

## DSC Staff Proposed Motion for use in the Council Meeting on July 12, 2012

### Motion on Revising Final Staff Draft Delta Plan:

The Council direct staff to do the following:

1. Revise Final Staff Draft Delta Plan per the Council's direction at this meeting, as well as meetings on May 24, 2012, June 14-15, 2012 and June 28-29, 2012. In preparing the new draft council staff is authorized to use its discretion in making additional conforming changes for purposes of clarity and harmonization so long as they are not inconsistent with Council direction. The new draft will be referred to as the "Final Draft Delta Plan"
2. As soon as practicable thereafter:
  - A. Present the Final Draft Delta Plan, in redline and clean copy form, to the Chair and Vice Chair, for their review and approval regarding consistency with Council direction.
  - B. After receiving the approval of the Chair and Vice Chair, post the Final Draft Delta Plan on the Council website, in redline and clean copy form.
  - C. **Present the Final Plan with a seven day public review period for Council to make final review changes.**
  - D. Prepare and then circulate for a 45-day public review and comment period, an additional draft programmatic EIR volume (covering the Final Draft Delta Plan) pursuant to CEQA.
  - E. Prepare and submit to the Office of Administrative Law, a Notice of Proposed Rulemaking to commence the state rulemaking process pursuant to the Administrative Procedure Act (APA) for the regulatory policies contained in the Final Draft DP, including the 45-day public comment period required by the APA (which should run concurrently with the 45-day public comment period in "D" above) and a subsequent public hearing on the proposed regulations.
  - F. Schedule a Council meeting for certification of the Final programmatic EIR and adoption of the Delta Plan, and identify the process for completion of the state rulemaking process thereafter.