From:	Ann Spaulding
To:	Comment, Modifiedrulemakingprocess@DeltaCouncil
Cc:	Matt Emrick; Ron Bernal; susan paulsen email
Subject:	City of Antioch"s comments on the Delta Plan Modified Rulemaking Documents
Date:	Monday, April 22, 2013 2:57:11 PM

Cindy Messer
Delta Plan Program Manager
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814
Dear Ms. Messer:

The City of Antioch has reviewed the Delta Plan Modified Rulemaking Documents and respectfully submits the following suggestions and recommendations to the Delta Stewardship Council (DSC).

The purpose of these suggestions is to provide clearer guidance and assistance to agencies who are considering projects that may/not be Covered Actions. As the economy recovers, and development within Delta municipalities increases, there is a likelihood that the DSC could find itself overwhelmed with covered action hearings and challenges. Additional common-sense administrative exemptions could help the DSC prevent this.

The DSC should set forth rules providing the following:

1. Provide a Safe-Harbor format/form for Consistency Certification. The DSC likely has in mind what it would like to see in the format and contents of a Consistency Certification. Providing a Safe-Harbor form/format would be extremely helpful for municipalities that may have multiple projects falling within the scope of a Covered Action.

2. Implement rules providing for and implementing broader Administrative Exemptions (in addition to those set forth by the current Delta Plan.) The DSC should conduct hearings to determine further Administrative Exemptions that would not have an impact on the dual goals. This would be extremely helpful for municipalities and would allow for proper planning and project development. For example, certain subdivision and commercial development projects that meet certain criteria would likely not have any impact on the dual goals - e.g. in the secondary zone, subject to an EIR, meeting certain waste discharge treatment requirements, etc.

We appreciate the opportunity to make comments on the Delta Plan Modified Rulemaking Documents.

Sincerely,

Ann Spaulding
Consultant, Delta Policy

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