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News Release

FOR IMMEDIATE RELEASE

March 29, 2013

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Delta Plan Nears Completion

Council Approves Final Direction for Comprehensive Management Plan

SACRAMENTO – During its March 28-29 meeting, Delta Stewardship Council (DSC) members approved revisions to the Final Draft Delta Plan, its Programmatic Environmental Impact Report (PEIR), and a package of proposed regulations that would implement the Plan’s policies.

The changes were based on more than 3,000 comments received from approximately 250 groups and individuals – the bulk of them coming from the most active water districts, environmental organizations, and Delta interests – during concurrent 45-day public comment periods held from November 2012 to January 2013.

“The proposed regulations have been subject to public comment and review since August 2011, and the modified and refined versions have been reviewed in the 5th, 6th, 7th and now Final Draft Delta Plan,” said Council Chair Phil Isenberg.

The Council made incremental changes to the 14 proposed regulations in the Rulemaking Package. Thus, an additional 15-day public comment period will occur during April. Adoption of the Final Delta Plan and the corresponding regulations, and certification of the final PEIR, will occur during the Council’s May 2013 meeting.

The Delta Plan is intended to be a comprehensive management plan to improve statewide water supply reliability, provide a vibrant and healthy ecosystem, and preserve, protect and enhance the rural, agricultural and recreational characteristics of the Delta. The Plan would include the Bay Delta Conservation Plan (BDCP) when the BDCP is completed and successfully permitted.

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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

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“After two and a half years of arduous study, review and analysis, a comprehensive management plan for the Delta is now within reach,” said Isenberg. “State law tells us to develop a legally enforceable Delta Plan that will guide state and local agency actions on water use and the Delta environment. We will soon be able to focus on implementing the policies and recommendations that will help achieve the State’s coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem while protecting the unique values of the Delta as an evolving place.”

Comments on all three volumes of the draft PEIR, the Rulemaking Package, and the Delta Plan are posted at: <http://deltacouncil.ca.gov/public-comments>. Responses to those comments will be available for review when the final versions of those documents are published and posted on the DSC website at least 10 days in advance of the May Council meeting.

When adopted, the Delta Plan and its regulations will:

- **Create a single blueprint for state and local agencies’ action** to provide a more reliable water supply for California, and protect, restore and enhance the Delta ecosystem;
- **Ensure that significant state and local agency actions** occurring wholly or partly within the Delta are consistent with the Delta Plan, with the Council as an appellate body to enforce those rules in a fair and timely manner;
- **Create a unified science initiative and improved accountability** to achieve the co-equal goals in the Delta;
- **Create an effective interagency coordination body to implement the Delta Plan.**

Following the adoption and certification processes in May, the Council will submit the package of proposed rules and a Statement of Reason to the State Office of Administrative Law (OAL). The Statement of Reason is considered a significant component in how the entire document is presented to the OAL, the state agency that ensures the proposed regulations in the final draft Delta Plan are drafted appropriately.

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“As its name suggests, the Statement of Reason offers the OAL the reasons why the DSC believes the proposed rules should be turned into enforceable regulations,” said Cindy Messer, Deputy Executive Officer for Planning. “The wording of the Statement walks through the Delta Reform Act, the DSC’s authority, and the role of the Council. It then offers context to the proposed regulations by discussing the issues at hand in the Delta and how each of the proposed regulations addresses those issues.”

Once the OAL approves the package of proposed regulations and the Statement of Reason, the documents are then submitted to the CA Secretary of State. Upon approval from that office, the proposed policies in the Delta Plan become enforceable regulations. That action is expected to occur sometime between July 1 and October 1, 2013.

The Council will also begin to implement the Delta Plan through an Implementation Committee made up of state and federal agencies that are responsible for the actions proposed in the Delta Plan.

“Public participation has been a significant factor in the development of the Delta Plan,” said Isenberg. “The process has also been transparent with all the comments on the eight drafts of the Delta Plan available on the DSC website.”

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About the Council

Created by the legislature in 2009, the Delta Stewardship 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/>