



## Statement on the lawsuit against the Delta Plan

*Chris Knopp, Executive Officer of the Delta Stewardship Council, released the following statement regarding a lawsuit filed last Friday (May 24) in Sacramento Superior Court seeking a redo of the Council's recently adopted (May 16) comprehensive management plan for the Delta.*

**Chair**  
Phil Isenberg

**Members**  
Frank C. Damrell, Jr.  
Randy Fiorini  
Gloria Gray  
Patrick Johnston  
Hank Nordhoff  
Don Nottoli

**Executive Officer**  
Christopher M. Knopp

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The lawsuit filed recently by the Westlands Water District and San Luis Delta Mendota Water Authority is disappointing, but not unexpected.

In essence, this suit challenges the adequacy of the Environmental Impact Report under the California Environmental Quality Act, and the Council's authority under, and compliance with, the Delta Reform Act. Neither avenues of challenge, in our opinion, have merit.

The Delta Reform Act clearly tasks the Council with developing an enforceable management plan for the Delta that furthers the coequal goals of a reliable water supply for California and protection and enhancement of the Delta ecosystem.

As we have stated all along, the Council's Delta Plan is a moderate and reasonable path forward that is consistent with the requirements and authorities granted by Delta Reform Act. The Plan contains a mix of targeted regulatory policies, nonbinding recommendations, and a strong emphasis on interagency coordination.

The approach advocated by plaintiffs—one purely facilitative and without regulatory effect— is inconsistent with the Delta Reform Act and resolving the ongoing crisis in the Delta.

It is unfortunate that these two public water agencies would rather waste time in court than certify that they are using water efficiently and are in compliance with existing state laws and regulations.

While we will strongly defend this lawsuit, the Council is committed to working with all the stakeholders to begin implementation of this important and foundational Delta Plan.

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*"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal 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."*

– CA Water Code §85054