



## Consideration of Adoption of CEQA Guidelines for Delta Conservancy

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**Requested Action:** Adopt attached CEQA Guidelines and Delegation to Staff.

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### Summary

All State and local agencies are required by the Public Resources Code (§21082) and the California Code of Administration (§15022) to adopt objectives, criteria and specific procedures for implementing the California Environmental Quality Act (CEQA).

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### Background

As a new agency, there are many routine matters that will require the Board's action to set in place certain policies and procedures. State law requires that all public agencies adopt CEQA Guidelines. Adoption of the attached draft CEQA Guidelines and Delegation to Staff will satisfy State law:

*"All agencies shall adopt by ordinance, resolution, rule, or regulation, objectives, criteria, and procedures for the evaluation of projects and the preparation of environmental impact reports and negative declarations pursuant to this division." Public Resources Code §21082*

The guidelines required by section 21082 of the Public Resources Code are contained in the California Code of Regulations, title 14, sections 15000-15387 (the "Guidelines" or "State CEQA Guidelines")

Staff has worked closely with legal Counsel to prepare Exhibit A "Adoption of California Environmental Quality Act Guidelines and Delegation to Staff". On the advice of Counsel, staff recommends that the Conservancy adopt the CEQA Guidelines by reference. Incorporation by reference is encouraged by both the State CEQA Guidelines (§15150) and the Public Resources Code (§21061).

### Recommendations

The Delta Conservancy staff recommends that the Board adopt the CEQA Guidelines and Delegation to Staff.

**List of Attachments**

CEQA Guidelines and Delegation to Staff

**Contact**

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**Exhibit A**

**ENVIRONMENTAL REVIEW: ADOPTION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT  
GUIDELINES AND DELEGATION TO STAFF**

Pursuant to Section 21082 of the Public Resources Code and Section 15022 of the California Code of Regulations concerning public agency responsibility for implementation of the California Environmental Quality Act (Public Resources Code §§21000 et seq., or "CEQA"), The Sacramento-San Joaquin Delta Conservancy ("Conservancy") takes the following action:

1. Adopts the objectives, criteria and procedures set forth in the State CEQA Guidelines, California Code of Regulations §§15000 et seq., which are incorporated herein by reference.
2. In implementing these objectives, criteria and procedures, the following responsibilities are hereby delegated to the Conservancy's Executive Officer and Staff:
  - a. determination of whether a project is exempt;
  - b. conduct of initial studies;
  - c. preparation of negative declarations or environmental impact reports;
  - d. analysis and preparation of responses to public comments;
  - e. certification that the Board has reviewed and considered an EIR or negative declaration;
  - f. providing comments on environmental documents submitted to the Council for review;
  - g. filing of all notices and documents which may be required by CEQA or the Guidelines;
  - h. establishment of timelines for performing functions, such as public comment, under CEQA.