



**Delta
Stewardship
Council**

A CALIFORNIA STATE AGENCY

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SUPERIOR COURT OF CALIFORNIA REAFFIRMS THE COUNCIL'S BROAD AUTHORITY AS DELTA STEWARDS

SACRAMENTO – For the second time since the Delta Stewardship Council's establishment in 2010, its regulatory authority has been upheld by California's judicial branch, clearing the way for the Council to continue to apply its expertise and exercise its broad authority in determining how to accomplish the goals and objectives of the Delta Reform Act. On November 4, the Superior Court of California ruled in favor of the Council regarding lawsuits filed by 17 parties challenging two amendments to the Delta Plan and the Programmatic Environmental Impact Report (PEIR) prepared pursuant to the California Environmental Quality Act (CEQA).

"Since 2013, the Delta Plan has served as a comprehensive, forward-looking management plan for tackling the Sacramento-San Joaquin Delta's challenges related to water supply reliability and ecosystem resiliency in a way that protects and enhances the area's special character and attributes," said Chair Virginia Madueño. "Amending the Delta Plan in response to the region's ever-changing landscape and to reflect the best available science is directly tied to how successful the Council is in carrying out its legally mandated role as Delta stewards."

Like the original Delta Plan itself, amendments go through an extensive, transparent, multi-year public process. The Council remains steadfast in its commitments to furthering California's coequal goals through the implementation of the Delta Plan, which is only strengthened by the amendments thoughtfully adopted by the Council, and to creating opportunities for meaningful stakeholder and public participation in its decision-making processes.

"The Council has now received recognition of our broad authority and discretion by the Appeals *and* Superior Courts," said Executive Officer Jessica R. Pearson. "Combined, the Courts have affirmed and then reaffirmed that the Council has a central role in guiding and managing the long-term sustainability of the Delta that goes beyond

ensuring regulatory compliance with the Delta Plan regulations. This includes directing actions across State, federal, and local agencies that support the coequal goals and promoting a shared body of science upon which to base decisions.”

Earlier this month, following the Court of Appeals’ 2020 precedential decision to uphold the Delta Plan, the Superior Court rejected all four suits denying 17 plaintiffs in four consolidated cases contesting the legality of the conveyance, operations, and storage amendment, the performance measures amendment, and the certification of the PEIR. The Superior Court also recognized the complexity of the Delta Plan and stated that the amendments bore the “hallmarks of reliability, in that they are the product of careful consideration by numerous agency officials and are the culmination of years of decision-making and several opportunities for the public to comment thereon.”

The November 4 ruling is available at the Sacramento Superior Court (Nos. 34-2018-80002898, 34-2018-80002900, 34-2018-80002901, and 34-2018-80002904).

For more information, contact media@deltacouncil.ca.gov.

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ABOUT THE COUNCIL

The Delta Stewardship Council was created by the California Legislature effective in 2010, to advance California’s water supply reliability and the Delta’s ecosystem resiliency in a manner that protects and enhances the region’s unique characteristics. It is composed of seven members, advised by an independent 10-member science board, and supported by a dedicated staff. For more information, visit the [Council’s website](http://deltacouncil.ca.gov) (deltacouncil.ca.gov).