

California Sues to Validate Bonds for Delta Tunnels Project

MATT REYNOLDS July 21, 2017



SACRAMENTO, Calif. (CN) – The California Department of Water Resources has filed a complaint for validation of \$11 billion in bonds for Gov. Jerry Brown’s Sacramento-San Joaquin Delta tunnel project, California Water Fix, which cleared its final environmental hurdle on Friday.

In the [lawsuit](#) filed Friday, the agency says it’s seeking a judgment that confirms the validity of the bonds to fund capital costs of the tunnel project. The project calls for two tunnels up to 150 feet beneath the delta and three new intakes with 3,000-cubic-foot-per-second capacity and an average annual yield of 4.9 million acre-feet.

The state says the project will modernize a decades-old water delivery system.

The Department of Water Resources also said Friday that an environmental review of the project had been certified. A Notice of Determination approves WaterFix under the California Environmental Quality Act, the agency said in a statement.

“Today, we have reached our next important benchmark in moving California towards a more reliable water supply,” the department’s acting director Cindy Messer said in a statement. “With this certification, our state is now closer to modernizing our aging water delivery system in a way that improves reliability and protects the environment.”

Restore the Delta executive director Barbara Barrigan-Parrilla said the plan is “deeply flawed” and unreliable. She said environmentalists were considering taking legal action to halt the project.

“We are not surprised that the Notice of Determination has been issued. The Brown administration will celebrate this document as a type of victory regarding the advancement of CA WaterFix. But it’s not,” she said. “The EIR and the plan for the tunnels are deeply flawed as the project will not create water-supply reliability in a world with increased and prolonged droughts, but perhaps up to 75 years of debt to be paid back by water ratepayers.”

The state is represented by Michael Weed of Orrick, Herrington & Sutcliffe.

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