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News Release

FOR IMMEDIATE RELEASE

November 4, 2011

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Council Releases Draft EIR for Delta Plan

SACRAMENTO –The Delta Stewardship Council today released its draft Program Environmental Impact Report (EIR) for the Delta Plan. Public hearings to take oral comment on the draft EIR will be held on November 17, 2011 and December 15, 2011. These hearings will take place in Sacramento (see below). Public comments may be submitted at the hearings, or in writing to the Council, any time on or before January 3, 2012. The draft EIR is available at <http://www.deltacouncil.ca.gov>.

“Today is a major milestone in addressing the challenges in the Delta, and a significant step toward developing a strong Delta Plan that will achieve the coequal goals,” said Joe Grindstaff, Executive Officer of the Delta Stewardship Council. “We look forward to continued public involvement as we seek to adopt a final EIR and Delta Plan.”

The environmental review process analyzes the environmental impacts of the Council’s fifth staff draft of the Delta Plan as well as five other alternatives: a no project alternative, two alternatives with increased emphasis on water supply reliability, one alternative with increased emphasis on Delta ecosystem restoration and one alternative with increased emphasis on protection and enhancement of Delta communities and culture.

After close of comment period on January 3rd, staff will review comments received on the draft EIR and comments received on the fifth staff draft of the Delta Plan, and will consider whether changes to the Plan are appropriate in light of those comments. Written responses to draft EIR comments will be issued in a Final EIR, which will be available on the Council’s website. The Council will meet as necessary to consider any recommended changes prior to EIR certification and Delta Plan adoption, currently anticipated for spring 2012.

The fifth staff draft Delta Plan is based on input gathered at dozens of public meetings throughout the state and thousands of comments from agencies, scientists and members of the public. The draft EIR alternatives were informed by these comments and recommendations, and by specific proposals developed by the Association of California Water Agencies Ag-Urban Caucus, the Environmental Water Caucus, and a host of other agencies and members of the public from around the state.

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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

The draft EIR is being prepared by the Council as the Project proponent and state lead agency under the California Environmental Quality Act (CEQA) for the Delta Plan. CEQA requires lead agencies to consider the environmental consequences before approving, carrying out, or funding a project. The project being considered by the Council is the adoption of the Delta Plan.

The Delta Plan draft EIR is a programmatic EIR due to the broad nature of the Delta Plan. Specific physical actions (levee improvements to reduce flood risk, wetlands restoration to improve the Delta ecosystem, for example) to further the Delta Plan's goals would be taken by other government agencies. Those agencies, in turn, would complete project-specific environmental documents in the future at the time those specific actions are designed and proposed.

Written comments on the draft Delta Plan Program EIR should be provided to the Delta Stewardship Council on or before January 3, 2012. Written comments on the draft Delta Plan Program EIR should be sent to: "EIR Comments", Delta Stewardship Council, 980 Ninth Street, Suite 1500, Sacramento, CA 95814.

Comments may also be submitted electronically through the Council's website at <http://www.deltacouncil.ca.gov> or via e-mail with the subject line "Draft EIR" to eircomments@deltacouncil.ca.gov. Comments may also be provided orally or in writing at public Council meetings on the following dates:

- Thursday, November 17, 2011
1:00 p.m. to 4:30 p.m.
Sheraton Grand Hotel, 1230 J Street, Sacramento, CA
- Thursday, December 15, 2011
1:00 p.m. to 4:30 p.m.
California State Capitol, Room 447, Sacramento, CA

For copies of previous drafts of the Delta Plan, as well as all public comments, please visit the Council's website, at: http://www.deltacouncil.ca.gov/draft_delta_plans.html

About the Council

The Delta Reform Act of 2009, which created the Delta Stewardship Council, directed it to "develop, adopt, and commence implementation of the Delta Plan." The Council is composed of members who represent different parts of the state and offer diverse expertise in fields such as agriculture, science, the environment, and public service. Of the seven, four are appointed by the Governor, one each by the Senate and Assembly, and the seventh is the Chair of the Delta Protection Commission. For more information visit <http://deltacouncil.ca.gov/>

-Statement from DSC Executive Officer Joe Grindstaff follows-

Statement of Joe Grindstaff, DSC Executive Officer

Today is a major milestone in addressing the challenges in the Delta, and a significant step toward developing a strong Delta Plan that will achieve the state's coequal goals for the Delta.

This 2,200-page Draft Programmatic Environmental Impact Report comes just 18 months after the Delta Stewardship Council convened its first meeting and eight months since the release of the first staff draft of the Delta Plan. We have also been through more than 50 public meetings and have received more than a thousand pages of stakeholder comments on the first five drafts of the Delta Plan.

These are impressive numbers but what is really important is that this draft EIR:

- Informs the Delta Stewardship Council in its final decision-making and selection of the best approach to achieve the coequal goals of protecting and restoring the Delta ecosystem and improve water supply reliability for the state
- Reflects 10 months of intense work, and continues a commitment to transparency going well beyond legal requirements
- Evaluates the fifth staff draft of the Delta Plan and five alternatives which were based on comments, input, and, in some cases, alternative plans received from the public

No decisions have been made by the Council about the best approach. After the 60-day comment period, the Council will review and analyze the comments and use the information in the draft EIR, to develop a final EIR and Delta Plan.

It is important to remember that the draft EIR is a technical document that analyzes physical, environmental impacts; it is not a policy document.

Also, the draft EIR is programmatic, not project-specific, like building a hotel or a bridge or a water intake or restored habitat.

The draft EIR concludes that the draft Delta Plan, which contains 12 proposed regulations and 61 recommendations, is environmentally superior to the alternatives because it advocates a hybrid regulatory and collaborative approach for achieving the coequal goals which reduces the uncertainty that actions needed to improve statewide water supply reliability, restore the Delta ecosystem, improve water quality, reduce

flood risk and enhance the Delta as place will really happen, and ensures that they will happen more quickly.

The Delta Plan has short term impacts, but more long term benefits when compared to the other five alternatives.

- The status quo allows conditions in the Delta to continue to degrade, this is what could happen under the “No Project” Alternative
- The Alternatives that emphasize only voluntary action, more water supply , and more studies (1a, 1b) could result in delayed action kicking the can down the road in fixing the Delta.
- The Alternative that emphasizes more delta restoration (2) generally could result in the greatest amount of water supply uncertainty and agricultural land losses
- The Alternative that emphasizes more agricultural land protection in the Delta and more limited regulation (3) could do less to protect and enhance the Delta ecosystem

There are many ways for the public to engage and provide input on the draft EIR:

1. Online
2. Letters
3. Nov 17/Dec 15 Public Hearings
4. Council is considering adding field hearings to engage people all over the state

All information is on the Delta Stewardship Council’s website: www.deltacouncil.ca.gov

Public comment period begins today and runs through and includes January 3, 2012.

Thank you.

General Background

- In the 2009 Legislation, the Council was charged with developing a comprehensive, long-term and legally enforceable management plan for the Delta, which is the Delta Plan.
- The draft EIR analyzes the environmental impacts of the Delta Stewardship Council's Fifth Staff Draft of the Delta Plan as well as five other alternatives, including: (1) A no project alternative; (2) Two alternatives with increased emphasis on water supply reliability; (3) One alternative with increased emphasis on Delta ecosystem restoration; and (4) One alternative with increased emphasis on protection and enhancement of Delta communities and culture.
- DSC staff and consultants developed these five additional alternatives based on compilations of comments, input and in some cases alternative plans received on previous drafts of the Delta Plan from numerous stakeholders and organizations. However, they are not verbatim alternatives submitted from outside organizations.
- The "Proposed Project" referred to in the draft EIR is the CEQA terminology for the Fifth Staff Draft of the Delta Plan.
- While CEQA requires that an EIR include analysis of a "no project alternative," because the Delta Reform Act specifically required the DSC to develop a Delta Plan to address the issues in the Delta, the "No Action Alternative" is not a viable alternative to meet the project objectives.
- The Delta Stewardship Council is taking its commitment to transparency and public input seriously in the draft EIR public review process.
 - The draft EIR analyzes all alternatives at an equal level of detail to better understand impacts, this is not required by CEQA.
 - Although CEQA law only requires a 45-day comment period, we have established a 60-day comment period, which begins today.
 - CEQA does not require public hearings, however we will conduct two public hearings to receive comments. One will be held November 17, 2011 and the other will be December 15, 2011. Details about the public meetings and other methods to submit public comments can be found on the Delta Stewardship Council website.

- The Delta Stewardship Council will thoroughly review and consider the hundreds of public comments expected on the draft EIR to prepare for development of the Delta Plan.
- The Delta Plan is a programmatic-level document that will establish a set of integrated, legally-enforceable policies, strategies and actions to guide state and local agencies regarding land, water, air and other systems in the Delta.
- The Delta Stewardship Council has conducted an open and inclusive process to develop the Delta Plan, with more than a thousand pages of stakeholder comments just on the first five drafts.
- The coequal goals of the Delta Plan are to provide a more reliable water supply for California; and to protect, restore and enhance the Delta ecosystem.
- State law dictates that 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.

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