

Impacts of Proposed Delta Conveyance Project

Appeal No. C20257-A6

Sacramento Area Sewer District (SacSewer)

February 26, 2026

PRESENTED BY:

SACSEWER.COM



Key SacSewer Infrastructure

EchoWater Recycling Facility

- State of the art advanced tertiary treatment facility
- Treats wastewater for 1.6 million residents of greater Sacramento region
- Discharges to Sacramento River just upstream of proposed DCP intakes

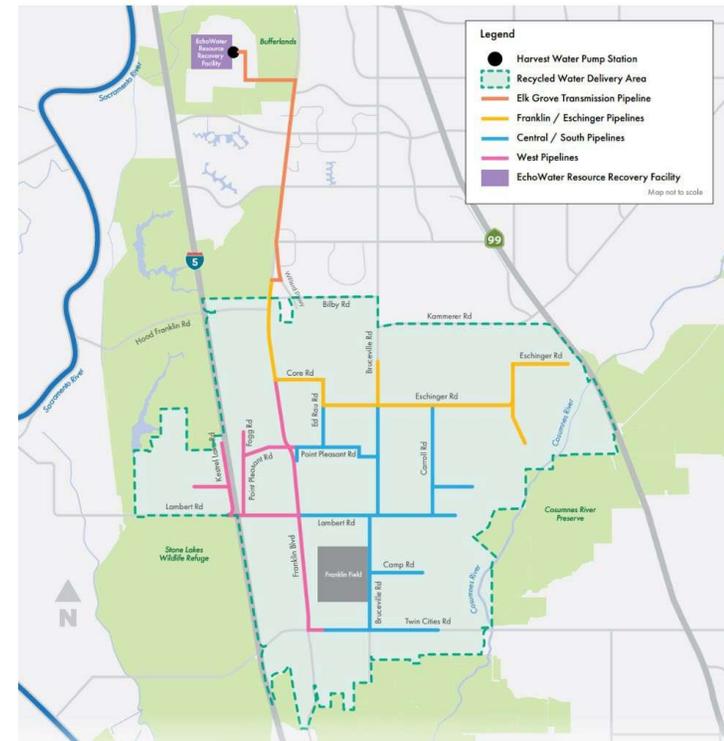
Harvest Water Program

- Landmark recycled water delivery program that will provide up to 50,000 AFY
- Commits to objective targets:
 - Raise groundwater levels
 - Provide ecosystem benefits, e.g., 3,500+ acres of crane habitat

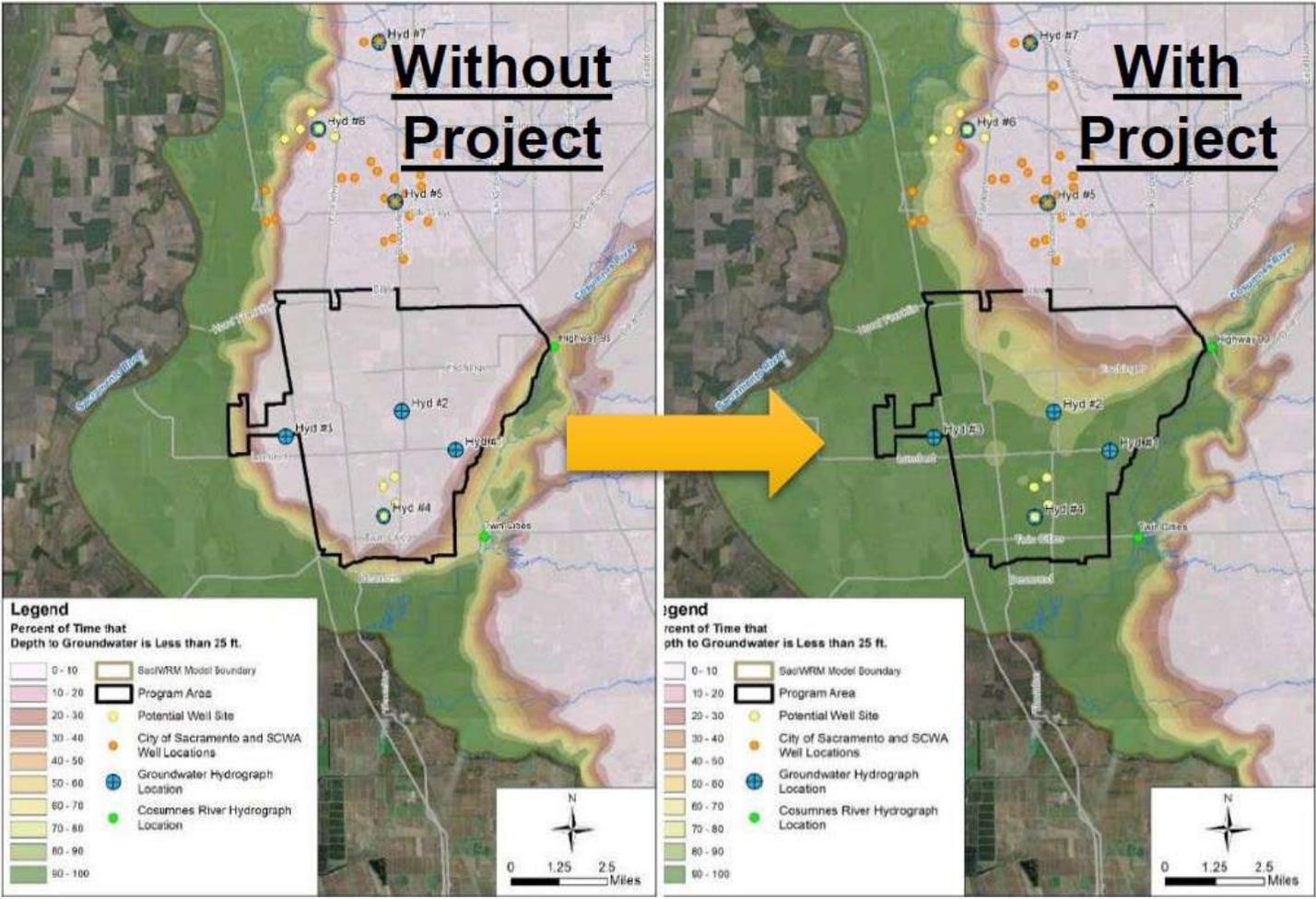


Recycled Water Delivery Area

Map updated in February 2024



Record No. DCP.V2.27.00003, slide 3.



Record No. DCP.V2.27.00003, slide 5.

The DCP is Inconsistent with Co-Equal Goals

Co-Equal Goal	Inconsistency
Provide a More Reliable Water Supply	X The DCP Makes Recycled Water Supply Less Reliable
Protect, Restore, and Enhance the Delta Ecosystem	X The DCP Does Not Protect Delta Ecosystem or Natural Resource Values
“The Co-Equal Goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.” (Wat. Code, § 85084.)	X The DCP Worsens Natural Resources in the Delta

The DCP is Inconsistent with Delta Plan Policies

G P1	Best Available Science (BAS) Include All Applicable Mitigation Measures
DP P2	Respect Local Land Use When Siting Water or Flood Facilities or Restoring Habitats
WR P1	Reduce Reliance on the Delta through Improved Regional Water Self-Reliance
ER P1	Delta Flow Objectives

Delta Plan Policy G P1

Covered Actions must:

- Be consistent with G P1 and all applicable regulatory policies;
- Include all applicable feasible Delta Plan mitigation measures adopted as part of Appendix O and incorporated into the Delta Plan or “equally or more effective” substitute mitigation measures
- “[D]ocument the use of best available science”

Record No. DCP.V2.27.00003, slide 1.



G P1(b)(2) | DWR Failed to Include Necessary Mitigation or Substitutes

MM 4-2(a):

Project proponents must select project site[s] that would avoid habitats of special status species (which may include foraging, sheltering, migration, and rearing habitat in addition to breeding or spawning habitat)

MM 4-2(f):

Project proponents must “avoid habitats of special-status plant species.”



Record No. DCP.V2.17.00005, Figure 3. TCC footprint overlaid on crane flock locations mapped by Dr. Gary Ivey 2008-2012.

G P1(b)(3) | DWR Did Not Use, or Document, BAS

G P1 (b)(3) requires all covered actions to “document the use of *best available science*...”

Legislative mandate for use of “**best available science to further two coequal goals.**”
Delta Stewardship Council Cases(2020) 48 Cal.App.5th 1014, 1028

DISB review of documents reveals DWR’s failure to use BAS:

- Unrealistic climate change assumptions
- Mismatched spatial and temporal scales of models and analysis
- May have failed to capture fish and terrestrial species impacts
- Implies that “the Delta has a higher seismic hazard than Delta-specific studies have documented”

G P1(b)(3) | Failure to Use BAS to Evaluate Impacts Affecting SacSewer Facilities

- X Unrealistically evaluated DCP impacts by failing to account for key conditions, including related to climate change
- X Omitted relevant scientific information related to reverse flow impacts, which are critical to EchoWater
- X Did not adequately consider impacts to groundwater zones, groundwater-dependent ecosystems, or sandhill cranes, interfering with Harvest Water's ability to create ecosystem benefits and meet contractual obligations
- X Provided no evidence of peer review

Delta Plan Policy DP P2

DP P2 requires water management facilities to “be sited to avoid or reduce conflicts with existing uses or those uses described or depicted in city and county general plans...when feasible, considering comments from local agencies and the Delta Protection Commission.”

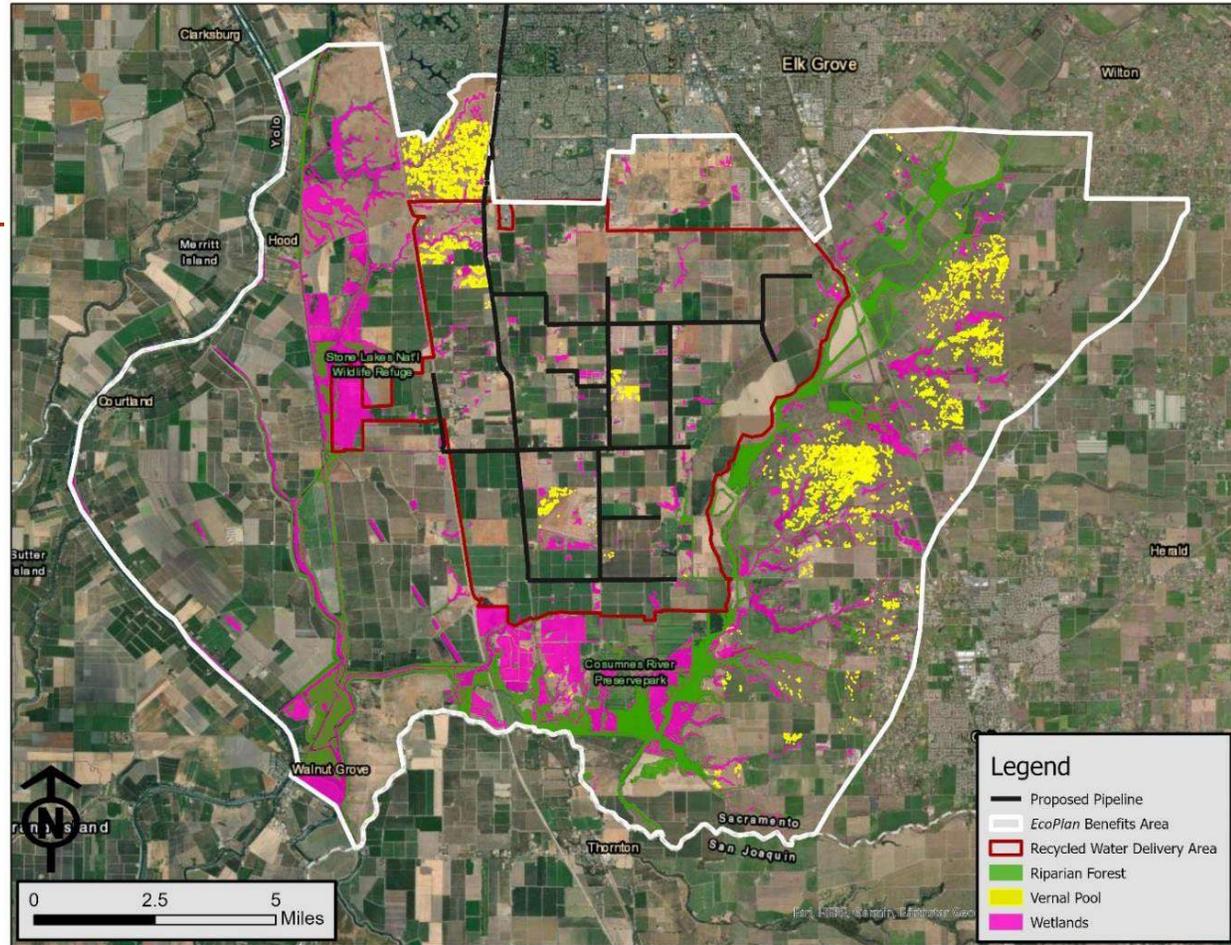
DCP is Inconsistent with DP P2:

- X Inconsistent with SacSewer’s Existing Uses
- X No Consideration of Uses Depicted in Sacramento County General Plan
- X Inadequate Consideration of Comments and Operational Impacts

DP P2 | Siting

Harvest Water is a critical existing land use that, unlike the DCP, provides key ecological benefits

Siting threatens over \$400 million in State and federal taxpayer investments in ecological benefits

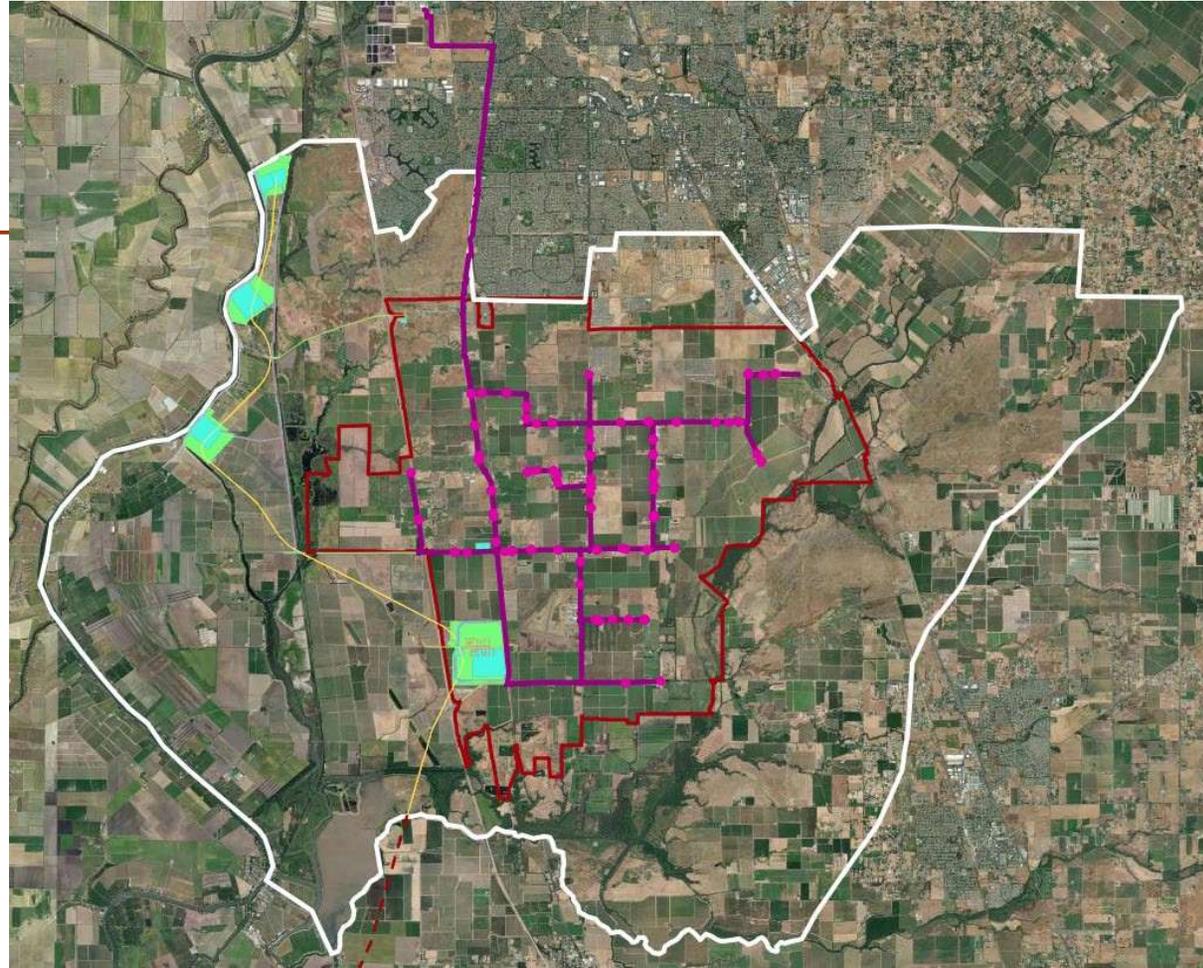


Record No. DCP.V2.27.00003, slide 11 [EcoPlan Benefits Area].

DP P2 | Siting

DWR's siting of DCP creates a massive impact area through Harvest Water and EcoPlan.

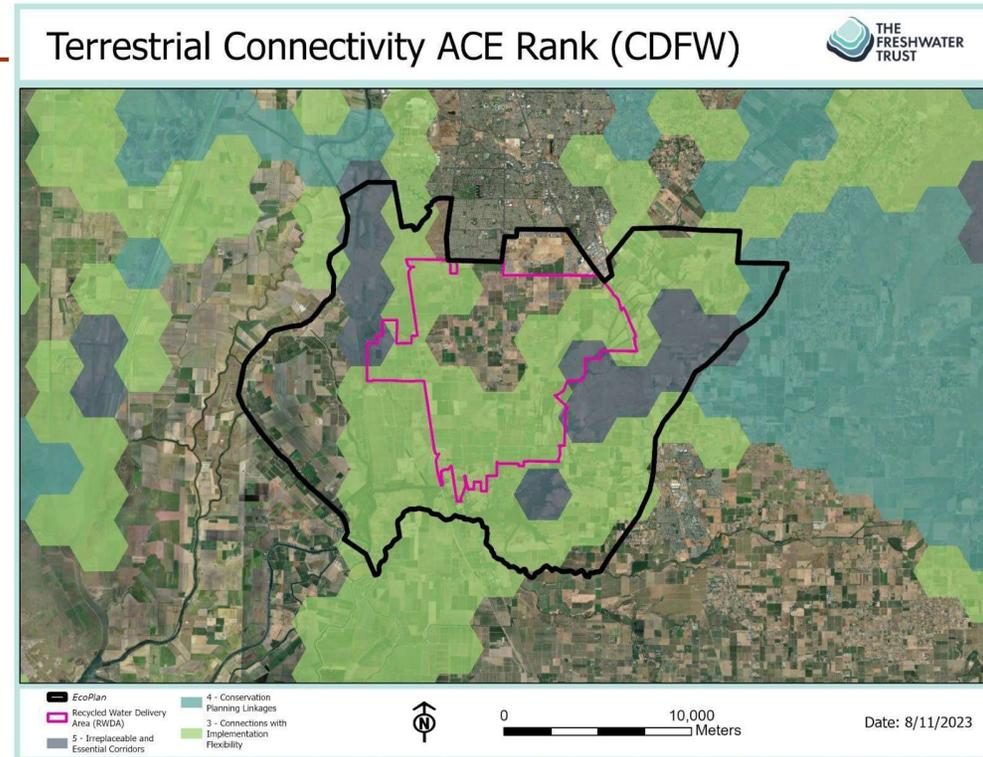
In addition to loss of sandhill crane habitat and connectivity between the CRP and SLNWR, DCP siting will impede SacSewer's ability to raise groundwater levels to within 10 feet or less to support almost 4,000 acres of existing wetlands.



Record No. DCP.V2.27.00003, slide 13.

DP P2 | DWR Did Not Meaningfully Consider Comments

- X Ignored critical issues raised in WaterFix proceedings and DCP SEC process related to intake siting
- X Sited TCC in middle of key Harvest Water area despite numerous comments and attempts at outreach, removing 644 acres of high-quality crane habitat between SLNWR and CRP
- X Provided only conclusory response that DWR conducted “detailed water quality modeling” to address reverse flow concerns raised by SacSewer



Record No. DCP.V2.27.00003, slide 12.

Delta Plan Policy WR P1

WR P1: Water may not be exported from, moved through, or used in the Delta if:

- Any receiving water supplier has failed to adequately **reduce reliance** in the Delta and improve regional self-reliance;
- That failure significantly causes need to export, transfer, or use; and
- The export, transfer, or use would significantly impact the Delta's environment.

DCP is Inconsistent with WR P1:

X DWR relies on clear legal error to determine policy is not implicated

- DWR's Certification shows only 24.5% of Suppliers Have Demonstrated Reduced Reliance
- **Failure of over 75%** of SWP exporters to reduce reliance resulted in "need" for DCP

X DCP will have, at minimum, **16** significant and unavoidable environmental impacts

Delta Plan Policy ER P1

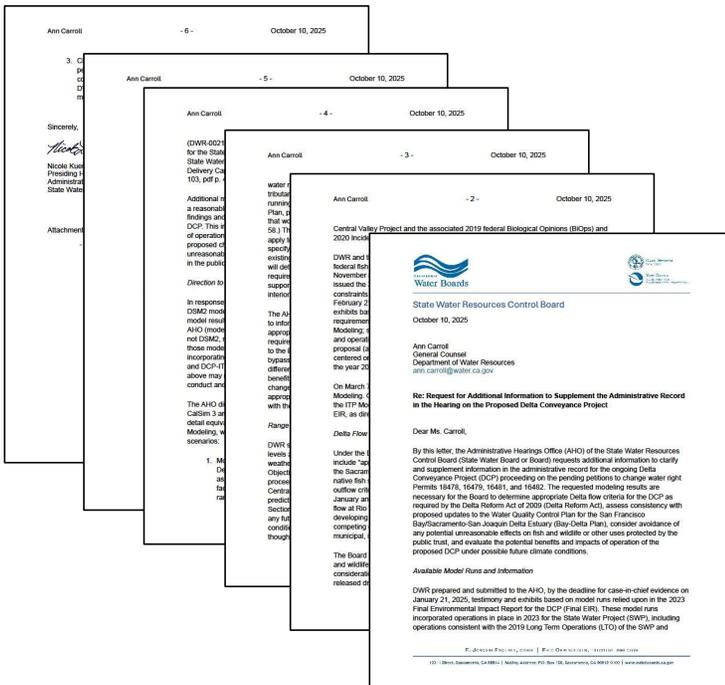
“The [SWRCB’s]
Bay Delta Water Quality
Control Plan **flow objectives**
shall be used to determine
consistency with the Delta
Plan.”

DCP is Inconsistent with ER
P1:

X Modeling deficiencies
prevent DWR from determining
consistency with flow
objectives, as identified by the
SWRCB’s Office of
Administrative Hearings

ER P1 | Flow Objectives

Excerpt from Letter to SWRCB's AHO to DWR (Oct. 10, 2025)



interior Delta flow objectives. (Id. at pp. 40, 64.)

The AHO has determined that the administrative record developed to date is inadequate to inform the State Water Board's decision concerning what Delta flow criteria would be appropriate for the DCP, as required by the Delta Reform Act, and to evaluate requirements that may be necessary to ensure consistency with the proposed updates to the Bay-Delta Plan. Modeling of DCP operational scenarios with a range of possible bypass flow requirements will inform the Board's consideration of the trade-offs between different levels of protection for fish and wildlife in the Delta and the water supply benefits of the DCP, and is relevant to the Board's findings whether the proposed changes to DWR's water right permits would unreasonably affect fish and wildlife, appropriately protect public trust resources, be in the public interest, and be consistent with the Bay-Delta Plan applicable at the time the Board acts on the petitions.

Range of Climate Scenarios

Record No. DCP.V3.1.00042.

The DCP is Wholly Inconsistent with Delta Plan Policies

G P1	<ul style="list-style-type: none">X Fails to Include All Applicable Mitigation MeasuresX Fails to Use BAS
DP P2	<ul style="list-style-type: none">X Fails to Consider Sacramento County's General PlanX Fails to Site DCP to Avoid or Reduce Conflicts with EchoWater and Harvest Water/EcoPlan
WR P1	<ul style="list-style-type: none">X Fails to Reduce Reliance
ER P1	<ul style="list-style-type: none">X Fails to Provide Adequate Modeling to Show Consistency with Flow Objectives

The DCP is Inconsistent with Co-Equal Goals

Co-Equal Goal	Inconsistency
Provide a More Reliable Water Supply	<p>X The DCP Interferes with Harvest Water’s planned delivery of 50,000 AFY of recycled water to over 16,000 acres of agricultural and habitat land, making water supply Less Reliable, inconsistent with State policy</p>
Protect, Restore, and Enhance the Delta Ecosystem	<p>X The DCP Does Not Protect Delta Ecosystem or Natural Resource Values, Instead Impairing SacSewer’s State-Approved and State-Funded Efforts to Restore and Enhance the Delta Ecosystem</p>
<p>“The Co-Equal Goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.” (Wat. Code, § 85084.)</p>	<p>X The DCP Worsens Natural Resources in the Delta</p>