



## California Environmental Quality Act: Notice of Determination

**To: Office of Planning and Research**

1400 Tenth Street  
Sacramento, CA 95814

**From: Responsible Agency:**

**The Metropolitan Water District of Southern California**  
P.O. Box 54153  
Los Angeles, CA 90054-0153

Contact: Brenda Marines  
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***Subject:***

**Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

**Project Title:** Amend an agreement between The Metropolitan Water District of Southern California and Department of Water Resources for Metropolitan’s portion of funding for preconstruction work on the Delta Conveyance Project in 2026 and 2027.

State Clearinghouse Number	Lead Agency/Applicant Contact Person	Area Code/Telephone/Extension
2020010227	California Department of Water Resources 1516 9 <sup>th</sup> Street Sacramento, CA 95814 Contact: Marcus Yee	(916) 669-8405

**Project Location** (include county): Counties of Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo (please also see attached map Figure 3-2 from Chapter 3 of the Final EIR and information provided in the Lead Agency’s NOD).

**Project Description:**

The California Department of Water Resources (DWR), acting as the Lead Agency under the California Environmental Quality Act (CEQA), certified an Environmental Impact Report (Final EIR), adopted a Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and filed a Notice of Determination on December 21, 2023, for the Delta Conveyance Project (DCP).

The DCP involves the construction, operation, and maintenance of new State Water Project (SWP) water diversion and conveyance facilities in the Sacramento-San Joaquin Delta that would be operated in coordination with existing SWP facilities. DWR is pursuing the DCP to improve the reliability and operational flexibility of the SWP due to historical and future risks from climate change, sea level rise, levee failure, and regulatory codes.

The project includes efforts to identify geotechnical, hydrogeologic, agronomic, and other field conditions that will guide appropriate construction methods and monitoring programs for final engineering design and construction data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, preconstruction design work, and engineering work in 2026 and 2027 (“Preconstruction Work”). Major features of the DCP include two new intake facilities along the Sacramento River near the community of Hood, a new 45-mile-long concrete-lined tunnel and associated tunnels to convey flow from the intakes to a new pumping plant/surge basin near the existing SWP Clifton Court Forebay. From there, flows from the new pumping plant/surge basin would be lifted into the new Bethany Reservoir. Other new ancillary facilities include access roads, concrete batch plants, fuel stations, and power transmission/distribution lines. The total maximum diversion capacity would be 6,000 cubic feet per second. A full description of the DCP, also known as Alternative 5, is provided in Chapter 3 of the Final EIR.

Under the California Water Code, DWR is responsible for the construction, maintenance and operations of the SWP, of which DCP is a part, and for securing funding for SWP-related costs. The SWP share of DCP costs would be paid by participating SWP Contractors in accordance with their long-term water supply contracts with DWR. Metropolitan is the largest SWP contractor. In December 2020, Metropolitan’s Board of Directors authorized execution of a funding agreement with DWR for Metropolitan’s share of the DCP planning and preconstruction costs, which Metropolitan and DWR subsequently executed, and which funding will last through 2025. Significant planning and preconstruction activities are complete, including certification of the Final EIR, approval of the DCP, and submission of all major permit applications. Post 2025, DWR must complete additional planning and Preconstruction Work activities in 2026-2027 to advance the DCP, which will keep the project on schedule and inform a revised cost estimate.

On December 10, 2024, Metropolitan’s Board of Directors considered the Final EIR for the DCP, adopted DWR’s CEQA findings, adopted a Statement of Overriding Considerations for the Preconstruction Work, and authorized the general manager to amend the existing agreement with DWR to fund Metropolitan’s portion of 2026-2027 DCP Preconstruction Work. Metropolitan’s Board of Directors did not approve the DCP, as reflected in the Statement of Overriding Considerations it adopted, which is limited to the Preconstruction Work funding only. The December 10, 2024, Board Letter for Item 8-4 with more details on Metropolitan’s Board action is available for public review at [www.mwdh2o.com](http://www.mwdh2o.com).

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This is to advise that on December 10, 2024, the Board of Directors of The Metropolitan Water District of Southern California as a Responsible Agency under CEQA considered the Lead Agency’s certified Final EIR for the Delta Conveyance Project (SCH No. 2020010227); made CEQA Findings of Fact pursuant to State CEQA Guidelines Section 15091 and 15096 for the DCP; adopted a Statement of Overriding Considerations specific to the 2026-2027 Preconstruction Work pursuant to State CEQA Guidelines Section 15093; authorized the general manager to enter an amended a funding agreement with DWR for its share of the 2026-2027 Preconstruction Work; and made the following determinations regarding the Preconstruction Work:

1. The DCP, which includes the Preconstruction Work, [will will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared and certified by DWR for the DCP, which included an analysis of the Preconstruction Work pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the DCP, including the Preconstruction Work, by DWR.
4. A Statement of Overriding Considerations [was was not] was adopted for the Preconstruction Work by Metropolitan.
5. A Mitigation Monitoring Report or Monitoring Plan [was was not] adopted for the DCP, including the Preconstruction Work, by DWR.
6. Findings [were were not] made pursuant to State CEQA Guidelines Section 15091 and the provisions of CEQA by Metropolitan.

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This is to certify that the above-referenced EIR and the record of proceedings relating to The Metropolitan Water District of Southern California’s above-described action is available to the general public at the following location:

The Metropolitan Water District of Southern California, 700 Alameda Street, Los Angeles, CA 90012

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Manager,  
Environmental Planning Team

December 12, 2024

*Signature:* Sean Carlson

*Title*

*Date*

Date received for filing at County or OPR: \_\_\_\_\_