

### New lawsuit challenges funding for Delta water tunnel

*Daily Journal*

01.23.2024

The *Daily Journal* reports that the California Department of Water Resources is facing a legal challenge from numerous environmental groups in Sacramento County Superior Court for the Delta Conveyance Project, a \$16 billion project to build a 36 feet wide, 45 miles long, and 150 feet deep tunnel under the Sacramento-San Joaquin Delta. The complaint alleges that the state violated the California Environmental Quality Act (CEQA) when it approved the project in December 2023.

Sheppard Mullin Real State, Energy, Land Use & Environmental partner Alex Merritt commented to the *Daily Journal* that “the CEQA requires the agency to study a reasonable range of alternatives that could mitigate the environmental impact of an undertaking, which [will be] a big issue in the case going forward.” He added that “the lawsuit is a ‘pretty’ standard CEQA petition and the department will likely have to convince the court through its administrative record that it has complied with environmental regulations.”

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#### Attorneys

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#### Practice Areas

CEQA Documentation and Defense

Land Use Litigation

Real Estate, Energy, Land Use & Environmental