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Common Response 2: Public Outreach Activities

Overview

This Common Response addresses the common themes and topics raised in public comments on the Delta Conveyance Project (project) Draft Environmental Impact Report (EIR) related to public outreach, duration of the comment period, public meetings, notifications, the availability of information, and information requests during the planning and the California Environmental Quality Act (CEQA) process for the EIR.

Public Outreach Requirements

CEQA requires that public agencies notify and engage the public when an agency issues a Notice of Preparation to prepare an EIR and again when the Draft EIR is released for public review and comment (CEQA Guidelines § 21092 and 21091). Scoping is a public participation element of CEQA that is intended to assist lead agencies preparing EIRs with determining the topics that the document should address. The scoping process invites public comment during a public review period. Comments received during the public scoping process are considered in the preparation of the EIR.

During scoping, the purpose of public involvement is to gather input regarding the range of actions, alternatives, mitigation measures, and significant effects to be considered and analyzed in the EIR. During the Draft EIR public review, the purpose of public involvement is to provide an opportunity for the public to review the document and make comments, which the lead agency must review and address.

The California Department of Water Resources (DWR) conducted a total of eight public scoping meetings in early 2020 for the Delta Conveyance Project. See Chapter 35, *Public Involvement*, for more detailed information about the EIR scoping meetings, including their dates, locations, meeting format, and participants. Detailed information regarding the scoping meetings and scoping comments can be found in Appendix 1A, *July 2020 Delta Conveyance Project Scoping Summary Report and December 2020 Addendum A*.

The release of the Draft EIR is not only a major milestone, but also a critical point for public review and involvement that is carefully guided by CEQA. The Draft EIR was circulated for public review on July 27, 2022, for a 142-day comment period that closed on December 16, 2022. In September 2022, DWR held three virtual public meetings to take comments on the Draft EIR (as described in Chapter 35).

The Final EIR contains responses to substantive public and agency comments on the Draft EIR. DWR is responsible for certifying the Final EIR as adequate by issuing a Notice of Determination in compliance with CEQA. DWR will use the EIR—in addition to federal Endangered Species Act Section 7 consultation, California Endangered Species Act consultation for take authorization as allowed under Section 2081(b) of the California Fish and Game Code, and other appropriate information—to decide which alternative to implement when considering project approval.

Engaging with Interested Parties Prior to and After the Release of the Draft EIR

DWR has conducted a robust public outreach and education program for the Delta Conveyance Project so that interested parties can understand why the project is needed, be informed of the schedule of the CEQA process and the opportunity for public review and comment, and be prepared to review the Draft EIR. Chapter 35 describes the many public outreach activities DWR has undertaken prior to and after the release of the Draft EIR.

DWR staff have made their best efforts to inform and engage with interested community members. DWR maintains a multilingual telephone line for the public to call with questions about the project. The line is monitored, and calls are returned to answer callers' questions. DWR also maintains an email address to which people can submit questions. The email inbox is monitored, and DWR responds to emails to answer questions in a timely manner. DWR has an email list of over 11,000 addresses that is used to regularly distribute project information. This email list was used to announce the public review period for the Draft EIR and to issue reminders about the public meetings, comment period extension, and close of the comment period. On request, DWR adds individuals to the project mailing list for future notifications and updates about the project. Everyone who submitted comments on the Draft EIR was automatically added to the project contact list so they can receive project updates and be notified of the release of the Final EIR.

Draft EIR Public Outreach Activities

A complete summary of public involvement and outreach efforts during scoping and the Draft EIR comment period can be found in Chapter 35. As summarized in this section and described in Chapter 35, DWR has more than adequately satisfied the public outreach goals and requirements under CEQA.

DWR conducted an extensive public outreach effort to inform interested people and organizations about the availability of the Draft EIR. As detailed further in this Common Response, DWR distributed email notices (11,000) and notices via regular mail (14,000), ran legal advertisements in statewide newspapers (27), posted flyers and posters in the Delta (130+ locations), distributed press releases to news outlets, and posted information via social media channels.

The Draft EIR was made available for viewing and downloading on the project website (www.deltaconveyanceproject.com). It was also available to access via thumb drive at nearly 100 libraries in the Delta and across the state. A hard copy of the Draft EIR chapters was made available for public review on weekdays during business hours at DWR's office in West Sacramento. A digital copy of the Draft EIR was also available on a desktop computer at the West Sacramento office, as were all references cited in the Draft EIR. On request, members of the public could receive a thumb drive of the Draft EIR via mail.

DWR acknowledges that the Draft EIR is a lengthy document. To help reviewers find information on topics of interest and submit substantive comments, DWR developed informational materials and videos about the Draft EIR. All materials were posted to the project website. A short document titled *The Draft Environmental Impact Report Explained* is a companion to the Draft EIR that acquaints readers with the proposed project and the alternatives analyzed in the Draft EIR by providing a short summary of impacts to key resource areas. Two fact sheets (*What Is the Draft Environmental Impact Report for the Delta Conveyance Project?* and *Tips for Commenting on an EIR*) present information about the project and how to submit effective substantive comments on the Draft EIR. A series of five short videos provides a guide to reviewing the Draft EIR, navigating the document, and

submitting comments: “Project and Environmental Planning Overview,” “Purpose and Objectives of the Delta Conveyance Project,” “Overview of Draft EIR Contents,” “Resource Chapter Organization,” and “How to Comment on the Draft EIR.” Another series of six short videos provides information on various resources analyzed in the Draft EIR: “Description of the Proposed Project and Alternatives,” “Air Quality and Greenhouse Gases,” “Water Quality,” “Terrestrial Biological Resources,” “Fish and Aquatic Resources,” and “Tribal Cultural Resources.”

As described in more detail in the *Public Meetings* section below, to take verbal public comments on the Draft EIR, DWR held three virtual public meetings over a span of three weeks, with one meeting taking place in the morning, one in the afternoon, and one in the evening. The online meeting format and varied days and times were intended to accommodate participants’ schedules. The online format included a telephone-only option to ensure ease of participation for households without reliable internet access. Additionally, DWR held two Tribal representative virtual meetings specifically for Tribal leadership, Tribal government representatives, and Tribal communities to provide verbal comments on the Draft EIR.

In an effort to reach non-English-speaking people, DWR developed partnerships with 12 community-based organizations and attended 20 community events to help share information about the project in languages other than English and to encourage participation in the environmental review process. DWR distributed emails, social media blasts, and a postcard with multilingual resources directly to non-English-speaking organizations. DWR translated information flyers from English into Spanish, Chinese, and Hmong and translated the Draft EIR Executive Summary from English into Chinese and Spanish and then made these available for distribution. Further, DWR went above the typical standards established by CEQA and conducted proactive outreach and engagement with non-English-speaking communities and the public overall through efforts such as establishing a multilingual toll-free phone line for questions; this phone line supplied information in Spanish, Tagalog, Chinese, Hmong, Vietnamese, and Cambodian, in addition to English. DWR also arranged for public service announcements to be aired in English, Spanish, and Hmong on radio stations with Delta listenership. DWR provided a Spanish-language interpreter and a Chinese-language interpreter at every public meeting about the Draft EIR, and additional interpreters were available on request.

Duration of Public Review and Comment Period and Requests for Extension

The purpose of public review of the Draft EIR is to receive comments from the public on the document’s completeness and adequacy in disclosing the potential environmental effects of the project. Many comments requested that the public review period be extended. CEQA provides that the public review period for a Draft EIR shall not be less than 30 days nor longer than 60 days except under unusual circumstances (CEQA Guidelines § 15105(a)). Given the complexity of the proposed project and the length of the Draft EIR, DWR determined that it was appropriate to provide a public review period that exceeded 60 days. Therefore, the Delta Conveyance Project Draft EIR was initially made available on July 27, 2022, for a 92-day public review period. On September 23, 2022, in response to public comments requesting a further extension of the 92-day public review period, DWR announced the public review period would be extended by 50 days, ending December 16, 2022. As a result, the total public review period duration was 142 days. The total public review period duration greatly exceeded the CEQA requirement and allowed sufficient time for reviewers to submit meaningful comments on the Draft EIR.

Public Meetings

Public meetings are encouraged but not required as an element of the CEQA process (CEQA Guidelines § 15087(i)). DWR held three virtual public meetings to accept comments on the Draft EIR. The purpose of the public meetings was to offer a venue for individuals to submit verbal comments for DWR's consideration instead of submitting a comment in writing. The verbal comments received at the public meetings are considered and responded to in the same manner as written comments received via email or regular mail during the public review period. DWR has transcribed and responded to those comments in this chapter (Volume 2, Chapter 3, *Common Responses*) and in Volume 2, Chapter 4, *Response to Comments Tables*, of this Final EIR.

Each public meeting on the Draft EIR was 2 hours in duration. DWR delivered a short presentation on the Delta Conveyance Project and Draft EIR, and the remainder of the meeting allowed for verbal comments. To allow adequate time for all commenters to speak, each commenter was given 3 minutes to make a comment. Spanish and Chinese interpreters were available to interpret the presentation and comments from English to Spanish or Chinese and to translate any public comments given verbally in Spanish or Chinese into English. The verbal comments were transcribed by a court reporter during the public meetings; those transcribed comments and their respective individual responses are provided in Volume 2, Chapter 4.

DWR acknowledges the multiple requests for in-person public meetings received verbally and in writing. In an abundance of caution, DWR decided to keep meetings virtual given the circumstances related to the continuing coronavirus disease 2019 (COVID-19) pandemic to protect the health of DWR staff and the public. DWR considers holding virtual meetings to be a means of expanding access to public participation, rather than a limitation on that access, as some commenters suggested. Virtual public meetings offer the following benefits.

- Provide flexibility for members of the public to attend conveniently from their homes, offices, cars, or other locations.
- Do not require time to travel to and from the meeting.
- Allow for real-time translation of information and comments for people for whom English is not their primary language.
- Allow all participants to hear comments given by other participants, similar to how an in-person meeting would allow meeting attendees sitting together in a room to hear participants' verbal comments.
- Allow people who could not participate in real time to listen to the recording posted at the project website at their convenience and hear all the verbal comments.

Because some residents of the Delta, as well as other interested parties, might have no or limited access to the internet, DWR provided a telephone call-in number for each public meeting. Participants who joined the meeting only by telephone had the same opportunity to submit a verbal public comment on the Draft EIR as those who joined via the online meeting platform. Throughout the entirety of each virtual meeting, participants were reminded how to use their telephone features to alert the meeting facilitator if they would like to make a public comment. DWR recorded the public meetings and posted them to the project website to make them available for anyone who could not attend. DWR also posted the meeting presentation to the project website prior to the start of the first public meeting.

1 In addition to three public meetings held in September 2022, DWR held a Tribal representatives
2 virtual meeting on October 12, 2022, specifically for Tribal leadership, Tribal government
3 representatives, and Tribal communities to provide verbal comments on the Draft EIR. In response
4 to multiple requests by Tribes during this meeting, DWR also held a second Tribal representatives
5 virtual meeting on December 7, 2022. The verbal comments were transcribed by a court reporter
6 during these meetings; those transcribed comments and their respective individual responses are
7 collected in Volume 2, Chapter 4. Additional information regarding general outreach to Tribes and
8 Tribal communities can be found in Chapter 35. Chapter 32, *Tribal Cultural Resources*, and Common
9 Response 16, *Tribal Cultural Resources*, contain further information regarding Tribal outreach and
10 consultation.

11 Information Request Responses

12 During the public comment period, some interested parties requested information about where to
13 find certain content in the Draft EIR. Information requests were submitted to the DWR comment
14 email address (deltaconveyancecomments@water.ca.gov) or via the project's telephone hotline.
15 DWR regularly monitored these information requests and responded in a timely manner directly to
16 the requestor during the public review period where feasible: for example, modeling files and thumb
17 drives containing the Draft EIR requested during this time were provided to requestors. Otherwise,
18 responses to requests are provided in Volume 2, Chapter 4, where they are organized by comment
19 letter.

20 References Cited

21 None.