

DELTA STEWARDSHIP COUNCIL
RESOLUTION 2026-03

Adoption of a Determination on Appeals of Department of Water Resources
Certification of Consistency Number C20257 for the Delta Conveyance Project

WHEREAS, on October 17, 2025, the Department of Water Resources (Department) submitted to the Delta Stewardship Council (Council) a certification of consistency number C20257 (Certification) for the Delta Conveyance Project; and

WHEREAS, the Delta Reform Act directs that the Council's Delta Plan must further the "coequal goals" (Water Code § 85300) and defines the coequal goals to mean the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem to 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 (Cal. Wat. Code § 85054); and

WHEREAS, any person may file an appeal with regard to a certification of consistency submitted to the Council, claiming that a proposed covered action is inconsistent with the Delta Plan and, as a result of that inconsistency, the action will have a significant adverse impact on the achievement of one or both of the coequal goals or implementation of government-sponsored flood control programs to reduce risks to people and property in the Delta (Cal. Wat. § Code 85225.10(a)); and

WHEREAS, on November 17, 2025, the Council received 10 timely appeals of the Certification from the following parties: 1) Appeal No. C20257-A1 -Delta Protection Commission; 2) Appeal No. C20257-A2 - Courtland Pear Fair; 3) Appeal No. C20257-A3 - County of Sacramento and Sacramento County Water Agency; 4) Appeal No. C20257-A4 - Steamboat Resort; 5) Appeal No. C20257-A5 - San Francisco Baykeeper, Winnemem Wintu, Shingle Springs Band of Miwok Indians, Restore the Delta, California Sportfishing Protection Alliance, Center for Biological Diversity, Friends of the River, California Indian Environmental Alliance, and Little Manila Rising; 6) Appeal No. C20257-A6 - Sacramento Area Sewer District; 7) Appeal No. C20257-A7 - City of Stockton; 8) Appeal No. C20257-A8 - South Delta Water Agency; 9) Appeal No. C20257-A9 - San Joaquin County, Solano County, Yolo County, Central Delta Water Agency, and Local Agencies of the North Delta; and 10) Appeal No. C20257-A10 - DCC Engineering Co., Inc. (Cal. Code Regs., tit. 23, § 5022); and

WHEREAS, the Department submitted a "full and complete" certified record for the Certification on November 24, 2025 (Cal. Code Regs., tit. 23, § 5022, subd. (e)); and

WHEREAS, each party was given the opportunity to submit a brief, including any request to supplement the record pursuant to the Council's regulations (Cal. Code Regs., tit. 23, §5027); and

WHEREAS, on February 26 and 27, 2026, the Council held a hearing (Hearing) on the appeals at its regularly scheduled meeting (Cal. Wat. Code § 85225.20; 23 Cal. Code Regs § 5030); and

WHEREAS, each party appeared and made presentations concerning the appeals to the Council (Cal. Code Regs., tit. 23, §§ 5027 and 5028); and

WHEREAS, at the conclusion of the Hearing, the Presiding Officer directed staff to prepare a draft determination on the appeals for the Council's consideration at a future Council

meeting; and

WHEREAS, the Council is required to make written findings on appeals within 60 days of the Hearing, and may deny the appeals, remand the matter to the Department for reconsideration, or dismiss the appeals (Cal. Wat. Code §§ 85225.10(c), 85225.20 and 85225.25; Cal. Code Regs., tit. 23, §§ 5025, 5030, 5033, and 5034(d)); and

WHEREAS, the Council has reviewed and considered the Draft Determination (Draft Decision No. D20257) that is Attachment 1 to this Resolution, and which was prepared by staff as directed by the Presiding Officer.

NOW, THEREFORE, BE IT RESOLVED BY THE DELTA STEWARDSHIP COUNCIL THAT:

1. The Council hereby finds the foregoing recitals to be true and correct and incorporates them herein.
2. The Council adopts Draft Decision No. D20257 (which is Attachment 1 to this resolution, and which is incorporated herein and made a part of this resolution as if fully set forth) and the findings therein, except for any modifications approved by the Council and read into the record during the agenda item for this matter at the April 23-24, 2026, Council meeting.
3. The Council authorizes and directs the Executive Officer, or their delegee, to incorporate any modifications to Draft Decision No. D20257 which were approved by the Council and read into the record during the agenda item for this matter at the April 23-24, 2026, Council meeting.
4. The Council authorizes and directs the Executive Officer, or their delegee, to finalize Draft Decision No. D20257, including any necessary non-substantive changes.
5. The Council authorizes and directs the Executive Officer, or their delegee, to take such steps as are necessary to effect the intent of this resolution, including posting and distribution of the finalized Decision No. D20257.

Attachment 1: Draft Decision No. D20257

CERTIFICATION

On a motion by Councilmember _____, seconded by Councilmember _____, and a vote of the Council, the foregoing resolution was passed and adopted by the Delta Stewardship Council by the following vote at a regular meeting of the Delta Stewardship Council on April __, 2026.

Burgis _____

Eggman _____

Lee _____

Miller _____

Mehranian _____

Patterson _____

Zingale _____

Dated: April __, 2026

Emma Askea _____
Clerk of the Board of the Delta Stewardship Council