

DEPARTMENT OF WATER RESOURCES

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April 20, 2020

Delta Counties Coalition

Thank you for your recent inquiry about the scoping deadline for the proposed Delta Conveyance Project.

The COVID-19 pandemic underscores the need to protect public health and safety. For the Department of Water Resources (DWR), this means continuing essential functions such as reliable water delivery, flood protection, dam safety, infrastructure maintenance and environmental enhancement, while maintaining the highest standards for transparency.

The California Environmental Quality Act (CEQA) generally requires a lead agency preparing an environmental impact report (EIR) to provide 30 days for entities to respond to a notice of preparation related to the scope of the EIR. For Delta Conveyance, DWR initially provided 60 days for comments. This initial public comment period occurred almost entirely before the worry and health risks caused by COVID-19 and related stay-at-home orders. However, DWR then extended this period by an additional 30 days to accommodate requests for delay.

While the pandemic makes it clear that we must find new ways to operate and engage under current restrictions, we cannot and should not pause efforts that are critical to the state. Climate change, sea level rise, flashy storms, atmospheric rivers and earthquakes will not pause for a pandemic. While work continues during this crisis, DWR will not do so at the expense of public involvement and transparency. To respond to these unprecedented times, the Department is working to strengthen and expand public outreach tools to make information accessible and participation possible.

Following the close of scoping, DWR will consider feedback received as it develops the draft EIR. The next opportunity for significant public review and comment on DWR documents related to the proposed Delta Conveyance Project is unlikely to be any sooner than early 2021 when the EIR is published. In addition, federal agencies are working to identify a lead agency for preparation of a document to analyze the proposed Delta Conveyance Project in compliance with the National Environmental Policy Act (NEPA). It is expected that the federal lead agency will provide for a separate scoping period, possibly this summer, as part of the environmental documentation process under NEPA. In addition to formal comment periods, the state is always open to conversations and feedback even outside of a formal comment period.

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The expansion of online and telephone resources during this time may create enhanced opportunities to engage and participate from home in ways not previously available or utilized. As DWR rolls up its sleeves to digest the comments received through the scoping process and begins to prepare the environmental analysis for the Draft EIR, the downtime following scoping for Delta Conveyance will allow for diligent and creative opportunities to respond to any communities who may have an interest in our analytical approach and tools.

And we are hopeful that in the meantime significant progress will be made in California's fight against the virus.

Thank you and stay well.

Sincerely,

A handwritten signature in black ink, appearing to read "Karla A. Nemeth". The signature is fluid and cursive, with a large initial "K" and "N".

Karla A. Nemeth
Director

cc: Governor Gavin Newsom
Wade Crowfoot, Secretary for Natural Resources
Kathryn Mallon, Delta Conveyance Authority