

# ROR001 ACWA



Association of California Water Agencies  
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January 14, 2013

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Transmitted electronically:  
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Subject: Comments on the Recirculated Draft Programmatic Environmental Impact Report (RDPEIR), Volume 3

Dear Ms. Messer:

The Association of California Water Agencies (ACWA) submits the following comments regarding the Recirculated Draft Programmatic Environmental Impact Report (RDPEIR), Volume 3, analyzing the November 2012 Final Draft Delta Plan.

ROR001-1

We have reviewed the RDPEIR and are disappointed that there is little to distinguish it from the previously circulated PEIR. Generally, in almost all respects, it perpetuates the problems and insufficiencies we, and others, identified in previous comments. Because the Council has requested that only comments on the Revised Project PEIR be submitted and not repeat comments made on the Proposed Project PEIR, we incorporate by reference here our prior comment letter for the record as those comments are still applicable.

ROR001-2

We note that correcting the numerous deficiencies in the RDPEIR to satisfy CEQA will require substantive changes to the document and hence a recirculation of it. We urge the Council, while taking the time necessary to satisfy these CEQA deficiencies, to also take the opportunity to reevaluate its role in furthering the achievement of the coequal goals, take a hard look at what authorities it does *and does not* possess to do so, and most importantly evaluate how it can best add value to management of the Delta consistent with the objectives inherent in the coequal goals (see §85320) and the fundamental legislative directives regarding the contents of the Delta Plan as stated in §85300 et. seq. We particularly encourage the Council, without delay, to pursue its unique prerogative to provide oversight and facilitate the integration and synthesis of pertinent state agency activities in the Delta and to develop a comprehensive Delta Science Program that will optimize efficiency and effectiveness in support of improved public policy choices related to the Delta.

ROR001-3

ROR001-4

## Response to comment ROR001-1

Comment noted.

## Response to comment ROR001-2

Please see the responses to the commenter's prior letter, OR90. Comments submitted on the Draft Program EIR were responded to, and are included in Section 3 of this FEIR.

## Response to comment ROR001-3

The revisions that are found in Sections 5 and 6 of the Final EIR clarify, amplify, and make insignificant modifications to the text of the EIR that do not constitute significant new information; therefore, further recirculation is not required pursuant to CEQA Guidelines section 15088.5. The portion of this comment regarding the Council's role and authority is a comment on the project, not on the EIR.

## Response to comment ROR001-4

This is a comment on the project, not on the EIR.

*Response to comment ROR001-5*

Comment noted.

ACWA and its members stand ready to continue to collaborate on the development of such an improved Delta Plan after revision and recirculation of a legally sufficient EIR. } ROR001-5

Thank you for your consideration.

Sincerely,



Timothy H. Quinn  
Executive Director

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*No comments*

- n/a -