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DELTA STEWARDSHIP COUNCIL

A California State Agency

June 14, 2018

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RE: Comments on the 2018-2040 Regional Transportation Plan and Sustainable Communities Strategy

Dear Ms. Anderson,

Thank you for the opportunity to review and comment on the Draft 2018 2018-2040 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS).

The Delta Stewardship Council (Council) is an independent State of California agency established by the Sacramento-San Joaquin Delta Reform Act of 2009 (SBX7 1; Delta Reform Act). The Council is charged with furthering California's coequal goals for the Delta through the adoption and implementation of the Delta Plan, regulatory portions of which became effective on September 1, 2013.

As stated in the Delta Reform Act, the State has "'coequal goals' (which) means two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place" (Water Code section 85054).

Through the Delta Reform Act, the Council was granted specific provisions with regard to metropolitan planning organizations preparing regional transportation plans that include land within the primary or secondary zones of the Delta. Council review of these plans includes "consistency of local and regional planning documents, including sustainable communities strategies and alternative planning strategies prepared pursuant to Section 65080 of the Government Code, with the Delta Plan" (Water Code section 85212).

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

Comments on the Draft 2018 2018-2040 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS)

Council staff has not identified any specific inconsistency of the San Joaquin Council of Governments (SJCOG) RTP/SCS with the Delta Plan pursuant to Water Code Section 85212. In fact, several of the RTP/SCS policies, strategies, and performance outcomes align well with the Council's Delta Reform Act and Delta Plan including the following:

- *Strategy #1: Encourage Efficient Development Patterns that Maintain Agricultural Viability and Natural Resources; and*
- *Strategy #11: Improve Communication and Coordination between Agencies and the Public for Emergency Preparedness and Support Local and State Efforts for Transportation Network Resiliency, Reliability, and Climate Adaptation.*

RTP/SCS Strategy #1: Encourage Efficient Development Patterns that Maintain Agricultural Viability and Natural Resources

Strategy #1 aligns with several Delta Plan regulatory policies that Council staff look forward to working with SJCOG to implement in a manner consistent with the Delta Plan. Delta Plan Policy **DP P1, Locate New Urban Development Wisely** (23 Cal. Code of Regs. section 5010) requires that any new residential, commercial, or industrial development must be limited to areas designated for development in city or county general plans as of the date of the Delta Plan's adoption (May 16, 2013), as reflected in Appendix 7 (<http://deltacouncil.ca.gov/docs/appendix-7>) of the Delta Plan regulations. Delta Plan Policy DP P1 is intended to strengthen existing Delta communities while protecting farmland and open space, reserving land for ecosystem restoration needs, and reducing flood risk.

Regarding natural resources, several Delta Plan policies consider habitat. Delta Plan Policy **ER P2, Restore Habitats at Appropriate Elevations** (23 CCR Section 5006) states that habitat restoration must occur at appropriate elevations and be consistent with Appendix 3 (<http://deltacouncil.ca.gov/docs/appendix-3>) and Appendix 4 (<http://deltacouncil.ca.gov/docs/appendix-4>) of the Delta Plan regulations. Delta Plan Policy **ER P3, Protect Opportunities to Restore Habitat** (23 Cal. Code Regs. section 5007) requires that, within the priority habitat restoration areas depicted in Appendix 5 (<http://deltacouncil.ca.gov/docs/appendix-5>) of the Delta Plan significant adverse impacts to the opportunity to restore habitat must be avoided or mitigated.

RTP/SCS Strategy #11: Improve Communication and Coordination between Agencies and the Public for Emergency Preparedness and Support Local and State Efforts for Transportation Network Resiliency, Reliability, and Climate Adaptation

Relative to Strategy #11, the Council will be undertaking a Climate Change Vulnerability Assessment and Adaptation Strategy for the Sacramento – San Joaquin Delta that seeks to incorporate stakeholder input, best available science, and identifies specific high-priority

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options for adapting to the changing climate. Council staff look forward to collaborating with SJCOG to complete a related Climate Adaptation and Resiliency Planning Study. One area of potential collaboration between our agencies is highlighted in the Delta Reform Act provisions that the Delta Plan may address “the effects of climate change and sea level rise on the three state highways that cross the Delta,” (Water Code 85307) which include State Route 12 and State Route 4.

More broadly, Executive Order B-30-15, signed by Governor Brown in April 2015, requires that State agencies incorporate climate change into planning and investment decisions, and that they prioritize natural infrastructure and actions for climate preparedness and protection of the most vulnerable populations (<https://www.gov.ca.gov/2015/04/29/news18938/>). The Council appreciates SJCOG’s inclusion of communities of concern and environmental justice within the RTP/SCS, and we look forward to working with SJCOG to bring disadvantaged and vulnerable communities into the planning process.

In early 2018, the Ocean Protection Council (OPC) released updated guidance for sea-level rise planning (http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf). We encourage SJCOG to consider this guidance as it moves forward in implementing the RTP/SCS for potential impacts to the plan area, in addition to implications for future use of low-lying areas for transportation, development, and recreation; the ability for intertidal habitats to migrate over time; and development of upland areas.

Closing Comments

Over the coming months, the Council is embarking on several planning processes including the Delta Plan Ecosystem Amendment and the Delta Plan five-year review. Given the mutual interests our organizations have in protecting and enhancing the Delta as a place of statewide importance, Council staff appreciates the opportunity to partner with SJCOG in implementing the RTP/SCS in a manner that improves water supply reliability and protects, restores, and enhances the Delta ecosystem. Council staff is available to further discuss our comments on the RTP/SCS or Delta Plan policies. Please contact Kate Anderson of my staff at (916) 445-5028 or kate.anderson@deltacouncil.ca.gov with any questions, comments, or concerns.

Sincerely,



Jeff Henderson, AICP
Deputy Executive Officer
Delta Stewardship Council