses social media and the Brown Act. This is the first time that the Brown Act has addressed social media. **Under this new law, a member of a board or commission is prohibited from directly discussing agency business with any other board member on social media. As discussed below, this prohibition includes even giving another committee member's post a "thumbs up" or a "like."**

Background. As you know, the Brown Act prohibits a quorum (a majority) of any local legislative body, including the DCA Board of Directors and Stakeholder Engagement Committee (SEC), from discussing business outside of a meeting. Within this prohibition are "serial meetings" which occur when more than a quorum of the board forms a consensus outside of a meeting. However, less than a quorum of a board can meet, talk and communicate on agency business without violating the Brown Act. For example, if a board has five members, a quorum is three; two members are less than a quorum, and these two members may discuss any matter between themselves without violating the Brown Act. For DCA, the Board currently has four members, the quorum is three, so two members is "less than a quorum." The SEC has twenty members (excluding ex officio members); a quorum is eleven and ten is "less than a quorum." This rule continues for face-to-face and for email, phone and teleconferenced meetings that are less than the quorum of the board.

However, for social media, if a member posts a comment on social media related to the DCA or SEC-related business, no other SEC member may respond directly to that comment. Thus, any one SEC member directly responding will now be an express violation of the Brown Act. The new social media rules are much more stringent than the traditional Brown Act rules, which permit direct communication between or among members so long as it is among less than a quorum of the members.

AB 992 Prohibition: Direct communication with even one other member of a board on social media is prohibited.

AB 992 provides that "A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body."

“Discuss among themselves” includes communications made, posted or shared on social media and includes comments or use of digital icons that express reactions to communications. This prohibition includes a mere “like” or use of a digital icon such as an emoji.

Social media is defined as platforms that are “open and accessible to the public.” “Open and Accessible” means that the general public can access and participate, free of charge, without the approval of the platform, including any forum or chatroom, and the user cannot be blocked, except where the platform has determined that an individual has violated its protocols or rules. Social media platforms include Instagram, Facebook, TikTok, Reddit, Snapchat and Twitter.

The new rules affect commenting, retweeting, liking, disliking, use of emoji and/or screenshots and reposting.

What Is Permitted:

AB 992 expressly permits board members to engage “in separate conversations or communications” on social media to:

1. provide information to the public;
2. solicit information from the public; and
3. answer questions

So long as members of the SEC do not use social media to discuss among themselves a matter that is within the jurisdiction of the SEC, and there is no direct communication between members, as outlined above.

Questions:

1. Does AB 992 apply to other means of communication such as texting or emailing?

No. AB 992 only applies to social media platforms. However, emails or other means of communication may raise issues like serial meetings and release of emails under the public Records Act.

2. Can a SEC member still like a post from the DCA’s own Facebook page, Instagram post or tweet?

Yes. AB 992 does not prohibit a SEC member from liking or sharing the DCA’s post. However, if one SEC member shares and another SEC member gives a like this may be deemed a prohibited direct communication on social media. AB 992 does not expressly address this issue.

3. Can a SEC member retweet or share another SEC member’s post without comment?

Probably not. Typically sharing or retweeting shows support for the prior post and this may be seen as a direct communication that is prohibited under AB 992. In addition, if a majority of the members retweet or share, even without comment, this may also be seen as a majority of the board “discussing” among themselves a matter within the SEC’s jurisdiction and violates the serial meeting rules.

4. Can I post comments on my own Facebook page, or tweet my own comments?

Yes. However, you cannot use your own page to circumvent the “direct communication” prohibition. So whether a second posting close in time with the first posting violated AB 992 would become a question of fact based on the content of the posts and other relevant circumstances.

5. Can I use social media to discuss personal matters or share family pictures and the like?

Yes. The Brown Act, including AB 992, does not prohibit personal or social interactions. SEC members may still congratulate each other on personal matters, such as birthdays, milestones, etc.

6. How is AB 992 going to be enforced?

AB 992 does not add any new enforcement rules. Any violation is subject to the enforcement under the existing Brown Act enforcement provisions.



Aerial view looking south along Old River in the center is Fay Island, part of the Sacramento-San Joaquin River Delta in San Joaquin County, California. Photo taken March 08, 2019. Ken James / California Department of Water Resources

FEBRUARY 24, 2021

Stakeholder Engagement Committee Meeting

Meeting Agenda

1	Welcome/ Call To Order	5	Technical Updates and Committee Discussion
2	Roll Call		5a. DWR CEQA Status Update
3	Minutes Review: December 9, 2020 Regular SEC Meeting		5b. Bethany Alternative Wrap-up
4	DCA/SEC Housekeeping Updates		5c. Geotechnical Field Work Update
	4a. AB 992 Brown Act Amendment- Social Media Postings by SEC Members		5d. SEC Questions or Comments on December 9th Meeting Presentation
	4b. DCA Board Update		5e. Public Comment on Item 5
	4c. Public Comment on Item 4	6	DWR Updates & Committee Discussion
			6a. Community Benefits Program
			6b. Project Financing Overview
			6c. Public Comment on Item 6
		7	Future Agenda Items & Next Meeting
			7a. DWR Communications Plan 2021
		8	Non-Agendized SEC Questions or Comments
		9	Public Comment on Non-agendized Items

Item 3.

Minutes Review: *December 9, 2020* *Regular SEC Meeting*

Item 4.

DCA/SEC Housekeeping Updates

- ***AB 992 Brown Act Amendment***
- ***DCA Board Update***
- ***Public Comment***

An aerial photograph of a river and wetlands. The river flows from the top left towards the bottom right, curving around a large, flat, brownish-green island. The surrounding landscape is a mix of green fields and brownish wetlands. In the background, some industrial structures and a bridge are visible under a hazy sky.

Item 4a.

AB 992 Brown Act Amendment - Social Media Postings by SEC Members

Transparency Laws

The Ralph M. Brown Act

Applies to:

- Local agencies
- Legislative bodies
- Meetings
- Persons elected to legislative bodies, even prior to assuming office
- Certain private organizations



Transparency Laws:

The Brown Act - Serial Meetings

Serial Meetings

Use of:

- Direct communication
- Intermediaries
- Technology

*To develop a collective concurrence outside of a meeting is **expressly prohibited***

Emails

When e-mailing:

- Don't "reply to all"
- Do not take a position or make a commitment
- E-mail board/ council info only
- Take caution to ensure compliance with law

AB 992 - Brown Act and Use of Internet-Based Social Media Platforms

New Law Effective January 1, 2021

Addresses permitted and prohibited public official communications via social media

Permitted: A member of a legislative body may communicate with the public using an internet-based social media platform that is open and accessible to the public regarding a matter that is within the subject matter jurisdiction of the agency (“agency business”).

- **Ok to answer questions, provide information to the public, or to solicit information. Treat as a public forum –do not censor people.**
- **These communications could be subject to the Public Records Act.**

AB 992 - Brown Act and Use of Internet-Based Social Media Platforms

Prohibited communications via social media



A majority of the members may not use an internet-based social media platform to discuss agency business.




A member may not respond directly to any communication posted or shared by another member regarding agency business on an internet-based social media platform.

Includes: NO likes, thumbs up, emojis or other symbols

An aerial photograph of a river and surrounding wetlands. A large, semi-transparent purple rectangle is overlaid on the left side of the image, containing the word "Questions?".

Questions?



Item 4b.

DCA Board Update

Revised Joint Power Agreement

- Current and future DCA member agencies have voted on participation in the ongoing planning work for the Delta Conveyance Project
- These votes included decisions on:
 - (1) level of participation in DCP
 - (2) funding agreement with DWR for DCP, and
 - (3) approval of a revised DCA JPA
- 16 Member Agencies signed agreement
- Funding approved to support DCA and DWR during Planning Period

DCA is governed by and exists solely as a result of a Joint Power Agreement

DCA Board of Directors Representation

Original Board Composition

- Metropolitan Water District of Southern California (2)
- Kern County Water Agency (Vacant)
- Valley Water
- All Other Classes (2, 3, 7, 8)

Current Board Composition

- Metropolitan Water District of Southern California (1)
- Kern County Water Agency
- Valley Water
- Class 8 (2)
- Class 2
- Class 3, 7

Continuation of SEC Representation:
Sarah Palmer, SEC Chair
Barbara Keegan, SEC Vice Chair

Recent Board Activities

- ➔ **Member agency appointments finalized - end of January**
- ➔ **Special Session (Public) - Orientation Session February 3, 2021**
- ➔ **First Regularly Scheduled Board Meeting on February 18, 2021 (3rd Thursday)**

An aerial photograph of a large water body, possibly a reservoir or a wide river, with a prominent curved levee or dike. The surrounding landscape is a mix of green agricultural fields and some bare, brownish ground. In the distance, some industrial structures and a bridge are visible under a hazy sky. A semi-transparent dark purple rectangle is overlaid on the left side of the image, containing the word "Questions?".

Questions?

An aerial photograph of a river and wetlands. The river flows from the top left towards the bottom right, curving around a large, dark, marshy island. The surrounding landscape is a mix of green fields and brown, water-saturated ground. In the distance, some industrial structures and a bridge are visible under a hazy sky.

Item 4c.

Public Comment on Item 4

Item 5.

Technical Updates and Committee Discussion

- *DWR CEQA Status Update*
- *Bethany Alternative Wrap-Up*
- *Geotechnical Field Work Update*
- *SEC Questions or Comments on December 9th Meeting Presentation*

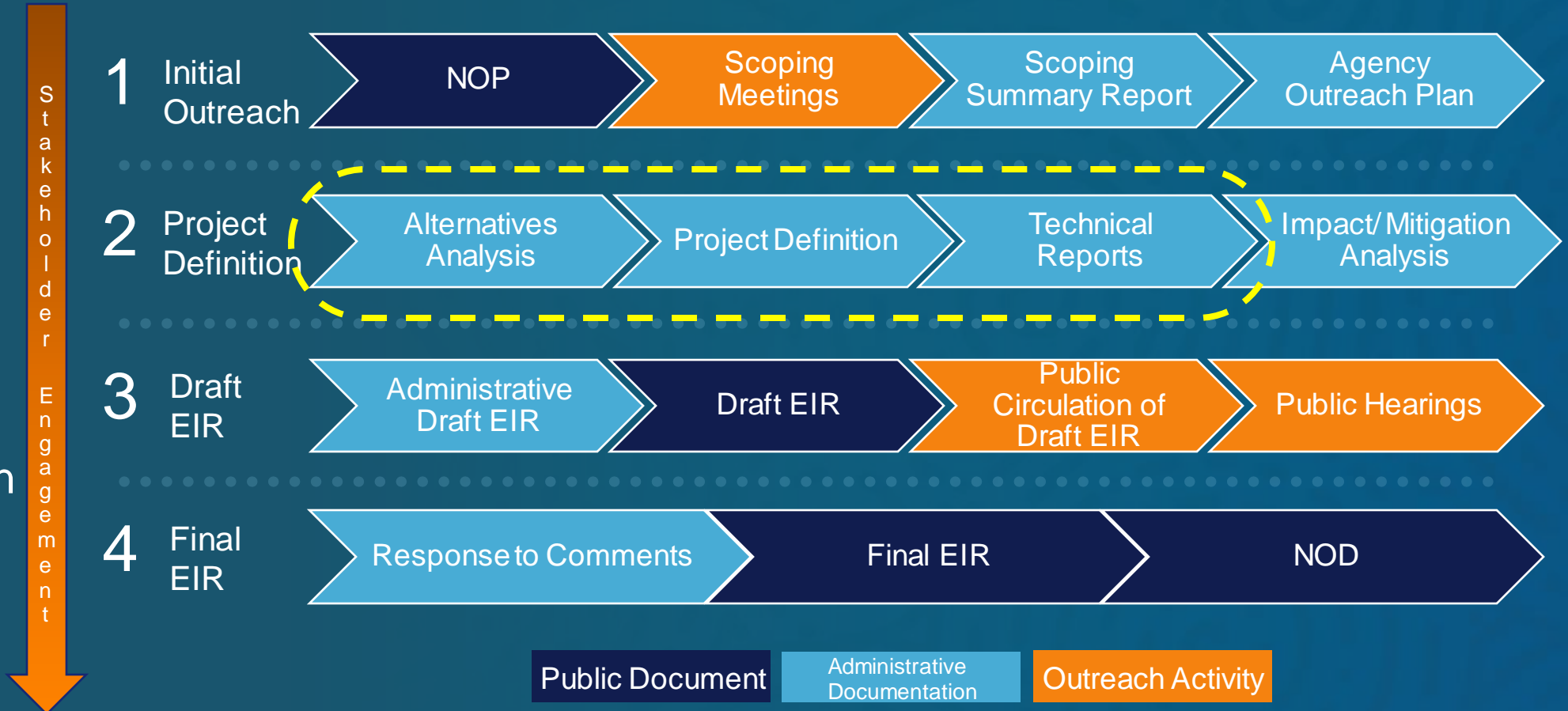
An aerial photograph of a river winding through a landscape of green fields and brownish wetlands. The river is a light blue-grey color. The surrounding land is a mix of vibrant green grass and darker, possibly flooded or marshy areas. In the distance, some industrial structures and a bridge are visible under a hazy sky.

Item 5a.

DWR CEQA Status Update

Environmental Review Process

Identify, analyze and disclose the potential significant adverse environmental impacts of a proposed project, and provide feasible mitigation measures and alternatives to avoid or reduce such effects.





Environmental Planning Update

- California Environmental Quality Act (CEQA): impact analysis methodology and technical studies
- National Environmental Policy Act (NEPA): United States Army Corps of Engineers proceeding to develop EIS
- Soil Investigations: field work season under Initial Study/Mitigated Negative Declaration has ended; investigations are scheduled to start again in April, with outreach regarding entry permissions in mid-March
- Environmental Justice Community Survey: survey closed in December and results will be compiled into a report

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Item 5b.

Bethany Alternative Wrap-Up

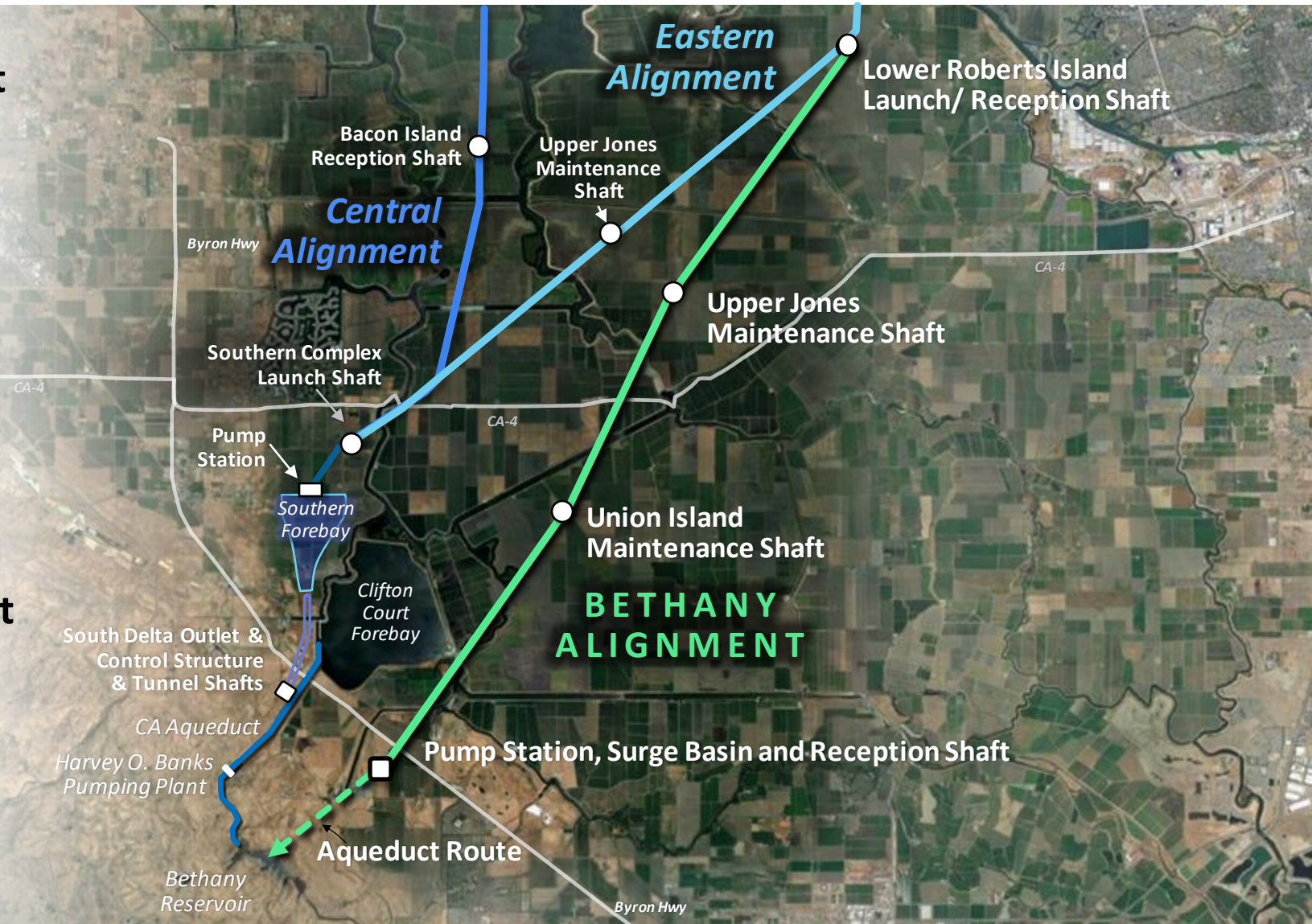
Bethany Alternative - Basics

- Uses the same alignment as the Eastern Alignment up to Lower Robert Island Shaft.
- Two additional maintenance shafts would be needed:
 - Upper Jones Maintenance Shaft
 - Union Island Maintenance Shaft
- The tunnel reach from Lower Roberts extends to the Bethany Complex located near the existing Central Valley Project facilities.
- The Bethany Complex Pumping Plant diverts flow up to a discharge structure along the shore of Bethany Reservoir.



Key Differences to East/Central Alignment

- Originates from Eastern Corridor at Lower Roberts Island Launch Shaft
- Pumping Plant delivers water directly up to Bethany Reservoir
- Eliminates Southern Complex Facilities including Forebay and connecting Hydraulic Control Structures to California Aqueduct
- Minimal use for RTM within Project (no Southern Forebay)



Bethany Complex - Pumping Plant and Surge Basin

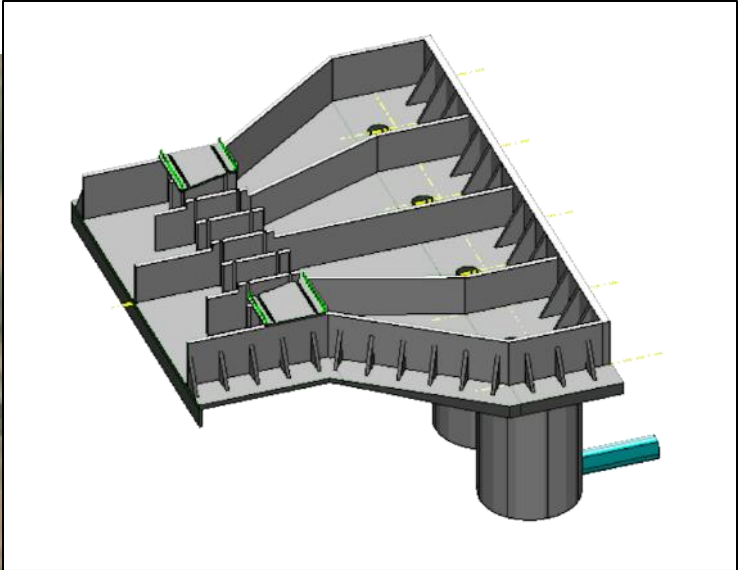


Bethany Complex - Aqueduct Route

- Avoids conflict with existing surface structures and conservation easements
- Alignment requires two tunneled sections:
 - Under federal aqueduct (Delta-Mendota Canal)
 - Under conservation easement along southern perimeter of Bethany Reservoir



Bethany Reservoir Discharge Structure



- Construction Area: 14 acres
- Final Project Area: 12 acres

KEY

- Construction area
- Final footprint

RTM Management Strategy

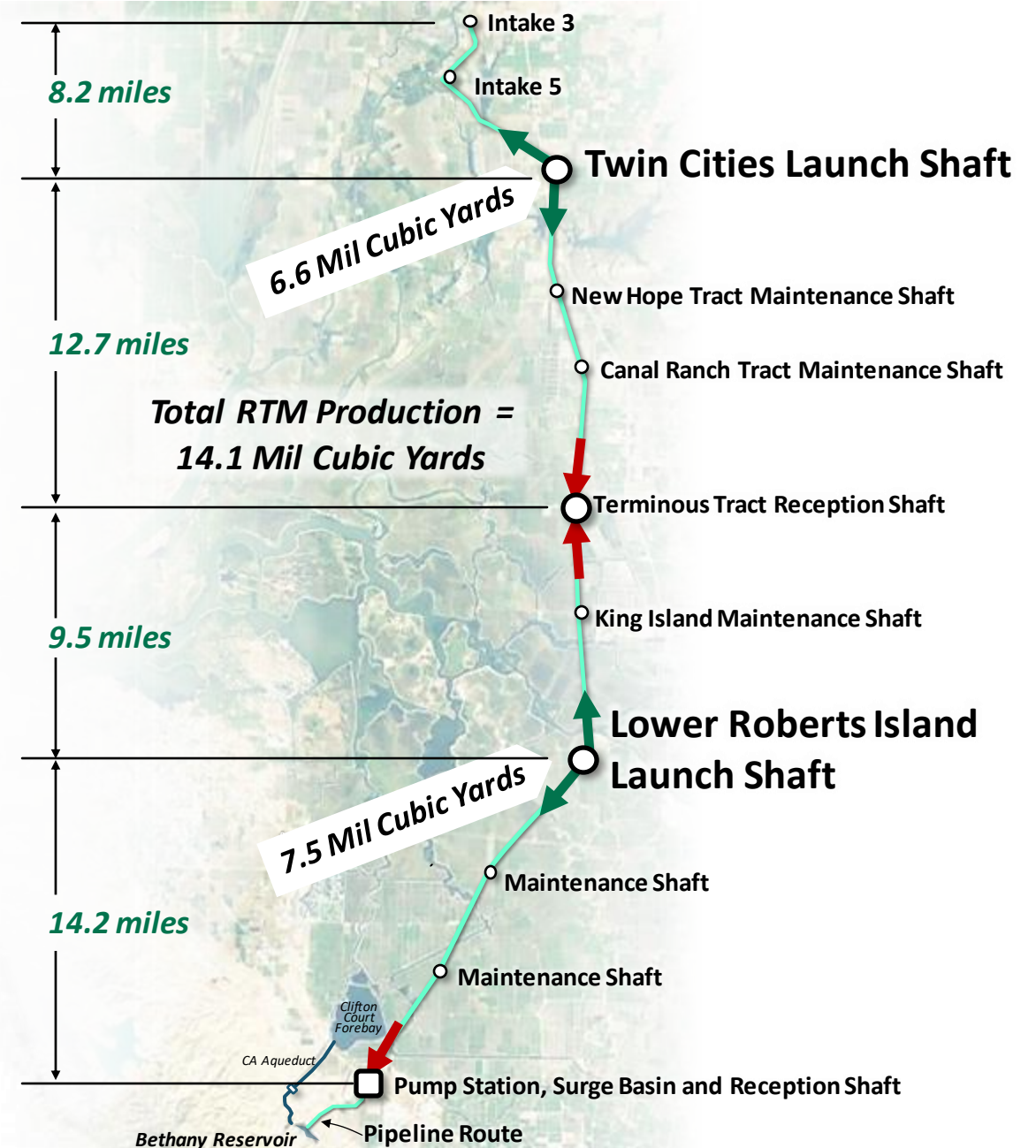
RTM is generated at Tunnel Launch Shaft Sites:

- Twin Cities – 6.6 Mil Cubic Yards
- Lower Roberts Island – 7.5 Mil Cubic Yards

There is NO Southern Forebay on the Bethany Alternative so no need to transport RTM from Twin Cities to Southern Facility Site

Two Options for Management

- Stockpile on-site
- Haul Off-site – Rail or Trucking



Proposed RTM Management Strategy



Option 1 - On-Site Stockpile

- Substantial reduction in truck traffic and associated air emissions and greenhouse gas emissions. Eliminates ~83Mil trucking miles.
- Material available for Delta Area Reclamation Districts for levee maintenance or other local beneficial uses; current estimate of levee repair needs ~13Mil CY
- On-site stockpiling gives time for industry to advance electrified hauling vehicle technology. Commercial vehicles will likely be available over next decade.
- *Aesthetic issue of on-site stockpiled material*
- *Significant land requirements for drying and stockpiling (~ 580 extra acres)*



Option 2 - Off-Site Disposal

- Substantially less construction and permanent area required at Twin Cities and Lower Roberts Tract sites
- *Adds significant truck traffic and associated air emissions and greenhouse gas (GHG) emissions along I-5 corridor and near Port of Stockton*
- *Material not available for local beneficial uses*

Bethany Alternative - Traffic Affects and Remediations

Bethany Alternative would worsen traffic to an unacceptable level at:

1. SR-4 at the Swing Bridge;

Remediation- Capturing worker trips with a park-n-ride lot in Stockton would eliminate this problem

2. Byron Highway

Remediation - Extending the planned current widening work to the proposed Lindemann Interchange would enable project traffic to use this section



Questions?

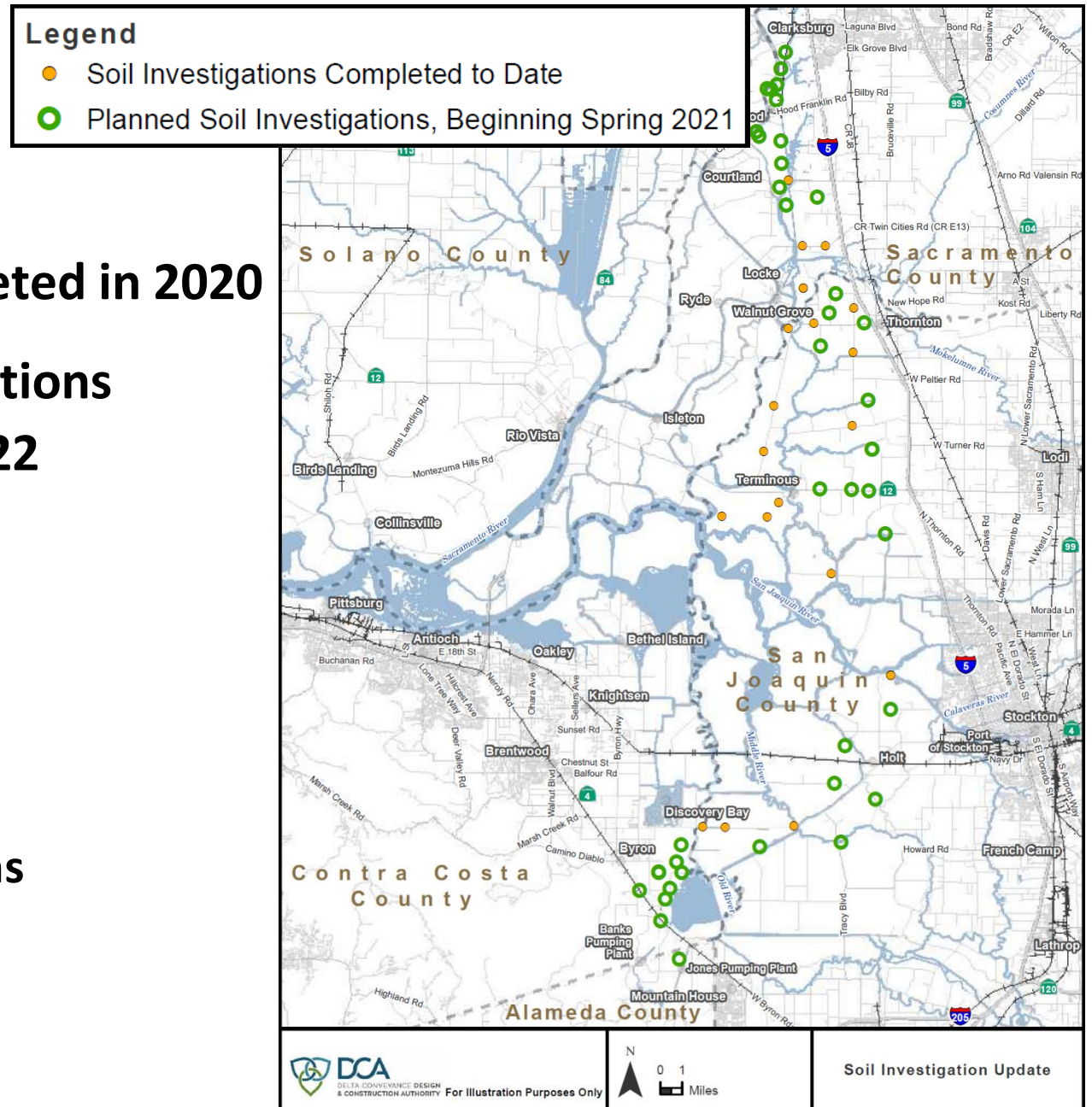
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Item 5c.

Geotechnical Field Work Update

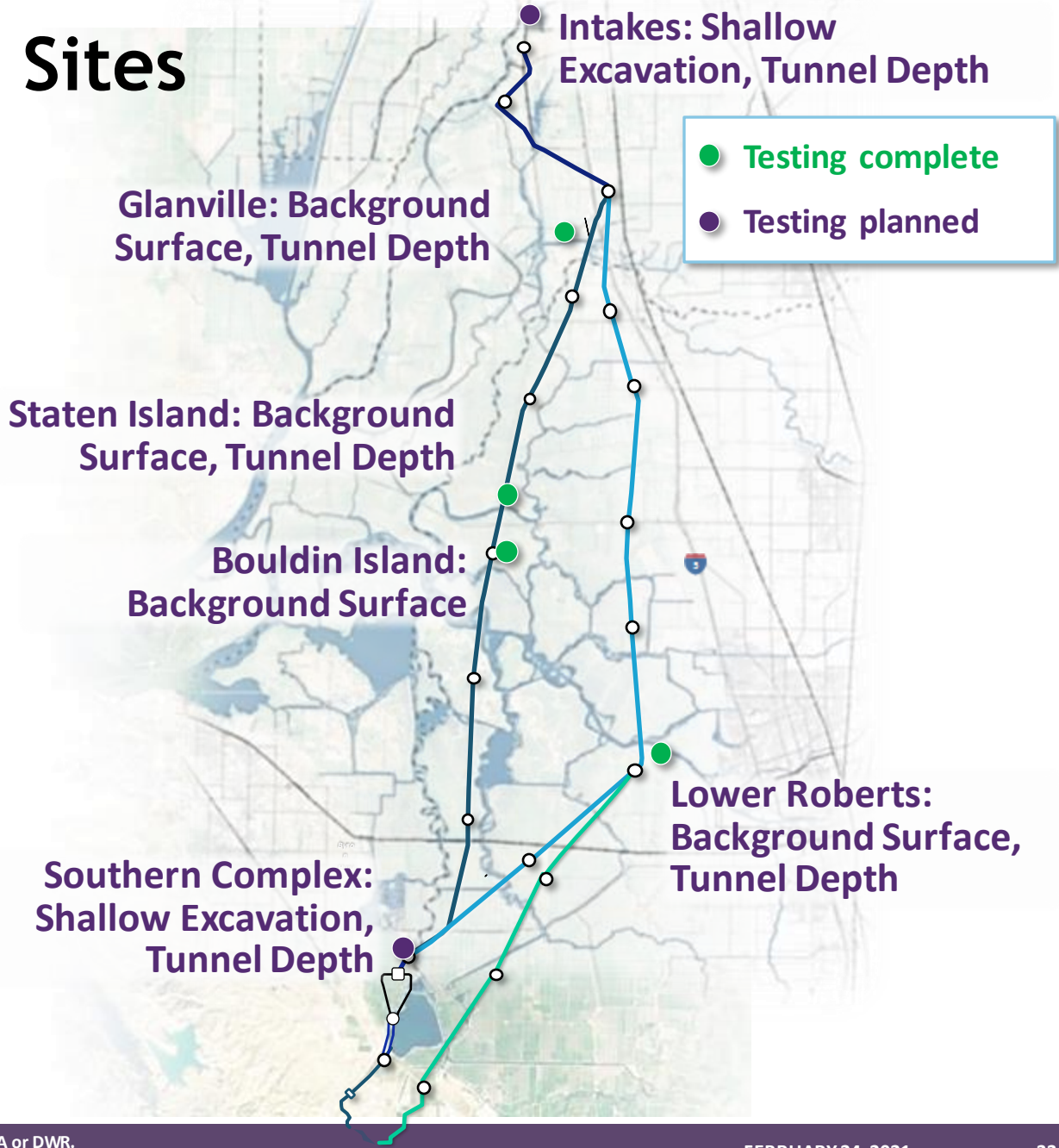
Completed and Planned Soil Explorations

- Twenty-one (21) soil explorations completed in 2020
- Approximately sixty-five (65) soil explorations planned to be completed in 2021 and 2022
- Challenges during field work
 - County Right-of-Way
 - Access due to weather
 - Challenging drilling conditions
 - Scheduling around agricultural operations



Year 1 Soils Environmental Test Sites

Sample Type	Location
Background (0 to 3 ft)	<ul style="list-style-type: none"> Glanville Staten Island Bouldin Island Lower Roberts
Shallow (0 to 10 ft)	<ul style="list-style-type: none"> Intakes Southern Complex – Byron Tract Glanville Staten Island Bouldin Island Lower Roberts
Tunnel Depth (115 to 160 ft)	<ul style="list-style-type: none"> Intakes Glanville Staten Island Lower Roberts Southern Complex – Byron Tract



2020 Soils Environmental Data - Preliminary Findings

- **Major Metals – all at Non-Detect or extremely low levels except for Arsenic.**
 - Arsenic found at expected background levels in the Delta
 - Methyl Mercury found in several shallow depth samples at trace level and well below levels of human or environmental health limits.
- **Other analytes (petroleum hydrocarbons, PAHs, and pesticides) – Mostly non-detectable.**
 - Random trace levels of common petroleum-based hydrocarbon compounds found at several shallow depth locations. All well below human and environmental health limits.

2020 Soils Environmental Test Results to Date

	Lower Roberts Island		Glanville Tract		Staten Island		Bouldin Island	Prior Results ²	CA Reference Limits ¹
Constituent	Shallow ³	Tunnel Depth ⁴	Shallow ³	Tunnel Depth ⁴	Shallow ³	Tunnel Depth ⁴	Shallow ³		
Arsenic [mg/kg] ⁵	5.45	3.04	5.41	4.61	13.2	4.53	7.84	<1.0 to 4.7	0.11 to 3.6
Cadmium [mg/kg]	ND	ND	ND	ND	ND	ND	ND	2.8 to 10	71 to 780
Hexavalent Chromium [mg/kg]	ND	ND	ND	ND	ND	ND	ND	N/A	0.30 to 62
Mercury [mg/kg]	ND	ND	ND	ND	ND	ND	ND	<0.01 to 0.045	13 to 190
Methyl Mercury [mg/kg]	ND	ND	ND	ND	0.0000575	ND	0.000245	N/A	7.8 to 66
TPH as Motor Oil [mg/kg]	101	ND	20.6	ND	106	ND	92.0	ND	2,400 to 18,000

ND: Not Detectable N/A: not available

¹ Reference values provided for the purpose of context ONLY. The range represents the Residential to Industrial land use limits based on the California Department of Toxic Substances Control (DTSC) Health and Ecological Risk Office (HERO) Note 3 (DTSC, 2020).

² California Department of Water Resources (DWR). 2010. Environmental Sampling Report – Phase I Geotechnical Investigations. Delta Habitat Conservation and Conveyance Program (DHCCP) Document Number: 31-05-181-001, Revision 0. June.

³ Averaged within upper 10 feet

⁴ Averaged near proposed tunnel depth

⁵ Average background value in CA is 3.5 mg/kg per University of California Kearny Foundation report, Background Concentrations of Trace and Major Elements in California Soils, March 1996.

An aerial photograph of a large water body, possibly a reservoir or a wide river, with a prominent curved levee or dike. The surrounding landscape is a mix of green fields and some industrial or developed areas in the distance. The image is partially obscured by a dark purple semi-transparent rectangle on the left side, which contains the word "Questions?".

Questions?

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Item 5d.

SEC Questions or Comments on December 9th Meeting Presentation

Agenda:

- ***Bethany Alternative - Bethany Complex***
- ***Bethany Alternative - Traffic Update***
- ***Introduction to Community Benefits Program***

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Item 5e.

Public Comment on Item 5

Item 6.

DWR Update & Committee Discussion

- ***Community Benefits Program Update***
- ***Public Financing Overview***

An aerial photograph of a coastal area. A large body of water is on the left, with a winding canal or waterway extending from it towards the right. The canal is bordered by a green grassy strip. To the right of the canal are green fields and some industrial structures in the distance. The sky is overcast.

Item 6a.

Community Benefits Program Update

Community Benefits Program Update

- ➔ **Setting up interviews**
- ➔ **Goal: conduct all interviews by end of February**
- ➔ **Initial planning for community workshops**
 - 3 virtual workshops
 - Can be organized by region, by interest area, by type of benefit –OR– use breakout rooms to cover all

Discussion Prompt:

The concept paper describes a fund to support community driven projects.

It also describes potential categories of benefits, including:

**Tribal, EJ/DAC, community culture/history, recreational, agricultural,
natural resources, economic/business**

- **Do you think these are the right benefit categories?**
- **Would you add/remove any benefit categories?**
- **Do you have any initial thoughts about broad objectives for each type of benefit category?**

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An aerial photograph of a river and surrounding wetlands. The river flows from the top left towards the bottom right, curving around a central island. The landscape is a mix of green fields, brownish wetlands, and some small ponds. A semi-transparent grey rectangular box is overlaid on the center of the image, containing contact information. Above this box, there is a horizontal bar with a gradient from dark purple to light blue.

***For more information contact Juliana Birkhoff at:
juliana@aginnovations.org***

An aerial photograph of a large water body, possibly a reservoir or a wide river, with a prominent curved levee or dike. The surrounding landscape is a mix of green fields and some industrial or developed areas in the distance. The image is slightly faded to serve as a background for the text.

Item 6b.

Project Financing Overview

Introduction to SWP Delta Conveyance Financing *Stakeholder Engagement Committee*

Chris Martin
Senior Attorney



Introduction

- The financial mechanisms described in this presentation are not unique to the proposed Delta Conveyance Facility.
- Therefore, to understand how a Delta Conveyance Facility would be financed one need only understand how other State Water Project (SWP) facilities are financed by the Department of Water Resources (Department).



Facilities of the State Water Project





What gets financed?

- The costs of running the SWP are divided into two categories:
 - Operations and Maintenance;
 - Capital.
- Only capital costs are financed with debt.
- The Central Valley Project (CVP) Act authorizes the Department to issue revenue bonds to fund the capital costs of environmental review, planning, and construction of SWP facilities.
- Investors purchase revenue bonds in return for the Department's promise to use SWP revenue to repay the investors with interest.





What is the Department's promise?

- Investors purchase revenue bonds in return for the Department's promise to use SWP revenue to repay the investors with interest.
- SWP revenue bonds issued by the Department are different from general obligation bonds issued by the State following voter approval.
- General obligation bonds are repaid by the State using State tax revenue and are backed by the “full faith and credit” of the State.
- In contrast, SWP revenue bonds are repaid with SWP revenue and are explicitly NOT backed by the State.





The Fine Print

Here's the “fine print” provided to potential investors for a recent Department revenue bond issuance:

THE BONDS ARE SPECIAL, LIMITED OBLIGATIONS OF THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES. **THE BONDS DO NOT CONSTITUTE A DEBT, LIABILITY, OR OBLIGATION OF THE STATE OF CALIFORNIA.** NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE STATE OF CALIFORNIA IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF, OR PREMIUM, IF ANY, OR INTEREST ON THE BONDS.





What is SWP revenue?

- Investors purchase revenue bonds in return for the Department's promise to use SWP revenue to repay the investors with interest.
- When local public water agencies (PWAs) pay their SWP bills, the money received by the Department is “SWP Revenue.”
- The water supply contracts between the Department and each of the 29 PWAs that receive SWP water supply represent the agreement of each agency to pay the Department in exchange for services provided by the SWP, including a share of the water made available from the SWP.





Where does PWA revenue come from?

- Each PWA is different.
- Each has a different “portfolio” of water supply resources, one of which is the SWP.
- To pay for their share of the SWP, PWAs use:
 - water rates,
 - local property taxes,
 - or a combination of the two.





Financing Delta Conveyance

- If a Delta conveyance project is approved, revenue bonds would be issued by the Department to raise capital for construction.
- Environmental review, planning and design costs may be also be financed by revenue bonds issued in the future.
- Participating PWAs would be billed for the financing costs and (eventually) O&M costs of the facility as part of their SWP bills according to applicable terms of their water supply contracts in effect at the time.





Validation

- Before revenue bonds can be issued to finance a Delta conveyance project, or the costs of environmental review, planning and design, the Department has asked a court to confirm its authority to issue bonds for a conveyance project by filing a special kind of lawsuit called a “validation action.”
- Receiving confirmation of the Department’s authority to issue revenue bonds for a potential Delta conveyance project is desirable because it provides certainty to potential investors.



Questions?



An aerial photograph of a river and wetlands. The river flows from the bottom left towards the top right, curving around a large, dark, marshy island. The surrounding landscape is a mix of green fields and brown, water-saturated ground. In the background, some industrial structures and a bridge are visible under a hazy sky.

Item 6c.

Public Comment on Item 6

Item 7.

Future Agenda Items & Next Meeting

Date: April 28, 2021; 3 to 6PM

Agenda Items*

- ***DCA Updates***
- ***DWR Communications Plan 2021***
- ***EJ Survey Summary***
- ***Community Benefits Update***

****(subject to change)***

Item 8.

Non-Agendized SEC Comments or Questions

Item 9.

Public Comment on Non-Agendized Items

An aerial photograph of a river and surrounding wetlands. The river flows from the bottom left towards the right, curving. The landscape is a mix of green fields, brownish wetlands, and some trees. A semi-transparent purple rectangle is overlaid on the left side of the image, containing the text "Thank you".

Thank you