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Contact: Hilary Crowley
(209) 468-2997 / hcrowley@sjgov.org

San Joaquin County Responds to Court’s Rejection of State’s Attempt to Finance Controversial Delta Tunnel Project with Unlimited Bond Money

On January 16, 2024, the Sacramento County Superior Court denied the request of the Department of Water Resources (DWR) for an order “validating” bond resolutions that would have financed the Delta Tunnel project known as the Delta Conveyance Project (DCP). Like its failed predecessors, the DCP would divert water from the Sacramento River near Freeport out the Sacramento-San Joaquin Delta for export to portions of the Bay Area, South San Joaquin Valley and Southern California.

The Counties of San Joaquin, Contra Costa, Solano, Yolo, Butte, Plumas, and Sacramento, along with related water agencies, challenged DWR’s authority to issue an unlimited amount of bonds to finance the DCP. Specifically, the Superior Court of California, County of Sacramento stated: “*The Court issued its [Final Statement of Decision](#) on January 16, 2024, finding DWR exceeded its statutorily delegated authority when it adopted the Bond Resolutions, which purported to authorize the issuance of the Delta Program Revenue Bonds.*”

In response to the Court’s decision, San Joaquin County Supervisors Tom Patti and Steve Ding provided the following comments:

“This Court’s decision is a phenomenal win for the Delta and its 4 million residents. DWR’s attempt to force ratepayers and property taxpayers to open their wallets for unlimited spending on the proposed Delta tunnel will only cause more financial harm to people already on the brink. The Court stands behind us in finally ending these schemes to build a tunnel at the expense of the Sacramento-San Joaquin River, Delta communities and the local environment. We need to unite on solutions that will be a win for all Californians,” said San Joaquin County Supervisor Tom Patti.

“DWR’s bond plan would have burdened State Water Project ratepayers and property taxpayers with decades of debt for very little benefit. By rejecting DWR’s demand for a blank check to fund a risky, ill-fated megaproject, the Court’s decision proves that DWR doesn’t have the authority to fund the tunnel with bonds. Instead of bully tactics, the State should take more productive actions like improving levees, developing sensible above and below ground storage, and building additional water projects to conserve and reuse water throughout the state,” said San Joaquin County Supervisor Steve Ding.

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