

**DEPARTMENT OF WATER RESOURCES**

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May 2, 2019

Ms. Kathryn Mallon  
Executive Director  
Delta Conveyance Design and Construction Authority  
1121 L Street, Suite 1045  
Sacramento, California 95814

Subject: 19-08 DWR direction to DCA on activities supporting Delta conveyance project

Dear Ms. Mallon:

Today Director Nemeth issued a memo to Department of Water Resources (Department) staff that withdraws the approval of the California WaterFix Project and rescinds the accompanying notice of determination (NOD) that was filed pursuant to the requirements of the California Environmental Quality Act (CEQA) with the State Clearinghouse on July 21, 2017. Because of the withdrawal of the WaterFix Project approval and rescinding the NOD, all other DWR approvals related to the California WaterFix Project, based on the NOD filed on July 21, 2017, were also rescinded.

The project memorandum also announces that DWR will develop a Notice of Preparation (NOP) under CEQA to begin a new transparent environmental review process in compliance with CEQA. The NOP will emphasize proposals to address climate change resiliency and protect the State Water Project Delta conveyance from earthquake risk, in consideration of a one-tunnel conveyance facility consistent with Governor Newsom's Executive Order N-10-19.

As the Department embarks on a new environmental review process and pursues new environmental permits, it will do this in tandem with design and engineering work needed. This work will occur in close partnership with the State Water Project Contractors funding the project. This approach provides the greatest opportunity to deliver a project ready for construction with minimal delay. It also allows for a more realistic understanding of potential impacts and mitigation that can be incorporated through careful project planning and design, consistent with CEQA.

While a new planning effort may make use of past studies and analyses, new conceptual engineering and other planning activities will be needed to adequately define a Delta conveyance project that will be evaluated in the new environmental documentation, including certain field work and site investigations. Some of these investigations, such as additional geotechnical work, were already planned for California WaterFix and will still be needed for the environmental analysis and engineering and design of alternatives for a new Delta conveyance project, as those are necessary regardless of the specific configuration. As appropriate, these investigations will continue and, subject to further discussion and agreement, may be implemented by the Delta Conveyance Design and Construction Authority (DCA).

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The DCA was established to implement the California WaterFix project in partnership with and under the supervision of the Department. The Department's new direction announced by Director Nemeth today means the DCA's expertise can be re-deployed to support DWR's new planning efforts. The Department therefore requests that DCA coordinate with the Department as soon as practicable to establish the scope, budget and funding, schedule, and other appurtenant matters for DCA support of the Department as it moves forward with the Governor's vision.

If you have any questions, please contact me or Hong Lin, my Advisor, at (916) 651-0762 or by e-mail at [Hong.Lin@water.ca.gov](mailto:Hong.Lin@water.ca.gov).

Sincerely,



Gary Lippner, Deputy Director  
Delta Conveyance

cc: Karla A. Nemeth, Director, Department of Water Resources  
Kenneth M. Bogdan, Office of Chief Counsel, Department of Water Resources  
Josh Nelson, Counsel, Delta Conveyance Design and Construction Authority