From: David Okita
To: Comment, Modifiedrulemakingprocess@DeltaCouncil
Subject: comments
Date: Monday, April 15, 2013 3:26:44 PM

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1. Section 5002 – Detailed Finding to Establish Consistency with Delta Plan

Comment: Subsection (c) is inconsistent with the last version of the Delta Plan. Delta Plan (November 2012, Chapter 4, page 156) does not require a confirming statement from the Department of Fish and Wildlife for consistency.

2. Section 5006 – Restore Habitats at Appropriate Elevations and Section 5007 – Project Opportunities to Restore Habitat

Comment: The Delta Stewardship Council lacks legal authority make a consistency determination or to require mitigation for a conservation measure to develop or restore habitat pursuant to an approved Habitat Conservation Plan and/or Natural Community Conservation Plan.

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