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June 3, 2025

The Honorable Mike McGuire
President Pro Tempore
State Senate

The Honorable Robert Rivas
Speaker of the Assembly
State Assembly

Joint Legislative Audit Committee
1020 N Street, Room 107
Sacramento, CA 95814

The Honorable John Harabedian
Joint Legislative Audit Committee chair
State Assembly

The Honorable John Laird
Joint Legislative Audit Committee vice-chair
State Senate

The Honorable Carl DeMaio
Joint Legislative Audit Committee
State Assembly

The Honorable Gregg Hart
Joint Legislative Audit Committee
State Assembly

The Honorable Josh Hoover
Joint Legislative Audit Committee
State Assembly

The Honorable Sharon Quirk-Silva
Joint Legislative Audit Committee
State Assembly

The Honorable Rhodesia Ransom
Joint Legislative Audit Committee
State Assembly

The Honorable Angelique Ashby
Joint Legislative Audit Committee
State Senate

The Honorable Josh Becker
Joint Legislative Audit Committee
State Assembly

The Honorable Sabrina Cervantes
Joint Legislative Audit Committee
State Senate

The Honorable Dave Cortese
Joint Legislative Audit Committee
State Senate

The Honorable Megan Dahle
Joint Legislative Audit Committee
State Senate

The Honorable Suzette Martinez Valladares
Joint Legislative Audit Committee
State Senate

Sent via email

Re: Consideration of Audit of the Department of Water Resources on Spending for the Delta Conveyance Project and the Voluntary Agreements

Members of the Joint Legislative Audit Committee:

Restore the Delta is a 501c3 Restore the Delta works in the areas of public education, research, program and policy development, and outreach so that all Californians recognize the Sacramento-San Joaquin Bay Delta as part of California's natural heritage, deserving of restoration. We interface with local, state and federal agencies to advance this vision.

Restore the Delta respectfully submits this letter to the Joint Legislative Audit Committee ("JLAC"), urging members to consider the audit of the Department of Water Resources ("DWR")

on spending for the Delta Conveyance Project ("DCP") and the voluntary agreements ("VAs"). The information that we are sharing in this letter is detailed but clear, and we believe that as the committee reviews the record, the urgent need for an audit of DWR spending on the DCP will become apparent.

Various iterations of the Delta Conveyance project have been proposed over decades, including the the peripheral canal, BDCP, WaterFix, and the Bay Delta Conservation Plan, all of which faced significant opposition from Tribes, the public, and environmental groups. Rejected by California voters in 1981, this project continues to be pushed forward under the guise of a "climate solution," but inflexible, grey infrastructure that negatively impacts the Delta is antiquated and ill equipped to handle the anticipated extreme range of hydrological changes. Despite this, DWR has spent nearly $700 million in public funding on these numerous iterations of the "Tunnel" over the past 15 years, and proposes at least $20.1 billion in construction costs before inflation, tariffs and other unforeseen costs. As stated by Director of DWR, Karla Nemeth, at the April 3, 2025 Senate Budget Subcommittee No. 2 hearing, the project is currently costing $1 million each day. Additionally, there are unanswered questions for the public regarding hundreds of millions of dollars in refunds due to State Water Contractors from DWR, and problematic findings in Urban Management Water Plans approved by DWR for Southern California water districts indicating multiple violations of current water codes.

Despite the significant investment in the DCP, DWR has failed to present a complete Operations Plan, a lawful Environmental Impact Report (EIR), and is currently operating the State Water Project ("SWP") under an unperfected water right permit that expired in 2009. DWR has failed to meet consistency standards under the Delta Reform Act for the Geotechnical Activities, which were thus rejected by the Delta Stewards Council on January 23, 2025. Additional challenges to DWR's bond validation request are underway. The Delta Counties and Water Districts (referred to as the "Public Agencies") note that "DWR's assumption that the Delta conveyance debt obligations it seeks to validate can be absorbed into SWP system charges also threatens the future fiscal integrity of the SWP." According to recent testimony from DWR, only 5 to 10 percent of the project design has been completed, despite nearing $1 billion in spending.

Numerous rounds of litigation are currently underway regarding this project, contesting the DWR EIR, and protesting DWR's change in point of diversion ("CPOD") petition before the Water Boards Administrative Hearings Office. During the course of the CPOD water rights hearing, DWR has repeatedly failed to meet deadlines set by the Administrative Hearing Officer ("AHO") for supplemental information about the State Water Project's historic water use. On May 12, 2025, a coalition of thirty-two California Tribes, environmental justice organizations, Delta counties, water agencies and other Delta advocates submitted a petition for reconsideration after the State Water Board rejected DTEC's original motion to cancel the proceeding on the grounds of DWR's failure to comply. This is not lawfare by opponents as we have been accused of conducting by project proponents. Significant questions regarding spending, legality, environmental damage, incomplete mitigation, and future costs remain unanswered impcating the lives of 4 million Delta residents.

This letter raised additional concerns that the State Water Contractors ("SWC") - a group of water agencies that are financially and operationally tied to the Delta Conveyance Project - filed a motion for a protection order seeking to prevent the AHO and the Water Board from seeking this supplemental information, which is central to the CPOD water rights proceeding. Although the SWC's have not been required to present any information themselves, they are effectively seeking to shield DWR from an obligation to provide this information, interfering with the ongoing water rights process.

These same SWC's, in partnership with local governments, have repeatedly fallen short of statutory requirements to demonstrate proof of an adequate and reliable water supply to meet projected demands

(*see* Gov. § 66473.7 and Gov. § 65352.5), and reduce reliance on the Delta (*see* Water Code section 85021). Under California Water Code §10610-10656 and §10608, Water Contractors are required to prepare an Urban Water Management Plan ("UWMP") every five years, which **must include an assessment of water reliability over 20 years, an overview of demand management, contingency plans for water shortage scenarios, and a description of the planned use of recycled water.**

Metropolitan Water District of Southern California, the largest wholesaler of water in California, notes in their UWMP that "[d]ramatic swings in annual hydrologic conditions have impacted water supplies available from the State Water Project (SWP) over the last decade," yet nonetheless relies upon "flexible Central Valley/SWP storage and transfer programs" for increases in supplies during dry or below-normal water years. Despite significant concerns about the long-term reliability of the SWP, Metropolitan continues to "depend[] on the full use of the current State Water Contract provisions, including its basic contractual amounts and Article 21 interruptible supplies." It also bears mentioning that the Delta Reform Act requires water exporters to reduce reliance on Delta water supplies. How these contradictions are rectified remains unclear, and the UWMP was nonetheless approved by DWR. Metropolitan does not include the DCP in their long-term reliability report, as it is not currently confirmed for construction, but nonetheless spends nearly five pages of its UWMP describing Metropolitan's support for the project. Other concerns are raised regarding the California Aqueduct's reduction in flow capacity due to subsidence, reducing the operational flexibility of the SWP and increasing power costs.

Despite these numerous and critical gaps in long-term reliability, the surrounding localities that purchase water from Metropolitan note plans for substantial growth (*see* Los Angeles Housing Element, Glendale Housing Element, Burbank Housing Element, and Calabasas Housing Element). Notably, the Glendale Housing Element will rely upon purchases from MWD to "make up differences between demand and other projected (groundwater and recycled water) supplies). Another locality, Ventura, is **seeking to obtain integration with the SWP through "the State Water Interconnection Project, to ensure adequate water supply and wastewater infrastructure for new housing."** Although we applaud Metropolitan's efforts to progress local resiliency projects, including the recently approved Climate Adaptation Master Plan for Water ("CAMP4W) plan, the continued push for reliance on the Delta is wasting valuable time, energy and resources that would be better put towards securing existing infrastructure and investing in local resiliency. Clearly, UMWPs and General Plans are out of sync, and in violation of Gov. § 66473.7, requiring new construction to demonstrate proof of a reliable water supply. Gov. § 65352.5 further requires general plans to show adequate water supply for projected growth, "to ensure that proper water supply and management planning occurs to accommodate projects that will result in increased demands on water supplies or impact water resource management."

Other SWC's UWMPs raise similar concerns. Zone 7 Water Agency, which supplies water to Livermore, assesses significant threats to water supply, which during dry years may result in "potential growth-limiting factor[s]." Despite this reduced reliability, the Livermore Housing Element plans a 1.01% increase in housing growth, or approximately 6,500 new households. Zone 7 Water Agency further points to the Delta Conveyance Project as a model for increased water reliability, despite falling well outside the 20-year planning horizon statutorily required. In fact, during the May 22, 2025 CPOD water rights hearing, DWR's operations witness, Molly White, could not provide a decade in which she expects the DCP to be operational. Reliance on such a project to demonstrate reliability is irresponsible, and violates regulatory requirements meant to protect residents and businesses, yet once again this UWMP has been approved by DWR.

Similarly, the Desert Water Agency's UWMP highlights investments in both the DCP and the Sites Reservoir, which will "increase reliability of SWP supplies" and aid in groundwater replenishment. Under this basis, local recipient, Palm Springs, projects significant growth in their 2007 housing element. Santa Clarita Valley Water Agency has increased requests for SWP water, "[c]onsistent with other urban SWP

contractors;" San Gorgonio Pass Water Agency has increased its investment in the DCP from 1.22% to 2% in an effort to "improve future conveyance actions related to its water asset portfolio" with hopes that it will "provide better access to SWP supplies. This projected increased reliance on SWP water, as well as efforts to utilize surplus supply to fix regional groundwater problems is unsustainable, and in direct opposition to the goals of the Delta Reform Act. As noted by Director Nemeth, "**the Delta itself is very vulnerable to climate disruption**," and increasing reliance on Delta water will only exacerbate the vulnerability and ecological collapse of this biodiverse and culturally important landscape.

DWR has also been an outspoken supporter of the Voluntary Agreements ("VAs"), a proposed alternative to a regulatory pathway under the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan ("the Bay-Delta Plan). These VAs are not based on the best available science, and have systematically excluded tribes, environmental justice communities, environmental organizations and fishing groups from the conversation. The Federal Bureau of Reclamation initiated "early implementation" of the voluntary agreements, which have repeatedly exceeded water diversion limits. If pursued long-term, the VAs would decimate the Bay-Delta's ability to survive and achieve long-term sustainability.

At this time, the VAs have not been implemented under the Bay-Delta Plan, with a decision on the proposed updates not expected until the end of 2025. Despite this, DWR has relied heavily upon the VAs in analysis and testimony regarding the DCP. During the April 23, 2025 CPOD Water Rights Proceeding, Amardeep Singh, the Supervising Engineer for DWR, and Tom Fitzhugh, Principal Water Resources Scientist at Stantec Consulting Services, testified that the Voluntary Agreements were included as part of modeling efforts relating to climate change, impacts on the hydrological system, and yields from the project. It's important to remember here that the VAs are not currently approved under the Bay-Delta Plan. Furthermore, DWR has made their position clear: if the VAs are NOT adopted, it will significantly reduce the operational capacity of the DCP. In a January 22, 2024 letter to the Water Boards, the Department of Water Resources ("DWR") stated that, if a regulatory pathway were adopted in place of the VAs, it would "reduce the yield of the DCP over all water year types by an average of 55%." Stated simply - if the VAs are not passed, the benefits of the DCP will not outweigh the exorbitant cost of the project.

We recognize that we have shared with you a dense and complex history of DCP spending and questionable water planning management by DWR. If you have any questions that we can answer to make this material more digestible, please feel free to call us at 209-479-2053 or 209-479-2559.

Sincerely yours,

Barbara Barrigan-Parrilla
Executive Director
Restore the Delta

Morgen Snyder
Policy Analyst
Restore the Delta

CC: Senator Jerry McNerney, SD-5, co-chair of the Delta Caucus
Assemblymember Lori Wilson, AD-11, co-chair of the Delta Caucus
Assembly Majority Leader Cecilia Aguiar-Curry, AD-04
Assemblymember Maggy Krell, AD-06
Assemblymember Heath Flora, AD-09
Assemblymember Stephanie Nguyen, AD-10

Assemblymember Anamarie Avila Farias, AD-15
Senator Christopher Cabaldon, SD-3
Senator Jesse Arreguin, SD-7
Senator Tim Grayson, SD-9

Water Supplier	Plan Type	Quotes	Analysis
Metropolitan Water District	Metropolitan Water District UWMP	**Water Code § 10620(f) – Describe Resource Maximization/Import Minimization Plan:** Discuss how water management tools and options are used to maximize resources and minimize the need to import water. In dry, below-normal conditions, **Metropolitan has increased the supplies received from the California Aqueduct by developing flexible Central Valley/SWP storage and transfer programs**. Over the years, under the pumping restrictions of the SWP, Metropolitan has collaborated with the other contractors to develop numerous voluntary Central Valley/SWP storage and transfer programs. The goal of these storage/transfer programs is to develop additional dry-year supplies that can be conveyed through the California Aqueduct during dry hydrologic conditions and regulatory restriction **Dramatic swings in annual hydrologic conditions have impacted water supplies available from the State Water Project (SWP) over the last decade.** Metropolitan's efforts in building dry-year storage reserves, water banking and transfers have helped manage the wide swings in SWP allocations. SWP deliveries in the most recent critically dry years lagged these projections and were 5 percent of contractual amounts in 2014 and 20 percent of contractual amounts in 2015. Dry conditions in 2020 also supported a supply allocation of only 20 percent. **Consequently, Metropolitan's key concern is the continual deterioration of water supply reliability.** Metropolitan's implementation approach for the SWP depends on the full use of the current State Water Contract provisions, including its basic contractual amounts and Article 21 interruptible	Metropolitan Water District, the largest wholesaler of water in California, highlights multiple times throughout their UWMP that reduced reliability of the SWP is a key concern. Although the vulnerability of the Delta is a piece of this, Metropolitan also highlights the reduction in capacity of the California Aqueduct, with very little detail on plans to rectify declines in reliability. Metropolitan notes dramatic swings in hydrological conditions have impacted water supplies, **and that during dry years, water deliveries can fall behind contractual amounts by 20%.** To combat these declines, MWD has invested in water banking and storage reserves. Although not accounted for in their supply allotments, **MWD spends nearly 5 pages of their UWMP discussing their investments and support for the DCP**. **It is clear that the DCP is part of MWD's long term strategy, despite the uncertainty of the project.** Even as MWD highlights these concerning declines and reduced reliability, the localities and water agencies that rely upon MWD for their water supply **do not address or detail these concerns in depth in their growth outlooks for the next 5-10 years.**

Water Supplier	Plan Type	Quotes	Analysis
		supplies. **The California Aqueduct is experiencing reduction in flow capacity in certain areas due to ongoing land subsidence.** Subsidence has been observed in the San Joaquin Valley since the 1920s, and subsidence was included in the planning and design of the California Aqueduct. The DWR published a detailed study in 2017 describing the impacts of subsidence in the reduction of concrete liner freeboard and the ability to store water in certain pools, reducing operational flexibility and increasing power costs. Through 2016, no contracted deliveries had been curtailed due to subsidence, but DWR has a subsidence program aimed to proposed improvements to the California Aqueduct and restore capacity, as well as work with the Groundwater Sustainability Agencies that cover the extension of the California Aqueduct to minimize future subsidence.	
	Los Angeles Housing Element 2021-2029	"the Southern California Association of Governments expects the City of Los Angeles population **to grow by 8.15% during the 2020-2030 time period**, with a population estimate of 4,337,394 residents in the City by the end of the Housing Element Cycle (2029)" "**The City's 2021-2029 RHNA allocation of 456,643 units is five times greater than the previous allotment** and represents approximately 34% of the region's total share." "**Parcels included in the inventory have sufficient water**, sewer, and dry utilities available to support housing development. Water, sewers, and other utilities are available throughout the City of Los Angeles as an urbanized area. The City's infrastructure capacity and availability are being analyzed in the environmental analysis prepared for this Update to the Housing Element."	The Los Angeles Housing element anticipates significant growth, upwards of 8% between 2020 and 2030. Los Angeles notes that they are currently preparing an environmental analysis to pair with the proposed housing analysis, yet note that the anticipated construction have sufficient water supply to support housing development. Los Angeles primarily relies on imported water purchased from Metropolitan Water District, who have noted in their most recent UWMP that **water reliability from the SWP is in question**, raising questions around what is Los Angeles' "sufficient water" source for the purposes of construction.

<table>
<tr><th>Water Supplier</th><th>Plan Type</th><th>Quotes</th><th>Analysis</th></tr>
<tr><td></td><td>Beverly Hills Housing Element (2021-2029)</td><td>
<table>
<tr><th colspan="5">New Housing in High Opportunity Areas</th></tr>
<tr><td>10.1: Density Bonus</td><td>Update the density bonus code amendment and promote incentives.</td><td>By 2024.</td><td>Citywide (all highest resource areas).</td><td>Facilitate the development of 180 affordable units in highest resource areas.</td></tr>
<tr><td>10.2: Inclusionary Housing</td><td>Report to the Planning Commission and City Council on success of the inclusionary housing program.</td><td>Annually</td><td>N/A</td><td>Facilitate the development of 150 affordable units in highest resource areas.</td></tr>
</table>
</td><td>Beverly Hills does not anticipate significant growth, with less than 500 proposed units for construction. While there is no requirement to demonstrate adequate water supply for construction under 500 units, Beverly Hills Housing Element does not mention water supply once throughout their Housing Element. It is unclear what Beverly Hills water supply needs are or anticipated to be based on their Housing Element.</td></tr>
<tr><td></td><td>Glendale Housing Element 2021-2029</td><td>“The 2020 City of Glendale Urban Water Management Plan (UWMP) states that it will be able to serve 100 percent of projected demands for the City of Glendale in normal, single-dry and multiple-dry years. <u>Because of this, the projected purchases from MWD are assumed to make up differences between demand and other projected (groundwater and recycled water) supplies.</u> Collectively, water supplies are projected to be sufficient to meet demands in all year types through the planning horizon (20 years). The GWP projects that its service population will increase during the 2021-2029 planning period, from 202,831 in 2020 to 206,908 in 2030. Despite that population increase, the City projects a surplus water supply of 18,577 acre-feet in 2030 during a normal year. Therefore, the City has adequate water supply to serve projected demand, including the City’s RHNA, through the time frame of this housing element (2029).”

“The City will need to plan to accommodate 13,425 new units…”</td><td>Glendale anticipates significant population growth and housing investment through 2029. To support this growth, Glendale points to the City of Glendale Urban Water Management Plan, stating that they will be able to meet 100% of demands with the support of purchases from MWD. However, MWD’s UWMP notes that SWP reliability is a large concern. It is unclear how Glendale was able to draw a conclusion of adequate water supply under based on the concerns raised in MWD’s UWMP.</td></tr>
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Water Supplier	Plan Type	Quotes	Analysis
	Burbank Housing Element 2021-2029	"In fact, since 1990, Burbank's ten-year housing growth rates have experienced a downward trend. **The Burbank City Council is committed to reversing this trend, setting a goal to facilitate the building of 12,000 residential units through 2035**, and undertaking several major specific plans to accommodate future housing growth and improve the City's jobs-housing balance." "**Burbank's RHNA housing needs for the 2021-2029 planning period was forecast at 8,772 net units**, distributed among the four income categories" "**Based on current projections in the UWMP, water supply would meet consumption demands**. However, as necessary, the Burbank City Council may choose to implement ordinances to ensure no increase in projected water demands occur."	The city of Burbank has projects more than 8,000 units to be constructed by 2029, with an additional 4,000 by 2035 to accommodate future growth. Pointing back to the regional UWMP, Burbank notes that they have adequate water supply to meet demands. Despite this assurance, Burbank reserves the right to implement ordinances to limit water demand, **highlighting the uncertainty in reliability outlined in MWD's Urban Water Management Plan.**
	Calabasas Housing Element 2021-2029	In terms of future trends, the Southern California Association of Governments' (SCAG) Demographics and Growth Forecast **projects a modest 2.8 percent increase in Calabasas' population over the next 25 years, for an estimated 2045 population of 24,900 residents.** **The State has allocated 1.34 million new housing units to the SCAG regions as part of the 6th cycle RHNA**. This level of housing growth represents the largest allocation the region has ever received, which results in much higher RHNA allocations for SCAG cities and counties *Water Supply* **LVMWD [Las Virgenes Municipal Water District] indicates projected water supply is adequate to serve the expected demand from incremental new development, and does not**	Calabasas projects a nearly 3% growth in population, **and the construction of over 1 million new housing units for the larger SCAG region**. Despite constraints in sufficient water supply in LVMWD's UWMP, **Calabasas states they have adequate water supply for growth projections.** However, Calabasas is relying upon the 2015 UWMP. The 2020 LVMWD (identified below) notes significant reductions in water supply, making it clear that there was little coordination and discussion between city planners and water agencies. **Construction without adequate and reliable water supply is in direct violation of the law.**

Water Supplier	Plan Type	Quotes	Analysis
		identify any wastewater treatment capacity issues. Lack of water in the Calabasas area was always a major concern. With the founding of the Las Virgenes Municipal Water District in 1958, a water supply was assured, and the area began its development boom. Based on conservative water supply and demand assumptions out to 2040, **the 2015 LVMWD UWMP identifies sufficient water supply to meet demand**. Analysis of the potable water system in the Integrated Water System Master Plan in 2014 resulted in recommended improvements to enhance system operations and reliability. Recommendations include piping, storage and pumping improvements. Implementing these projects would improve LVMWD's potable water infrastructure and optimize recycled water use to meet the existing and projected demand but do not change the availability of existing supplies or result in new supplies.	
	LVMWD Urban Water Management Plan	LVMWD's water comes from four sources: imported water, recycled water, groundwater, and surface water runoff (into the Las Virgenes Reservoir). **The imported potable water comes from Metropolitan Water District and Ventura County Waterworks District's** (VCWWD No. 17), (VCWWD No. 8), as well as from the City of Los Angeles. The Tapia Water Reclamation Facility produces the recycled water, and groundwater is pulled from the Thousand Oaks Area Basin (which is then used to supplement the recycled water systems). **Currently, the configuration of MWD's distribution system allows LVMWD to receive SWP water originating from northern California through the Sacramento-San Joaquin Bay-Delta. The SWP water is treated at Jensen Filtration Plant in Granada Hills prior to delivery**	LVMWD supplies water to Calabasas, which as noted above anticipates housing construction to accommodate projected growth. In LVMWD's UWMP, there is significant discussion around the reduced reliability of the SWP, **which accounts for 77% of LVMWD's water supply.** Declining conditions have led to reductions in water supply, and LVMWD notes that **until a long-term solution is identified, these problems will continue to persist.** LVMWD does not appear to consider the SWP to be a secure water supply, relying heavily on the infrastructure and shortage measures MWD has taken over the years.

Water Supplier	Plan Type	Quotes	Analysis
		to LVMWD **Table 6-C: LVMWD Historical Supply for 2016 to 2020** **Historical Imported Water Supply (AFY)** **Import Water Supplier** / **2016** / **2017** / **2018** / **2019** / **2020** / **Average** MWD / 18,151 / 18,313 / 20,368 / 17,437 / 20,392 / 18,932 VCWWD No. 8 / 17 / 19 / 41 / 23 / 39 / 139 VCWWD No. 17 / 91 / 94 / 97 / 93 / 102 / 95 City of Los Angeles / 1,653 / 839 / 0 / 446 / 284 / 644 **Total** / **19,912** / **19,265** / **20,506** / **17,999** / **20,817** / **19,700** Two of the most significant constraints on water supply for LVMWD and for Southern California has been the drought that started in 2012 and persisted for parts of California into 2019, **and Sacramento-San Joaquin River Delta ecosystem issues that affect imported water supply from the State Water Project.** The water conditions that the region faced in 2020 were shaped by supply conditions and are summarized below: ● MWD basins have historically experienced large swings in annual hydrologic conditions; however, these swings have largely been buffered through MWD's efforts and large volume of storage ● **Dramatic swings in annual hydrologic conditions have impacted water supplies available from the State Water Project (SWP) over the last decade.** MWD has been building dry-year storage reserves, water banking and transfers have helped manage the wide swings in SWP allocations ● With approximately 30 percent of Southern California's water supply transported across the BayDelta, **its declining ecosystem has led to reduction in water**	

Water Supplier	Plan Type	Quotes	Analysis
		supply deliveries. **Operational constraints will likely continue until a long-term solution to the problems in the Bay-Delta is identified and implemented** • Water quality challenges, such as algae toxins, PFAS, and the identification of constituents of emerging concern, have a significant impact on the region's water supply conditions and underscore the importance of flexible and adaptive regional planning strategies. See more details below In 2020, LVMWD supplied a total of 20,533 AF from imported water purchased from MWD, **which was 77 percent of the total water supply including recycled water.**	
	Ventura Housing Element (2021 - 2028)	For the 6th cycle Housing Element update, the City of **Ventura has been allocated a Regional Housing Needs Assessment (RHNA) of 5,312 units.** Continue all Ventura Water programs and new projects, such as Ventura Water Pure **and the State Water Interconnection Project, to ensure adequate water supply and wastewater infrastructure for new housing.**	Ventura city anticipates the construction of more than 5,000 units, however they note that additional water supply will be needed to meet demands. To close this gap, Ventura City has several Water Programs including the State Water Interconnection Project, which seeks to connect the State Water Project's water supply to Ventura City by wheeling through Metropolitan Water District and Calleguas Municipal Water District to the City. Considering Metropolitan's stated reduced reliability of the SWP, it is unclear how these additional needs will be addressed, and how increasing reliance on the Delta is not in direct violation of the Delta Reform Act.

Water Agency	Plan Type	Quotes	Analysis
Alameda County Water District	Alameda General Plan	**Growth:** "Alameda will continue to provide for its share of the growing regional housing need as required by State Housing Law and Alameda's regional housing needs allocation, which is projected **to include the need for approximately 10,000 to 12,000 new housing units in Alameda over the next 20 years**"	Alameda anticipates significant growth noted in their General Plan, however this directly conflicts with the issues limiting water reliability noted in the Urban Water Management Plan. The UWMP further notes the impacts of the **Bay-Delta Water Quality Control Plan**, which is currently undergoing additional updates that may further impact Alameda's water reliability (and will further have a significant impact on the DCP's ability to operate).
	Urban Water Management Plan	**"**Today, the District's primary sources of supply come from: the **Bay-Delta (via the SWP)**; the San Francisco Regional Water System (SFPUC RWS); and local supplies including groundwater from the Niles Cone Groundwater Basin and surface water from the Lake Del Valle." "The establishment of this UF [unimpaired flow] requirement [in phase 1 of the Bay-Delta Plan] has directly impacted the future reliability of SFPUC RWS and is reflected in this UWMP." "At this time, the potential impacts of this UF requirement on the SWP are unknown and are therefore not reflected in this UWMP. However, they are anticipated to be significant and are further discussed below in Section 3.5."	
Desert Water Agency	Palm Springs General Plan Housing Element	"The Section 14 Specific Plan area is expected to accommodate an additional 2,682 homes, 1,070 hotel rooms, and 1.4 million square feet of commercial building floor area. The Section 14 plan projects an additional annual daily water demand of 1.7 million gallons per day (mgd) and maximum average demand of 3.4 mgd. Currently, the Section 14 Specific Plan indicates that "existing water facilities are adequate to serve the existing conditions and can provide adequate domestic service to new development throughout the section." "Looking forward, the City has approved a significant number of applications for housing development that total approximately 2,262 single-family and	Despite the requirement for reduced reliance on the Delta, DWA's outlook for water reliability is heavily dependent on the SWP and the Colorado River. Repeatedly throughout their UWMP, they note investments in new infrastructure projects to strengthen the reliability of Delta water, and increasing allocations from the SWP. This expansion of water supply from the SWP reflects the anticipated growth noted in Palm Springs General Plan. However, this

Water Agency	Plan Type	Quotes	Analysis
		condominium units." "The City's 2021-2029 RHNA assumes a continued increase of 545 new ELI and VLI households in Palm Springs over the next eight years" "Taken together, all of the housing sites identified to address the City's RHNA have in place adequate water, sewer, and dry utilities, or have plans in place for the timely construction of such infrastructure. Therefore, the availability of infrastructure, utilities, and services are not a constraint to the development of housing."	increased reliance **is directly at odds with the law (Delta Reform Act of 2009).**
	Urban Water Management Plan	"**DWA has made investments in the Sites Reservoir and Delta Conveyance Facility, two projects that would increase reliability of SWP supplies**. Increased groundwater replenishment with SWP Exchange water would help with groundwater basin management objectives. However, the water would not be used to meet urban demands directly; the water would be used for groundwater replenishment. Therefore, these projects are not identified in this report as increasing urban supply." "Significant investments have been made to implement water conservation programs, **acquire additional SWP Table A allocations**, construct groundwater replenishment facilities to recharge the groundwater basin, and convert groundwater users to Canal water and recycled water. These programs have had a significant effect on stabilizing groundwater levels and eliminating overdraft." **"DWA will continue to request the maximum allocation from the SWP** and will obtain and store as much available water as possible to prevent supply deficiencies and to preserve the groundwater basin."	
Kern County Water Agency	General Plan	General Plan Amendments subject to environmental review and not otherwise subject to California Water Code Section 10910 shall demonstrate through a water supply assessment that a long-term water supply for a 20-year timeframe is available. The water assessment shall include, but not limited to,	Kern County is currently undergoing updates to their General Plan. The updated documents are not complete and therefore have not been made accessible at this time.

Water Agency	Plan Type	Quotes	Analysis
		the following: • Source and quantity of historical water use on the site. • Estimated water consumption of the proposed development. • Estimated storage, if any, in meeting the projected need. • Recommendations for additional sources of water to address demand shortage. Such measures may include, but not limited to, development of future sources of additional surface water and groundwater, including water transfers, conjunctive use, recycled water, conservation, and additional storage of surface water, groundwater, and desalination. Written acknowledgement that water will be provided by a community or public water system with an adopted Urban Water Management Plan shall constitute compliance with this requirement.	More concerning was Restore the Delta's inability to obtain access to the Kern County Urban Water Management Plan. Kern County requires that interested parties request access, for which they should receive the document directly or receive a code to access the document. Despite multiple attempts, access was never provided. **This is in direct contradiction of the requirements under Water Code § 10644-45, which requires public access and input on Urban Water Management Plans.**
	Kern County Urban Water Management Plan	Restore the Delta was unable to obtain access to Kern County's Urban Water Management Plan, despite the requirement that this document be available to the public.	
Mojave Water Agency	Apple Valley General Plan	"The Town's Regional Housing Needs Assessment for 2014-2021 estimates **that a total of 3,334 housing units will be built in Apple Valley**" "The water purveyors, and the sanitary sewer system, **have current capacity, or expansion plans** sufficient to accommodate growth in Town, including the Town's regional housing need allocation."	While Mojave Water Agency's UWMP notes significant impacts to SWP reliability, the Apple Valley General Plan nonetheless notes a growth and expansion plan. The plan vaguely notes that water purveyors have capacity or anticipate expansion, however there is no detail provided and the information contradicts the reduced reliability demonstrated in the UWMP>
	Urban Water Management Plan	"The Mojave Water Agency provides imported water from Northern California and the Sacramento Delta through the State Water Project (SWP). **Any effect from climate change that impacts water flows from the Sierra Nevada snowpack into these regions impacts SWP contractors that depend on SWP water deliveries, including MWA.**" "As shown in Table 3-2, SWP long-term average reliability shows a long-term average downward trend from 62% in the 2017 SWP Delivery Capability	

Water Agency	Plan Type	Quotes	Analysis
		Report to 58% in the 2019 DCR. Further, in the future condition with climate change and sea level rise scenario discussed within the Technical Addendum of the DCR, SWP long-term average reliability reduces to 52%"	
Santa Clara Valley Water District	Santa Clara General Plan	"Develop new residential neighborhoods in conjunction with appropriate retail, parks, open space and other public uses, along transit corridors, such as Great America Parkway, Central Expressway and De La Cruz Boulevard…" "Develop new residential neighborhoods north of the Caltrain corridor…" "Over the term of this General Plan, it is anticipated that the City and region's projected employment and population growth from 2008-2035 (an employment increase of 50 percent in the County and 45 percent in the City and a population increase of 34 percent in the County and 26 percent in the City) will be realized" "...**the UMWP concludes that the Santa Clara Valley Water District cannot meet demands through 2030 without significant investments to preserve the District's current mix of water supplies**."	Santa Clara's General Plan indicates significant and consistent growth and development. Numerous residential and corporate expansions are mentioned, yet it's noted that Santa Clara Valley Water District cannot meet these demands without investment in alternative water supply methods. Although the UWMP notes that the DCP is **not** considered as part of a reliable water supply due to the construction timeline, the alternatives mentioned in the General Plan line up with Valley Water's investment and participation in DCP discussions.
	Urban Water Management Plan	"Valley Water's SWP and CVP water supplies are also subject to a number of additional constraints…To address at least some of these constraints, Valley Water continues to evaluate the costs and benefits of **participating in the Delta Conveyance Project** relative to other water supply options such as developing additional local supplies, securing and optimizing Valley Water's existing water system, and expanding water conservation." "**Rising air temperatures will also increase water temperatures in reservoirs and the Delta**, which can lead to increased evaporation rates, a higher risk of harmful algal blooms, and negative impacts to fish and wildlife, all of which can impact the availability of imported water supplies for Valley Water"	
Zone 7 Water Agency	Livermore General Plan	"Because of the Delta water supply issues and the current drought in California, **long-term water supply is a potential growth-limiting factor**;	The Livermore general plan identifies projected population growth and anticipated

Water Agency	Plan Type	Quotes	Analysis
		however, the city currently does have the capacity to achieve General Plan build-out." "As shown in Table 2-1, the average annual growth rate in Livermore between 2020 and 2040 is predicted to be 0.7 percent" "As shown in Table 2-44, based on ABAG's allocation, the City should plan for 4,570 new housing units between January 31st, 2023, and January 31st, 2031."	housing construction. Despite the requirement to demonstrate adequate water supply, the General Plan points back to the City's Master Water Plan and states that they will work with local water suppliers. They further note the decrease in water reliability, which is further highlighted in the UWMP. To solve these issues, the UWMP repeatedly highlights investment in the Delta Conveyance Project. However, the timeline for construction does not match with the city's anticipated growth.
	Urban Water Management General Plan	"Securing our water supply comes from a multitude of strategies, from managing our water rights for the mountain snow melt that comes to us through the Bay-Delta, **to adding alternative conveyance infrastructure**, and from building out the Chain of Lakes to capture and replenish our groundwater basin, to focusing on stormwater storage and conservation efforts." "The future reliability of imported water is a concern. Drought, sea level rise, and natural disasters **threaten the Sacramento-San Joaquin Delta (Delta), a critical component of the delivery system bringing water to Zone 7.** As a result, Zone 7 is participating in and evaluating various projects that would provide alternate water supplies and/or storage or protect the existing delivery system against threats. **These projects include installing a new diversion and conveyance system for Delta supplies (Delta Conveyance Project)..."**	
San Gorgonio Pass Water Agency	Yucaipa General Plan	"The Yucaipa General Plan projects **considerable future growth and demand for water that will require additional water supply**. Although local water providers indicate sufficient water supplies for a 20-year planning horizon, the severity and uncertain duration of California's long-standing drought makes water supply unreliable. Therefore, **water supply impacts are considered a significant impact of the proposed General Plan**"	The Yucaipa General Plan notes "considerable future growth" for which water supply demand will substantially increase. However, both the General Plan and the UWMP note that there are significant hurdles to water supply reliability. The UWMP identifies the DCP as an opportunity to secure **and increase** water accessibility and
	SGPWA Urban Water Management	"Long-term water management hydrological and regulatory issues include the Bay-Delta Water Quality Control Plan, the Coordinated Operations	

Water Agency	Plan Type	Quotes	Analysis
	Plan	Agreement, the Delta Biological Opinion, the Delta Conveyance Project, modifications to San Luis Reservoir, SWP seismic considerations, subsidence, DWR's emergency planning, and assessments related to SGPWA's local groundwater conditions and climate. These issues are all considered in SGPWA's planning incorporated into it supply characterizations in this 2020 UWMP" "Nevertheless, **SGPWA anticipates that the DCP will increase access to water assets by providing conveyance opportunities that are currently unavailable**. SGPWA recently increased its investment in the DCP from 1.22% to 2% of project capacity in order to improve future conveyance actions related to its water asset portfolio.30 As such, the DCP investment should provide better access to SWP supplies in normal and wet years as well as opportunities to deliver alternative planned supplies as they become available to SGPWA. "	reliability. This does not match records stating that 1) the DCP will **not** divert more water than is allotted under the SWP permits, and 2) brings into question the timeline for this anticipated growth. With a 20+ year construction timeline, and a 20-year planning horizon in the General Plan, it seems unlikely that water supply will meet the demands of projected growth.
Santa Clarita Valley Water Agency	Santa Clarita General Plan Housing Element	"The City has various plans to address water availability. The 2020 Urban Water Management Plan (UWMP) identifies water resources available through 2050." *See Table 11: Planned, Approved and Pending Projects* "After accounting for units planned and approved as of June 30, 2021, and anticipated ADUs, there is a remaining need of 6,464 units. This total includes 3,320 very low income, 1,494 low-income and 1,650 moderate-income units. The City must demonstrate the availability of sites with appropriate zoning and development standards that can facilitate and encourage the development of 6,464 units."	Santa Clarita relies heavily on imported water from the SWP, and notably have increased requests for SWP water. This directly conflicts with the Delta Reform Act's call for reduced reliance, however the UWMP notes DWR is encouraging water suppliers to claim "covered action" for their increased use of Delta water supply. Despite noted factors affecting availability, the General Plan nonetheless claims that water sources are secure through 2050 and lists both approved and planned projects for the next several decades. Conversely, the UWMP notes that the DCP is not included in their water availability analysis **because it will not be completed before 2040.** It is unclear where the 2050 reliability timeline is pulled from, considering the lack of concrete water availability analysis through
	Urban Water Management Plan	"The primary factors affecting SWP supply availability include: the availability of water at the source of supply in northern California, the ability to transport that water from the source to the primary SWP diversion point in the southern Delta, and the magnitude of total contractor demand for that water." "Approximately half of SCV Water's water supply comes from the Delta."	

Water Agency	Plan Type	Quotes	Analysis
		2040.	
		"Consistent with other urban SWP contractors, SWP deliveries to **SCV Water have increased as its requests for SWP water have increased**."	
San Bernardino Valley Municipal Water District	San Bernardino Valley General Plan - Housing Element	"SCAG projections indicate that population growth is expected to continue more slowly than in prior decades, increasing by 16% between 2010 and 2012 countywide and only 5% in the unincorporated area." "As shown in Table 5A-7, between 2010 and 2020, households in unincorporated areas are expected to grow by less than 3,000, while household growth of more than 100,000 households is expected in incorporated cities" "The County of San Bernardino faces water supply and distribution issues in common with all other areas of Southern California….**However, imported water may play an increasing role in satisfying the future demand for water throughout the County."**	Although the San Bernardino General Plan is outdated (with a timeline from 2010-2021), it demonstrates the average growth rate and the need for new construction to accommodate that growth. The General Plan further notes the increasing overdraft of the region's groundwater, and anticipated increase in reliance on imported water. The UWMP supports that increased reliance on imported water, and stresses the importance of San Bernardino Valley's involvement in DCP discussions. Most alarming is the clear statement in the UWMP on San Bernardino Valley's position on the Delta Reform Act. The language draws a clear connection to their support for the DCP, and undermines the goal of the legislature in the implementation of the Delta Reform Act. This percentage narrative from state water contractors is a political strategy and is not rooted in state law.
	Urban Water Management Plan	Strategies: "17. Improve Imported Water Supply Conveyance – Delta…. 39. Support the Bay-Delta Conservation Plan /Delta Conveyance Project" "State and federal regulations have limited the SWP's ability to pump and convey water from the Delta to southern California. In addition to environmental challenges, aging Delta levees are not expected to withstand the impacts of catastrophic earthquakes, floods and rising sea levels. **Diversifying water supplies will improve overall water supply reliability and reduce pressures from population and demand increases"** "**Valley District is concerned that the Delta Stewardship Council's approach toward assessing "reduced reliance"** on the Delta focuses on the quantity of SWP water being exported rather than the goal of the original legislation which was to diversify the overall water portfolio"	

Statute	Language
GOV § 65352.5	(a) The Legislature finds and declares that it is vital that there be close coordination and consultation between California's water supply or management agencies and California's land use approval agencies to ensure that proper water supply and management planning occurs to accommodate projects that will result in increased demands on water supplies or impact water resource management. (b) It is, therefore, the intent of the Legislature to provide a standardized process for determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies and the impact of land use decisions on the management of California's water supply resources. (c) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more service connections, shall provide the planning agency with the following information, as is appropriate and relevant: (1) The current version of its urban water management plan, adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code. (2) The current version of its capital improvement program or plan, as reported pursuant to Section 31144.73 of the Water Code. (3) A description of the source or sources of the total water supply currently available to the water supplier by water right or contract, taking into account historical data concerning wet, normal, and dry runoff years. (4) A description of the quantity of surface water that was purveyed by the water supplier in each of the previous five years. (5) A description of the quantity of groundwater that was purveyed by the water supplier in each of the previous five years. (6) A description of all proposed additional sources of water supplies for the water supplier, including the estimated dates by which these additional sources should be available and the quantities of additional water supplies that are being

Statute	Language
	proposed. (7) A description of the total number of customers currently served by the water supplier, as identified by the following categories and by the amount of water served to each category: (A) Agricultural users. (B) Commercial users. (C) Industrial users. (D) Residential users. (8) Quantification of the expected reduction in total water demand, identified by each customer category set forth in paragraph (7), associated with future implementation of water use reduction measures identified in the water supplier's urban water management plan. (9) Any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.
GOV § 66473.7	(b) (1) The legislative body of a city or county or the advisory agency, to the extent that it is authorized by local ordinance to approve, conditionally approve, or disapprove the tentative map, shall include as a condition in any tentative map that includes a subdivision a requirement that a sufficient water supply shall be available. Proof of the availability of a sufficient water supply shall be requested by the subdivision applicant or local agency, at the discretion of the local agency, and shall be based on written verification from the applicable public water system within 90 days of a request. (2) If the public water system fails to deliver the written verification as required by this section, the local agency or any other interested party may seek a writ of mandamus to compel the public water system to comply. (3) If the written verification provided by the applicable public water system indicates that the public water system is unable to provide a sufficient water supply that will meet the projected demand associated with the proposed subdivision, then the local agency may make a finding, after consideration of the written verification by the applicable public water system, that additional water supplies not accounted for by the public water system are, or will be, available prior to completion of the subdivision that will satisfy the requirements of this section. This finding shall be made on the record

Statute	Language
	and supported by substantial evidence. (4) If the written verification is not provided by the public water system, notwithstanding the local agency or other interested party securing a writ of mandamus to compel compliance with this section, then the local agency may make a finding that sufficient water supplies are, or will be, available prior to completion of the subdivision that will satisfy the requirements of this section. This finding shall be made on the record and supported by substantial evidence. (c) The applicable public water system's written verification of its ability or inability to provide a sufficient water supply that will meet the projected demand associated with the proposed subdivision as required by subdivision (b) shall be supported by substantial evidence. The substantial evidence may include, but is not limited to, any of the following: (1) The public water system's most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code. (2) A water supply assessment that was completed pursuant to Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code. (3) A groundwater sustainability plan adopted or alternative approved pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code. (4) Other information relating to the sufficiency of the water supply that contains analytical information that is substantially similar to the assessment required by Section 10635 of the Water Code.
General Plan Regulatory Requirements (per the Governor's Office)	The Government Code and Water Code additionally require water supply districts to prepare **water supply verifications and assessments for some large-scale projects, including subdivisions of over 500 dwelling units** (Gov. Code § 66473.7)). When amending its general plan, a jurisdiction shall coordinate with any public water agency pursuant to Government Code section 65352.5 **to analyze available water supply information and identify adequate water for anticipated growth**. Additionally, Urban Water Management Plans, where required, rely on build-out data from general plans, highlighting the importance of consistency and communication between agencies.
Water Code Division 35. Delta Reform Act of 2009.	The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency. Each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through

Statute	Language
§ 85021.	investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts.