

3.1 Introduction

3.1.1 Preferred Alternative Under CEQA

From the standpoint of DWR as CEQA Lead Agency and the project applicant for the BDCP, Alternative 4, as described later in this chapter, is the *Preferred Alternative* for purposes of CEQA and is consistent with the proposed BDCP published concurrently with the publication of this Draft EIR/EIS.¹ Although, from an organizational standpoint, it might seem more logical to make the Preferred Alternative the first one addressed in an EIR/EIS (i.e., Alternative 1), in this case Alternative 4 did not emerge as the Preferred Alternative until well after the overall organization of this Draft EIR/EIS (including the numbering and placement of Alternatives) was already in place. Alternative 4 as described herein, moreover, represents a refinement (and improvement) on an earlier version of Alternative 4 that was found in a previous publicly available administrative draft of this Draft EIR/EIS.² The present version of Alternative 4 represents substantial refinements and additional scientific work and analysis to identify a form of the proposed BDCP that is grounded in solid science and reaches what DWR considers to be an optimal balance between ecological and water supply objectives in the Plan Area. **Notably, identification of Alternative 4 as the preferred CEQA alternative is tentative only, and is subject to change as DWR and the CEQA responsible agencies, as well as the NEPA Lead Agencies, receive and consider public and agency input on this EIR/EIS. It is therefore possible that the final version of the BDCP may differ from Alternative 4 as described herein, either because Alternative 4 itself was refined, because another alternative was determined to be preferable, or because the Lead Agencies, in response to input, developed a new alternative with some features from some existing alternatives and other features from other existing alternatives.**³

¹ As described in Chapter 1, *Introduction*, Section 1.1, the full Draft EIR/EIS should be understood to include not only the EIR/EIS itself and its appendices but also the proposed BDCP documentation including all appendices. Note that the BDCP also includes an Implementing Agreement (released in draft form in May 2014), and other administrative documents. Because these documents represent agreements between parties involved in implementing the BDCP and involve the same set of physical activities already included within Alternative 4 (the BDCP), the content of such documents would not change the impact analysis within the EIR/EIS and therefore, such documents are not referenced within the EIR/EIS.

² The February 28, 2012 administrative draft EIR/EIS was made available on the BDCP website: <http://baydeltaconservationplan.com>.

³ Just as further public and agency input may result in a new preferred CEQA alternative or a modification of Alternative 4 in its current form, the same is true of the text of the proposed Bay Delta Conservation Plan (BDCP) published contemporaneously with this Draft EIR/EIS. In particular, Chapter 9 of the BDCP, entitled *Alternatives to Take*, may be revised in light of further input regarding the practicability of the alternatives tentatively rejected therein. In other words, the current analysis in BDCP Chapter 9 of the impracticability of various alternatives to take, though representing DWR's best thinking as of the date of its release, remains subject to change. It should be noted that the alternatives set out in Chapter 9 of the BDCP are not identical to the EIR/EIS alternatives; nor are they subject to the same analysis. Within Chapter 9 of the BDCP, the analysis of the alternatives is focused solely on the potential for each of these alternatives to reduce the take of federally listed species in relationship to the proposed action. The alternatives addressed in the EIR/EIS, in contrast, are subject to a far broader analysis.