

## **Update on Delta Plan Draft Program Environmental Impact Report (Draft PEIR)**

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**Summary:** Staff will provide an update on the release of the Delta Plan Draft Program Environmental Impact Report

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### **Background**

On Friday, November 4, 2011, Council staff released a draft Program Environmental Impact Report (Draft PEIR) on the Delta Plan for public review and comment, as required by CEQA. The comment period is for 60 days, beginning on November 4<sup>th</sup> and ending on (and including) January 3, 2012.

The “Proposed Project” (CEQA terminology) for the Draft PEIR is the suite of 12 binding regulatory policies and 61 nonbinding recommendations contained in the Fifth Staff Draft Delta Plan (which was released in August 2011).

The Draft PEIR also describes and analyzes at the same level of detail as the Proposed Project, a reasonable range of alternatives; in this case, a “No Project” alternative (an assessment of the environment if no Delta Plan is adopted), and four alternatives informed by, and based on, comments and proposals by various stakeholder groups, communities and other interested persons. The environmental impacts of the alternatives are compared to those of the Proposed Project and to existing conditions.

A copy of the Executive Summary of the Draft PEIR is attached.

Public comments on the Draft PEIR may be provided in writing through the end of the comment period, as described in the Executive Summary and on the Council website, or provided orally on Thursday, November 17, 2011 from 1-4:30 and Thursday, December 15, 2011 from 1-4:30.

Open Issues on Draft PEIR Process (from the October Council Meeting):

1. Should the Council extend the 60-day public comment period? CEQA requires a minimum of 45-days, with a recommended maximum of 60-days (absent unusual circumstances). The decision to extend is within the discretion of the Council, but would require supplemental noticing by staff.
2. Should the Council hold bifurcated “field hearings” during the public comment period in various areas of the state that may be affected by the Delta Plan? The first part of those hearings would provide members of the public an opportunity to interact with board members and staff on the substance of the Delta Plan; the second part would be an opportunity to provide oral testimony on the Draft PEIR. Staff has attached a proposed schedule for those “field hearings”.

**Agenda Item: 9**  
**Meeting Date: November 17-18, 2011**  
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**List of Attachments**

Attachment 1: Executive Summary of the Draft PEIR

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