

Release of Public Documents



Memorandum

Date: January 20, 1998
To: CALFED Policy Group
From: Lester A. Snow *Marion Snow for*
Executive Director
Subject: Release of the Phase II Report and Public Draft EIS/EIR

Summary

We are currently preparing a Phase II Report and a Public Draft EIS/EIR. The Phase II Report will generally describe the work that has been completed during Phase II. Several specific items that will be included in the Phase II report are fundamental concepts (issues/strategies/policies) that have guided the development of the Program, the interrelationships among the various Program components and the process leading up to as well as the alternative, that appears, at this time, to have technical resource management advantages.

The Phase II Report will be incorporated into the Public Draft EIS/EIR. However, there has been discussion about the advantages to a separate release of the Phase II Report. Further, there has also been discussion that there may be some advantage to releasing the Phase II Report before releasing the Public Draft EIS/EIR.

The make-up and content of the Phase II Report is quite important. As such, we need to ensure the report receives the appropriate review throughout the CALFED agencies before releasing it to the public.

Action Item

The CALFED Policy Group must decide:

- whether we should release the separate Phase II Report - is there a benefit to be gained?
- when we should release the separate Phase II Report - either before or concurrently with the Public Draft of the EIS/EIR?
- the length of time needed for agency review of the Phase II Report - do we keep the current schedule for release of the Public Draft EIS/EIR or do we move it to a later date? and
- strategy for obtaining appropriate level of review - high level review as well as staff review.

CALFED Agencies

California The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

Detailed Discussion

Benefit of Releasing a Separate Phase II Report in Advance of the EIS/EIR

- The purpose of a separate early release would be to focus the public's review on:
- the issues/strategies/policies that have guided the development of the Program;
 - the interrelationships among the various Program components; and
 - the alternative, that appears, at this time, to have technical resource management advantages.

Schedules

The following are possible schedules for the release of the Public Draft EIS/EIR and the **Phase II Report**. They both maintain the current release date for the Public Draft EIS/EIR but vary the release of the Phase II Report. You will notice that the agencies have a longer review period if we release the two documents together. If we wanted to give agencies additional review time and release the Phase II Report first, we would need to extend the releases date for the Public Draft EIS/EIR.

Schedule 1

Assumptions:

- the Phase II report is released before the currently scheduled release of the Public Draft EIS/EIR;
- agencies finish review of administrative draft before reviewing the Phase II report however, there is some overlap with EIS/EIR agency comment meetings; and
- two week public review of the Phase II Report before release of Public Draft EIS/EIR.

| <u>Effort</u> | <u>Due Date</u> |
|--|------------------|
| Agency Draft to Agencies | 1/16/98 |
| Phase II Internal Draft | 1/26/98 |
| Phase II Internal Review | 1/26-1/30 |
| Agencies Complete Review of EIS/R | 2/8/98 |
| Distribute Phase II to Agencies | 2/9/98 * |
| Agency EIS/EIR Meeting | 02/9, 10 and 11 |
| Agencies Review of Phase II | 2/9-2/18 |
| Insert Phase II Summary in EIS/R | 2/23-2/24 |
| Distribute Phase II to Public | 2/27/98 |
| Public Draft Released | 3/16/98 |

*Remember, time is needed to revise following review and to print documents before sending them to agencies and the Public.

Release of the Phase II Report...
January 20, 1998
Page Three

Schedule 2

Assumptions:

- the Phase II report will go out concurrently with the current scheduled release of the Public Draft EIS/EIR; and
- agencies finish review of administrative draft EIS/EIR before reviewing the Phase II report however, there is some overlap with EIS/EIR agency comment meetings.

| <u>Effort</u> | <u>Due Date</u> |
|---|------------------|
| Agency Draft to Agencies | 1/16/98 |
| Phase II Internal Draft | 1/26/98 |
| Phase II Internal Review | 1/26-1/30 |
| Agencies Complete Review of EIS/R | 2/8/98 |
| Distribute Phase II to Agencies | 2/9/98 * |
| Agency EIS/EIR Meeting | 2/9, 10 and 11 |
| Agencies Complete Review of Phase II | 2/20/98 |
| Insert Phase II Summary in EIS/R | 2/26-2/27 |
| Distribute Phase II to Public | 3/16/98 |
| Public Draft Released | 3/16/98 |

*Remember, time is needed to revise following review and to print documents before sending them to agencies and the Public.

Appropriate Level of Review

The agency review period is quite short (10-12 days) and that includes a weekend and a holiday. Comments will have to be internally coordinated and perhaps reconciled before being given to Program staff, which will further cut internal review time. Agencies must make assignments and establish their respective review and coordination processes prior to the review period. Federal agencies will need to consider how to accommodate their respective Washington D.C. folks into this review.