

Federal/State Agency Consultation with Counties and Local Agencies

Achieving the co-equal goals of the Delta Plan will necessitate changes in today's Delta fabric. The thousands of acres of land slated for conversion to habitat projects will potentially take out of production very fertile agricultural lands and will impact existing Delta communities and underlying economics of the region. Careful and coordinated planning and engagement with the Delta communities and the local governmental entities that support those communities could reduce impacts and further the Plan's objectives. Accordingly, the following procedures shall be followed as habitat projects are contemplated and initiated.

Pre-project Master Planning

A conceptual Habitat Restoration Master Plan and Policy Framework shall be prepared by the proponent agency for each County within the legal Delta prior to initiation of any habitat restoration project within an affected County jurisdiction. Plan preparation shall include early formal consultation with County agencies (counties will coordinate outreach with local communities and special districts). The conceptual plan shall consider:

- Habitat patterns that protect prime farmlands for continued agricultural use and reasonable agricultural operations. Every effort should be made to avoid fragmenting viable agricultural areas and disrupting access to key agricultural infrastructure.
- Impacts on county circulation network and emergency response capabilities.
- Impacts on flood control and levee networks.
- Impacts on the social and economic fabric of established Delta communities. Retention of existing communities and their underlying viability shall be a key consideration.
- Impact on local water diversions and conveyance systems.
- Other local issues and considerations as identified during the consultation process.

Review of Specific Habitat Projects

Prior to initiation of any habitat project, the affected county and other affected local entities (i.e. special districts, etc.) shall be consulted for review of detailed plans and support documentation. Project plans shall be reviewed for consistency with the countywide conceptual Master Plan and other local planning documents such as the County General Plan. Every effort shall be made to establish a pre-project agreement with the affected county or local agency that addresses how the co-equal goals of the

Delta Plan can be met while minimizing impacts on the local county or agency. Absent an agreement, the following, as applicable, must be initiated and addressed:

- Mitigation for farmlands lost due to conversion to habitat projects per standards established in local ordinances.
- Preparation of an economic analysis to qualify impacts to the local economy including fiscal impacts to local government. If impacts are identified, a funding commitment would be required and a funding source identified to fully compensate local government and communities for the identified impacts including, but limited to, loss of property and sales taxes. The economic analysis must also consider third party impacts and potential additional public safety costs caused by increased public access and recreational activities in restored wetland areas.
- Relief from future restrictions or conditions on urban discharge and runoff due to the existence of new habitat.
- Extend ESA take protections to existing agricultural operations and runoff so as to avoid potential restrictions resulting from the introduction of rare or endangered species in newly created habitat areas.
- A hydrologic and hydraulic analysis of possible short term and cumulative impacts on the flood control system caused by proposed habitat restoration projects. Any impacts should be mitigated so as not to harm the integrity of the existing flood control system and local properties in the vicinity. Funds shall be provided to ensure system is retained or restored to design level or higher.
- Identification and commitment of funds for long- term maintenance of habitat restoration area.
- Identification and commitment of funds for long term maintenance of levees in the vicinity of a habitat restoration project including funds for reinforcing levees needing upgrade to compensate for project impacts that might otherwise compromise the integrity of the existing system.
- Development of a public outreach program to ensure Delta communities are advised and fully aware of changes that will impact them.
- Other measures necessary to mitigate local impacts while ensuring the co-equal goals of the Delta Plan are met.