

Chapter 2

SUMMARY OF PUBLIC PARTICIPATION

Public disclosure and informed decision-making are priorities under CEQA. CEQA mandates two periods during the EIR process when public and agency comments on the impacts of a proposed project are solicited: 1) during the scoping comment period, and 2) for a DEIR, during the public review period. This chapter summarizes the Commission's efforts to comply with CEQA mandates for public disclosure.

2.1 Notice of Preparation and Public Scoping

Scoping refers to the public outreach process used under CEQA to determine the coverage and content of an EIR. The scoping comment period offers an important early opportunity for public review and comment on the focus of the CEQA analysis. The scoping process for an EIR is initiated by publication of the Notice of Preparation (NOP), as required by CEQA, which provides formal notice to the public and to interested agencies and organizations that a DEIR is in preparation. Additionally, the NOP informs responsible agencies and the public that the Proposed Project could have significant effects on the environment and to solicit their comments so that any concerns raised could be considered during the preparation of the DEIR. During the scoping period, agencies and the public are invited to comment on the project, the approach to environmental analysis, and any issues of concern to be discussed in the DEIR. Scoping also can assist the lead agency with identification of project alternatives and mitigation measures. CEQA does not require public meetings during the scoping phase.

In accordance with State CEQA Guidelines (14 CCR 15082[a], 15103, 15375), the Commission circulated an NOP for the Proposed Project on September 12, 2011. The NOP was circulated to the public; to local, state, and federal agencies; and to other interested parties. Copies of the NOP and mailing list for the NOP are included in Appendix A of the DEIR. In addition, four public scoping meetings were held during the scoping comment period to provide the public with opportunity to ask questions and submit comments. Details of these meetings are provided in Appendix A of the DEIR.

All comments received in response to the NOP are included in the Scoping Report (Appendix A of the DEIR), and these comments were considered during preparation of the DEIR.

2.2 Notice of Availability of the DEIR and Public Review

Upon completion of the DEIR, the Commission issued a Notice of Availability (NOA), providing agencies and the public with formal notification that the document was available for review. The notice was sent to the OPR State CEQA Clearinghouse, all responsible and trustee agencies, persons and organizations requesting a copy, and the Del Norte, Humboldt, and Mendocino county clerk's offices for posting. The NOA mailing list is included in Appendix A of this FEIR.

Newspaper notices were also published in the following local newspapers: the Times-Standard, Humboldt Beacon, The Triplicate, Fort Bragg Advocate-News, Sacramento Bee, and Press Democrat. Copies of the newspaper notices are included in Appendix A of this FEIR.

These actions triggered a 45-day public review period, which began on March 1, 2012, and concluded on April 16, 2012.

During the review period for the DEIR, all documents related to the Proposed Project were available for review on Department business days, between the hours of 8 a.m. and 4 p.m., at Department offices located at 1812 Ninth Street, Sacramento, CA 95811 and Department Marine Region offices in Eureka and Fort Bragg. Additionally, copies were available for public review at 14 local public libraries as listed in the NOA. In addition, an electronic copy of the DEIR was available for review and download from the Department's MLPA website (<http://www.dfg.ca.gov/mlpa>). CD-ROMs of the DEIR were also available upon request.

2.2.1 Public Meetings on the DEIR

On behalf of the Commission, the Department hosted three public meetings during the public review period for the DEIR. The purpose of the public meetings was to provide agencies and interested individuals with opportunities to comment on the contents of the DEIR. The public hearings were held at the following times and locations:

- **Fort Bragg:** Tuesday, March 20, 2012, from 6:30 to 8:00 p.m. at the Fort Bragg Town Hall (363 N. Main Street, Fort Bragg, CA 95437);
- **Crescent City:** Wednesday, March 21, 2012, from 6:30 to 8:00 p.m. at the Del Norte County Board Chamber Building (981 H Street, Crescent City, CA 95531); and
- **Eureka:** Wednesday, April 11, 2012, at the Red Lion Hotel (1929 Fourth Street, Eureka, CA 95501). Note that this was a Commission meeting, at which public comments on both the proposed MLPA regulations and the DEIR were received.

The meetings used a similar format at which guests were initially provided hand out materials prior to the commencement of the meeting (materials are included in Appendix B of this FEIR). A presentation was provided to orient meeting attendees on the Project and the CEQA process, after which a public comment session followed (the presentation is included in Appendix C of this FEIR). Several meeting posters also were prepared for public viewing before and after each meeting (included in Appendix B of this FEIR). These posters were created to direct the public to the meeting site and provide a general orientation on the CEQA process and considerations related to the Proposed Project. The public comment portion of each meeting was transcribed to capture oral comments on the DEIR. The meeting transcripts are included in Chapter 3.

Approximately 36 individuals attended the Fort Bragg meeting and 27 individuals attended the Crescent City meeting. These sign-in sheets are included in Appendix D. Approximately 35 individuals provided oral comments on the proposed regulations and DEIR during the Commission meeting in Eureka. Some meeting attendees represented governmental, tribal, or non-governmental organizations.

2.2.2 Comments on the DEIR

In addition to providing oral comments on the DEIR at the public meetings, written comments or questions concerning the DEIR were accepted at the name and address listed below. Submittal of written comments via e-mail was encouraged; however, many commenters elected to mail comments to the address below.

MLPA North Coast CEQA
California Department of Fish and Game
c/o Horizon Water and Environment
P.O. Box 2727
Oakland, CA 94602
Email: MLPAComments@HorizonWater.com

Including meeting transcripts, a total of 61 comment submittals (letters and emails) were received during the public review period. Chapter 3 provides additional details for comments received on the DEIR.

2.3 Certification of the FEIR and Public Hearing

CEQA requires the lead agency to prepare a FEIR, addressing all substantive comments received on the DEIR before approving a project. The FEIR must include a list of all individuals, organizations, and agencies that provided comments on the DEIR, and must contain copies of all comments received during the public review period along with the lead agency's responses. Accordingly, FEIR Chapter 3 includes the list of commenters, copies of all comments received, and responses to those comments. Together with the DEIR, this FEIR constitutes the entire EIR for the purposes of compliance with CEQA. (See generally CEQA Guidelines, Section 15132.)

The FEIR will be distributed to public agencies that provided comments 10 days prior to a public hearing hosted by the Commission as lead agency. At the public hearing, the Commission will review the EIR, consider Department staff recommendations and public testimony, and decide whether to certify the EIR and approve or deny the Proposed Project.

The EIR certification hearing will be held on Wednesday, June 6, 2012, at the Red Lion Hotel in Eureka, California.