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Delta Stewardship Council schedule slips

In spite of their best efforts, and Chairman Phil Isenberg's determination to meet the legislative mandate to adopt a Delta Plan by Dec. 31, the Delta Stewardship Council had to face reality at its Oct. 27 meeting.

Everyone involved knew that meeting the deadline would be a rush job, and the smart money was on an extension months ago. The Delta Plan is a comprehensive water management plan that covers most of California and has a 100-year horizon.

The Delta Plan is supposed to incorporate the Bay Delta Conservation Plan (BDCP), which is being formulated to address the Delta Plan's co-equal goals of protection, restoration and enhancement of the Delta and providing a more reliable statewide water supply. The co-equal 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." The BDCP isn't due to be completed until 2013. Previous board discussions wrestled with the complications of incorporating a plan that is not yet finished.

At the Delta Stewardship Council meeting on Oct. 27, held at the West Sacramento City Hall Galleria, council members came to grips with the actual situation. Executive Officer Joe Grindstaff told all seven council members present that staff and consultants had been working nights and weekends without a break for eight weeks.

He said, "Hundreds of stakeholders have been involved in the open and transparent process of developing the drafts of the Delta Plan. These stakeholders have urged the council to make the necessary effort to develop a thorough and responsible plan."

Draft EIR to be released

Grindstaff said the Delta Plan environmental impact report is on a scale of comprehensiveness and complexity that hasn't been done before.

"The Delta Plan is a programmatic-level document that will establish a set of integrated, legally-enforceable policies, strategies and actions to guide state and local agencies regarding land, water, air and other systems in the Delta," he said. The EIR consultants — Gwen Buccholz and David Christophel, from CH2M Hill; deputy attorney general Jim Andrew, and attorney Ellen Garber — thought the draft would be posted on the Website before they reported to the council on Oct. 27, but it wasn't quite ready. It is around 2,000 pages long.

Andrew, who led the reporting, said the draft programmatic environmental impact report is scheduled to be released Friday, Nov. 4. It will be posted on the Website: www.deltacouncil.gov.us, and copies will be made available to the main county libraries.

Andrew reported that the Delta Protection Commission had adopted its Economic Sustainability Plan two nights before, on Oct. 25. The legislation that created the Delta Stewardship Council, the Sacramento-San Joaquin Delta Reform Act of 2009, directs the Delta Protection Commission to develop an Economic Sustainability Plan that will provide information on the socioeconomic sustainability of the Delta region for the Delta Plan.

Council member Don Nottoli, who is chairman of the Delta Protection Commission, said that the Delta Stewardship Council funded the meetings that took place over 18 months and led to the adoption.

Nottoli said the Economic Sustainability Plan emphasizes the importance of agriculture in the Delta and the necessity of support services. It also describes the importance of recreation and tourism. It highlights the role of infrastructure in supporting the region and the entire state.

Delta Protection Commission Executive Director Mike Machado said the role of infrastructure as a driver of the economy in the state was "an eye-opener for the researchers and the commission. It has the same value to California as the water system."

Machado said the Economic Sustainability Plan will be peer-reviewed by an independent review panel on Nov. 1 and 2. The consultants said that under the California Environmental Quality Act the maximum amount of time allowed for public comment on an EIR is 60 days unless there are unusual circumstances. With a Nov. 4 release date, the comment period would end Jan. 3, 2012, and include major holidays.

The consultants had recommended two public comment sessions, both occurring during the regular council meetings this month.

There was general agreement that circumstances warrant a longer comment period for interested parties.

Nottoli favored a 90-day comment period.

Council member Hank Nordhoff argued for two hearings in Southern California — one in San Diego and one in Los Angeles.

The council members discussed the desirability of providing a short workshop on the Delta Plan prior to the comment sessions, and differentiating the policy comments, which are directed to the Delta Plan itself, from the technical and environmental comments that are part of the EIR process.

Andrew said that typically oral comments are not taken until the final EIR.

Council member Felicia Marcus said she is a “fan of frontloading,” that education is important. “You get better comments if people understand the document,” she said, and concurred with the suggestion of field hearings.

Nordhoff said, “People will have to vote on it (a bond to fund a project).”

Council member Gloria Gray agreed the council “may need to extend the comment period to 90 days to make sure everyone has a chance to comment.” She also requested two additional workshops, one on governance and one on finance.

Chief Deputy Executive Director Keith Coolidge is in the process of arranging a workshop on “covered actions.” Grindstaff had projected that the Delta Plan would be three or four months behind schedule, but with the requests for additional hearings and workshops the final adoption date will be later.

He laid out the major milestones: The consultants will synthesize and compile the comments on the EIR, and on the fifth draft of the Delta Plan, with summaries and recommendations. That will lead to a sixth draft Delta Plan, followed by a seventh draft. A follow-up meeting will be held to adopt a final Delta Plan, which will be sent to the Office of Administrative Law for review.

Chief Legal Counsel Chris Stevens said notices had been sent with the previous EIR schedule. Amended notices would be sent to alert people to the change.

Relief requested

Stakeholders speaking during the public comment period agreed that 60 days was too short a time for them and their organizations to study the EIR and make appropriate comments. Pete Kutras, Delta Counties Coalition; Greg Zlotnik, State and Federal Contractors Water Agency; Tom Zuckerman, Central Delta Water Agency; Pete Kampa, Tuolumne Utilities District; and Mark Rentz, Association of California Water Agencies, all concurred. Kutras suggested a 90- to 120-day period. Zlotnik said he could work with 75-90 days.

EIR hearings at Delta Stewardship Council meetings

Public hearings to discuss the draft EIR will be held on Thursday, Nov. 17, from 1 to 4:30 p.m., at the Sheraton Grand Hotel in Sacramento, and on Thursday, Dec. 15, from 1 to 4:30 p.m. at the California State Capitol, Room 447.

The council will make a decision on additional comment hearings at its Nov. 17 meeting. All dates, times and methods available to provide public comment on the draft EIR will be posted on the Website.

Related meetings

Nov. 7, Independent Science Review, “Operations Criteria and Plan,” “Reasonable and Prudent Alternatives Implementation,” 9 a.m.-5 p.m., John E. Moss Federal Building, 650 Capitol Mall, Stanford Room, 1st Floor

Nov. 8, Independent Science Review, “Reasonable and Prudent Alternatives Implementation,” 2-5 p.m., John E. Moss Federal Building, 650 Capitol Mall, Stanford Room, 1st Floor.

Nov. 16, Delta Conservancy, 9 a.m.-12 noon, Peter’s Steakhouse, 203 2nd St., Isleton.

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