

California Code of Regulations, Title 23. Waters
Division 6. Delta Stewardship Council
Chapter 2. Consistency with Regulatory Policies Contained in the
Delta Plan
Article 1. Definitions, Section 5001. Definitions
and
Article 3. Consistency with the Regulatory Policies Contained in
the Delta Plan, Section 5012. Prioritization of State Investments in
Delta Levees and Risk Reduction

Notice of Modification to Text of Proposed Regulations and
Addendum to Initial Statement of Reasons and Form 399 –
Economic and Fiscal Impact Statement, for OAL File No. Z-2022-
0816-07

Pursuant to Government Code section 11346.8(c), (d), section 11347.1, and California Code of Regulations, Title 1, section 44, the Delta Stewardship Council (Council) hereby provides notice of modifications to proposed regulations Section 5001, subdivision (w), and Section 5012, subdivision (c)(1), which were the subject of a public hearing on November 17, 2022. The Council is also providing notice that an Addendum to the Initial Statement of Reasons and the Form 399 – Economic and Fiscal Impact Statement has been added to the rulemaking file and is available for public inspection and comment.

The text of the regulations with proposed modifications is attached to this Notice. The changes to the proposed regulations are shown in double-underline for additions and double-strikethrough for deletions. The Addendum to the Initial Statement of Reasons (“ISOR”) and Form 399 – Economic and Fiscal Impact Statement (“Form 399”), is also attached to this Notice. The updated text of the regulations and the Addendum are available on the Delta Stewardship Council’s website at <https://deltacouncil.ca.gov/dlis/>

The changes to the proposed regulatory language consist of a modification to the definition of “Levee Improvement” in Section 5001, subdivision (w), and the addition of a date for the Department of Water Resources (DWR) annual levee spending report described in Section 5012, subdivision (c)(1). The Addendum further updates the ISOR and Form 399 to include footnotes that were inadvertently omitted.

Opportunity for Public Comment

The Council will accept written comments to the modifications to text of proposed

regulations and the Addendum by mail or by electronic submittal. **The public comment period for this regulatory action will begin on Thursday December 15, 2022, and close at 11:59 pm on Monday, January 9, 2023. The Council will consider comments received by the Council by that time.** Any interested person, or her or his authorized representative, may submit written comments relevant to the proposed regulatory action.

- Submit written comments to:

Erin Mullin
Delta Stewardship Council
715 P Street, Suite 15-300
Sacramento, CA 95814
(916) 902-6482

- Electronic Submittal of Comments. Any interested person, or her or his authorized representative, may submit comments regarding the modifications to text of proposed regulations and the Addendum by electronic submittal **at or before 11:59 p.m. on Monday, January 9, 2023**. The Council will consider comments received by the Council by that time. Electronic submittals of comments are preferred, and must be submitted to the following address to be considered:

amend.rrp1@deltacouncil.ca.gov

Contact Persons

Inquiries concerning the proposed administrative action may be directed to:

Erin Mullin
Delta Stewardship Council
715 P Street, Suite 15-300
Sacramento, CA 95814
(916) 902-6482

amend.rrp1@deltacouncil.ca.gov

The backup contact person to whom inquiries concerning the proposed administrative action may be directed to is:

Eva Bush
Delta Stewardship Council
715 P Street, Suite 15-300
Sacramento, CA 95814
(916) 284-1619

amend.rrp1@deltacouncil.ca.gov

All comments must be submitted as set forth in the “Opportunity for Public Comment” section, above.

Internet Access

Copies of this Notice, the text of the proposed regulations with the modifications in double-underline and double-strikeout, the Addendum to the ISOR and the Form 399, and all materials published or distributed by the Council regarding this proposed action are available at <https://deltacouncil.ca.gov/dlis/>

All written comments received by the dates and times specified herein that pertain to the proposed changes in double-underline and double-strikethrough text will be reviewed by the Council and be summarized and responded to in the Final Statement of Reasons.