

Congress of the United States

Washington, DC 20515

February 21, 2024

The Honorable Michael L. Connor
Assistant Secretary of the Army for Civil Works
108 Army Pentagon, Room 3E 446
Washington, DC 20310-0108

Dear Secretary Connor:

As Representatives of the Sacramento-San Joaquin Delta (Delta), we are troubled by the environmental consequences that would result from the construction and operation of the Delta Conveyance Project, commonly referred to as the Delta Tunnel, if issued a permit by the Corps under the Clean Water Act. The Project would permanently alter the Delta, disrupting local agriculture and causing environmental damage from adverse effects on water quality to increased salinity and the degradation of critical aquatic habitats. The construction phase alone, spanning over 13 years, will be highly disruptive. The long-term operational impacts of the Project, which are not analyzed in the draft Environmental Impact Statement (EIS), are also of deep concern to Delta residents. We urge you to take all possible steps to ensure a comprehensive and thorough review of the full environmental consequences of the Delta Tunnel, as mandated by the National Environmental Policy Act.

We want to highlight concerns raised by the U.S. Environmental Protection Agency (EPA). EPA's Region IX has communicated during the environmental review process that the EIS associated with the Delta Tunnel may necessitate elevation to the EPA's Office of Water. EPA's most recent letter on the draft EIS (see attached) underscores the Delta's status as a resource of national importance and the potential for the Delta Tunnel to cause significant adverse impacts. EPA raises several significant concerns, which we share, regarding compliance with the Section 404(b)(1) guidelines and urges a full "analysis and disclosure of the project's secondary effects, including, but not limited to: changes in the salinity gradient and the location and volume of the low salinity zone in all seasons; adverse effects on water quality including the amplification of water quality impairments; disruption of migratory corridors for salmonids and sturgeon; degradation of aquatic life beneficial uses; disruption and loss of ecosystem processes; reductions in cold water supply for migratory fishes in the upper watershed; and changes to river hydrology."

As you know, the Delta Tunnel will also require Corps' permits under Section 408 of the Clean Water Act for impacts to federal navigation channels and modifications that could potentially impact the federal system of Delta levees and other flood control features including the so-called non-(Army Corps) project levees. We share concerns raised by the Delta Counties Coalition and others that alterations to Delta levees during the Tunnel's construction is likely to cause subsidence, jeopardizing the levee system's integrity and effectiveness in flood risk reduction. We look forward to continuing to work with the Corps to maintain and improve the Delta's existing flood protection infrastructure to better protect the existing levees and associated water supply infrastructure from seismic risks and climate change. We encourage you to ensure that these alternatives are actively considered in lieu of the proposed Delta Tunnel.

Please provide us with an update, as soon as practicable, on your efforts to ensure all environmental consequences of the Delta Tunnel are fully evaluated. Thank you for your consideration of our concerns.

Sincerely,



Mike Thompson
Member of Congress



Doris Matsui
Member of Congress



John Garamendi
Member of Congress



Mark DeSaulnier
Member of Congress



Josh Harder
Member of Congress