

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2001 - 025**

**CERTIFICATION, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT, OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR
THE DELTA WETLANDS PROJECT**

WHEREAS:

The State Water Resources Control Board (SWRCB) is the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.) in connection with its water right proceeding to consider granting water right permits to the Delta Wetlands Project, to be located in the Sacramento - San Joaquin Delta. The U.S. Army Corps of Engineers (USACE) is the federal lead agency under the National Environmental Policy Act (42 U.S.C.A. §§ 4321 to 4370d.).

2. Delta Wetlands (DW) Properties filed water right applications 29061, 29062, 29063, and 29066 on July 9, 1987, to develop a water storage project on four Delta islands: Bouldin Island, Webb Tract, Bacon Island and Holland Tract.
3. In February 1988 the SWRCB filed a Notice of Preparation (NOP) for the EIR/EIS and held a Scoping Meeting on February 11, 1988.
4. The SWRCB and USACE released a Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS) in December 1990, and subsequently withdrew it after receiving comments. DW redesigned the proposed project to include storage on two islands - Webb Tract and Bacon Island - and to convert two islands to habitat - Bouldin Island and most of Holland Tract. On July 21, 1993, DW filed additional applications 30267, 30268, 30269 and 39270, and filed petitions for change on the previous applications.
5. On November 28, 1994, DW filed petitions for change of applications 30267, 30268, 30269 and 30270.
6. On September 11, 1995, the SWRCB and the USACE released a DEIR/EIS for the redesigned DW Project.
7. The SWRCB received 65 written and oral comments on the adequacy of the DEIR/EIS. These comments are available for public review in the SWRCB files.
8. In 1997, the SWRCB held a hearing to receive evidence regarding whether the SWRCB should approve any or all of the Delta Wetlands applications. The SWRCB subsequently asked DW to develop additional information regarding several issues.
9. On May 31, 2000, the SWRCB and the USACE issued a Revised Draft EIR/EIS (REIR/EIS) for the DW Project. This document presented additional information and analysis on water supply, water quality, levee stability, seepage, gas pipeline protection and fishery issues. Comments were due on July 31, 2000.
10. The SWRCB received 23 written comments on the REIR/EIS. These comments are available for public review in the SWRCB files.

On January 16, 2001, the SWRCB released a Final EIR for the DW Project. The USACE will separately release its Final EIS to comply with NEPA.

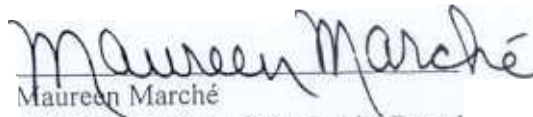
12. The Final EIR consists of the Responses to Comments to both the 1995 DEIR/EIS and the 2000 REIR/EIS, plus attached technical appendices. It incorporates by reference the 1995 DEIR/EIS (one volume of text plus one volume of technical appendices) and the 2000 REIR/EIS (one volume of text and technical appendices).
13. In the responses to comments on the 1995 DEIR/EIS and the 2000 REIR/EIS, the Final EIR clarifies several issues and proposes a new mitigation measure for reducing significant impacts of the proposed recreation facilities of the project.
14. The Final EIR identifies no new significant impacts.
15. The Final EIR, including the 1995 DEIR/EIS and the 2000 REIR/EIS, identifies the significant environmental impacts of the project, identifies feasible mitigation measures to reduce most impacts to a less than significant level, and identifies some impacts which cannot be mitigated to a less than significant level. The Final EIR responds to environmental issues raised in the review and consultation process under CEQA.
16. The SWRCB will consider the Final EIR and other evidence in deciding whether to approve the water right applications for the DW Project.
7. The Final EIR has been completed in compliance with CEQA.
18. The Final EIR has been presented to the SWRCB, and the SWRCB has reviewed and considered the information contained in the Final EIR prior to adopting a decision concerning the DW Project.
19. The Final EIR reflects the SWRCB's independent judgement and analysis.

THEREFORE IT IS RESOLVED THAT:

The SWRCB certifies that the Final EIR for the Delta Wetlands Project complies with the requirements of CEQA (Pub. Resources Code § 21000 et seq.).

CERTIFICATION

The undersigned Administrative Assistant to the SWRCB does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the SWRCB held on February 15, 2001.


Maureen Marché
Administrative Assistant to the Board