

Notice of Determination

Appendix D

To:

[X] Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

[] County Clerk
County of:
Address:

From:

Public Agency: Delta Stewardship Council
Address: 980 9th Street, Suite 1500
Sacramento, CA 95814
Contact: Cindy Messer
Phone: 916-445-0258

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2010122028

Project Title: Delta Plan adoption, and adoption of State Regulations that consist of the Delta Plan's policies

Project Applicant: Delta Stewardship Council

Project Location (include county): Multiple counties - please see attachment

Project Description:

Per the 2009 Delta Reform Act (SBX71): The Council's primary responsibility is to develop, adopt, and implement the Delta Plan, a legally enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh (Delta) that achieves the coequal goals. Coequal goals means the two goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource and agricultural values of the Delta as an evolving place. Please see attachment for more information.

This is to advise that the Delta Stewardship Council has approved the above (X) Lead Agency or [] Responsible Agency

described project on May 17, 2013 and has made the following determinations regarding the above (date) described project.

- 1. The project [X] will [] will not] have a significant effect on the environment.
2. [X] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. [] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not] adopted for this project.
5. A statement of Overriding Considerations [X] was [] was not] adopted for this project.
6. Findings [X] were [] were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Delta Stewardship Council office (see above), and DSC website: http://deltacouncil.ca.gov/final-programmatic-eir

Signature (Public Agency): Cindy Messer Title: Deputy Director Delta Plan

Date: 5/17/13 Date Received for filing at OPR:

MAY 17 2013

NOTICE OF DETERMINATION (ATTACHMENT PAGE 1)**Project Description**

The Delta Plan is a set of policies (which would become regulations) and recommendations to achieve the Reform Act's co-equal goals of increased water supply reliability and ecosystem restoration, while protecting and enhancing the Delta ecosystem and the Delta as an evolving place. To accomplish these goals, the Delta Plan generally covers five topic areas: increased water supply reliability, restoration of the Delta ecosystem, improved water quality, reduced risks of flooding in the Delta, and protection and enhancement of the Delta as an evolving place. Through the Delta Plan, the Council does not propose or contemplate constructing, owning, or operating any facilities related to these five topic areas. Rather, the Delta Plan sets forth regulatory policies, and recommendations, that seek to influence the actions, activities and projects of cities, counties, and State, federal, regional and local agencies toward meeting the co-equal goals. Examples of the types of actions/activities the Delta Plan seeks to influence include, but are not limited to: new or expanded water storage reservoirs; wetlands and riparian restoration; invasive species management; water flow patterns in the Delta; water, wastewater, stormwater and agricultural runoff water treatment; levee modification and construction; floodplain expansion; new/improved active and passive recreation opportunities in the Delta.

Project Location

The focus of the Delta Plan is on the Delta and Suisun Marsh, but its influence could reach to other areas of the state. The Delta area is generally located west of Sacramento and east of the San Francisco Bay area within the network of waterways formed primarily by the confluence of the Sacramento and San Joaquin rivers (see attached map). Activities the Delta Plan could influence in the Delta and Suisun Marsh could include, for example, levee improvements, wetlands restoration and recreation projects, among others. Accomplishing the coequal goals across the five topic areas the Delta Plan covers, however, could involve physical actions (should other agencies undertake them) in areas outside the Delta, particularly in areas that currently rely on water exported from the Delta. These areas include, for example, portions of the San Joaquin Valley and southern California. Activities in those areas the Delta Plan could influence could include, for example, groundwater storage enhancements, new/expanded reservoirs and treatment plants, among others.



NOTICE OF DETERMINATION (ATTACHMENT PAGE 2)
SCH #2010122028