



Tips for Commenting on an Environmental Impact Report

Disclaimer: The following is intended to serve as an informational guide on the public review component of the California Environmental Quality Act and is not meant to be legal advice.

The California Environmental Quality Act (CEQA) requires all California state and local public agencies to study the potential significant environmental impacts of a proposed project prior to approval. Unless the proposed project is exempt from detailed environmental review, and where there is the potential for the proposed project to cause one or more significant environmental impacts, compliance with CEQA may require an agency to prepare an Environmental Impact Report (EIR) that the public has an opportunity to review and comment on. Preparation of an EIR, including the structure and substance, must follow specific CEQA requirements, which are important to keep in mind when providing substantive and effective comments.

OBJECTIVES OF CEQA

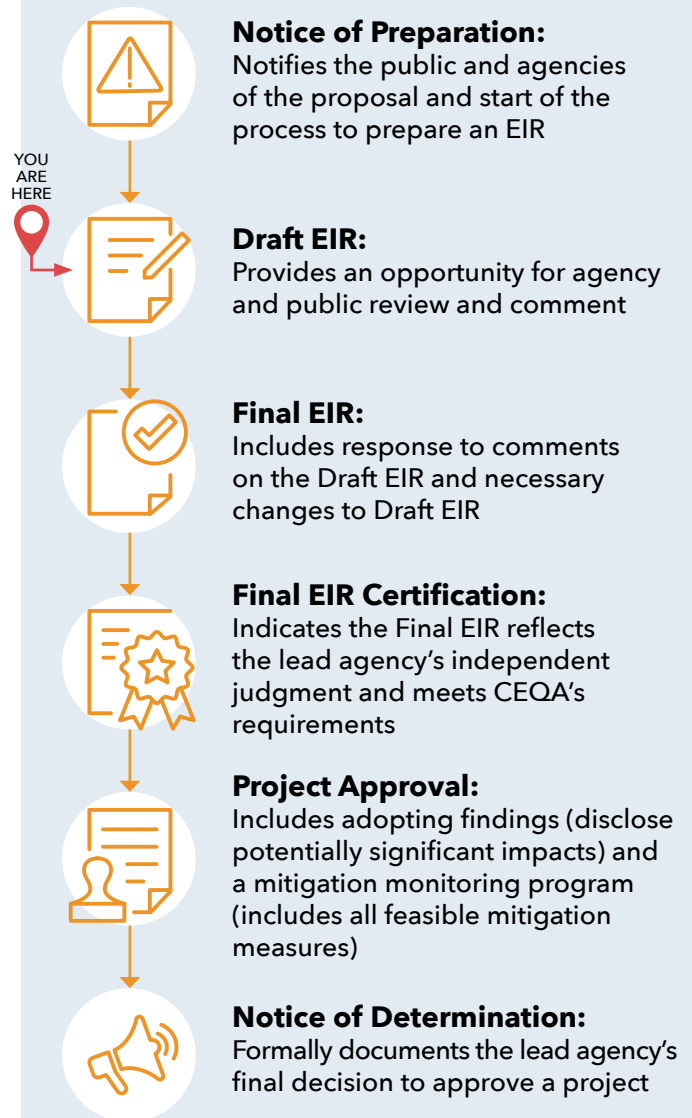
The objectives of CEQA are to:

- **Disclose** potential significant environmental effects
- **Identify** ways to avoid or reduce significant environmental impacts
- **Prevent** environmental damage by requiring implementation of feasible alternatives or mitigation measures
- **Foster** interagency coordination and public participation
- **Show** that the agency is considering environmental implications of actions prior to making decisions

PURPOSE OF AN EIR

- **Inform** the public about a project's potential significant environmental impacts and ways the lead agency can potentially avoid, minimize, reduce, or compensate for them
- **Demonstrate** that the environment is being considered prior to approving the project and that the agency has considered the environmental implications of its actions
- **Ensure** prevention of environmental damage by requiring implementation of feasible alternatives or mitigation measures

STEPS IN THE EIR PROCESS



WHY COMMENT ON A DRAFT EIR?

1. The Draft EIR public review process provides an opportunity for the public to refine the analysis of environmental impacts and the development of feasible mitigation for those impacts found to be potentially significant.
2. The best way to make the lead agency and all other public agencies proposing to approve a project aware of concerns related to the environmental analysis is to send in comments during the public comment period.
3. The public review period for a Draft EIR provides an opportunity to address concerns related to any potential direct or indirect impacts to the physical environment, including impacts to aesthetics, agricultural resources, air quality, noise, traffic, biological resources, water quality, and historic, cultural, and tribal cultural resources.
4. All substantive comments on the Draft EIR must be addressed by the lead agency in the Final EIR.

THE IMPORTANCE OF SUBSTANTIVE EIR COMMENTS

Substantive comments that are backed by factual support can lead to changes to the proposed project itself or to the Draft EIR for inclusion in the Final EIR. To influence the EIR process, comments should specifically point out errors, inconsistencies, omissions of data or analyses, conclusions not based on evidence, or failures to provide discussion required by CEQA. To support the specific comments, the commentor can provide additional substantive evidence or information that was not considered in the Draft EIR. The lead agency must consider all substantive comments and information submitted on the Draft EIR and needs to respond adequately to substantive comments prior to certification of the Final EIR.

EFFECTIVE COMMENTS:

- **Are concise**, focusing on the environmental analysis in the Draft EIR
- **Relate** to the project's potential for impacts on the physical environment
- **Identify** the specific part of the Draft EIR at issue
- **Include** supporting evidence/facts, such as references or citations to specific websites

HOW TO REVIEW AND EFFECTIVELY COMMENT ON THE DRAFT EIR FOR THE DELTA CONVEYANCE PROJECT

1

Start with the Executive Summary

- Review chapter(s) and appendices of particular interest
- Review references if needed (these are separate from the EIR)

Consider:

- Is the scope adequate?
- Is the discussion of existing conditions complete?
- Is there analysis to support the conclusions?
- Are the determinations of significance clear?
- Are mitigation measures well defined, feasible, and fully enforceable?
- Is the environmental analysis contained in the EIR technically adequate?

2

If there are shortcomings, explain what they are, and include any supporting facts and additional evidence not considered by the Department of Water Resources (DWR).

3

When providing comments on the Draft EIR, consider:

- ✓ **Substance:** Address specific components of the analysis regarding significant environmental impacts and by providing substantive comments that point out errors, inconsistencies, or data emissions.
- ✓ **Supporting Evidence:** Back up comments by providing references, evidence, or other factual support.
- ✓ **Objectivity:** Provide objective comments instead of personal opinion. While submitting personal views on the proposed project or DWR is not prohibited, these types of non-substantive comments may not receive a specific response in the Final EIR.

