

## **DSC Staff Proposed 3 Part Motion for use in the Council Meeting on June 28-29, 2012**

### **A. Motion on Council Action Checklist:**

The Council approve the Council Action Checklist, as discussed and agreed to during the meeting, and in so doing, direct staff to include all of the proposed changes included therein in its preparation of the “Final Draft Delta Plan.”

### **B. Motion on Consent Checklist:**

#### Background:

1. Pursuant to Paragraph 10 of the “Procedures for Delta Stewardship Council Meetings”, action items of a routine nature may be bundled together as a single consent calendar item; provided that any member may remove any item from the consent calendar, to be discussed and voted upon separately.
2. Items on the Consent Checklist for today’s Council meeting have been reviewed by the Chair and Vice-Chair. The Consent Checklist will be voted on as a single consent calendar item, subject to a member’s right to remove and vote separately on any proposed change included therein.
3. The Chair will ask members if there are any proposed changes that they would like to be removed from the Consent Checklist. If there are, those will be removed without motion.

#### **Motion:**

The Council approve the Consent Checklist, and in so doing, direct staff to include all of the proposed changes included therein in its preparation of the “Final Draft Delta Plan”.

### **C. Motion on “Next Steps”:**

The Council direct staff to do the following:

1. Revise Final Staff Draft Delta Plan per the Council’s direction the past 2 days—including direction on the Council Action Checklist (pursuant to Motion A, above) and the Consent Checklist (pursuant to Motion B, above)—and prepare a new draft. 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. That 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. 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.

- D. 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 “C” above) and a subsequent public hearing on the proposed regulations.
- E. 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.