

## Attachment 1

### Suggested edits regarding the Delta Stewardship Council and the Delta Plan

Deletions are in ~~strike through~~, additions in underline.

Pg 3.5-29 Under heading: Sacramento-San Joaquin Delta Reform Act of 2009

In November 2009, the California Legislature enacted the Sacramento-San Joaquin Delta Reform Act (Delta Reform Act) (California Water Code Section ~~10610~~ 85000 et seq.), also known as Senate Bill (SB) 1 (Stats. 2009, 7th Ex. Sess., ch. 5) (SB X7-1), one of several bills passed at that time related to water supply reliability, ecosystem health, and the Delta. The Delta Reform Act created the Delta Stewardship Council (DSC), charged with developing and adopting the Delta Plan. ...

...

The Delta Reform Act expressly provides that “covered actions” do not include (1) regional transportation plans, such as the proposed plan, and (2) plans, programs, projects, activities (and any infrastructure necessary to support those plans, programs, projects, or activities) within the secondary zone of the Delta that has been determined to be consistent with the proposed plan (California Water Code Section 85057.5). However, DSC reviews any plan that includes land within the Delta zones, whether or not it is a covered action. Metropolitan planning organizations that have a planning area crossing these boundaries are required to follow a consultation procedure with DSC. This procedure includes early coordination to determine consistency of a proposed plan with the Delta Plan. MTC and ABAG consulted with DSC on ~~December 12, 2019, and January 22, 2020~~ October 19, 2023, on the application of the law, the geography under DSC authority, and the policies

established by the DSC, and will follow the Delta Reform Act's consultation requirements. ...

Pg 3.11-25 Under heading: Delta Plan

Portions of Alameda, Contra Costa, and Solano Counties overlap with areas covered by the Delta Plan. The Delta Plan encompasses the Primary and Secondary Zones of the Sacramento–San Joaquin Delta as well as the Suisun Marsh. The boundaries, which are described in Delta Plan Policy DP P1, Locate New Urban Development Wisely (23 CCR Section 5010), are intended to strengthen existing Delta communities while protecting farmland and open space, providing land for ecosystem restoration needs, and reducing flood risk. Delta Plan Policy DP P1 is consistent with the Delta Reform Act (~~PRC Section 29702~~) (Water Code Section 85000 et seq.) and the Delta Protection Act, (PRC Section 29702) which states that one of the basic goals of the State for the Delta is to "[p]rotect, maintain, and, where possible, enhance and restore the overall quality of the Delta environment, including, but not limited to, agriculture, wildlife habitat, and recreational activities." Projected development could affect consistency with the Delta Plan adopted by the Delta Stewardship Council if projects could expand urban development into the Delta. In order to be consistent with Delta Plan Policy DP P1, new residential, commercial, or industrial development is permitted outside the urban boundaries only if it is consistent with the land use designated in the relevant county general plan as of the date of the Delta Plan's adoption (~~January 2019~~ May 16, 2013). ...

Jurisdictions with land in the Primary Zone and Secondary Zones are required by ~~PRC Section 29763~~ to adopt local and regional planning documents that are consistent with general plans with land uses consistent with the goals and the policies in the Delta Plan, subject to review by the Delta Stewardship Council (Water Code Section 85212). Therefore, subsequent projects within the proposed plan that fall within the Delta Plan boundaries would be required to demonstrate consistency with the plan and satisfy mitigation requirements.

Pg 3.11-29 Under heading: Delta Plan

Portions of Alameda, Contra Costa, and Solano Counties overlap with areas covered by the Delta Plan, adopted by the Delta Stewardship Council. The boundaries, which are described in Delta Plan Policy DP P1, Locate New Urban Development Wisely (23 CCR Section 5010), are intended to strengthen existing Delta communities while protecting farmland and open space, providing land for ecosystem restoration needs, and reducing flood risk. Delta Plan Policy DP P1 is consistent with the Delta Reform Act (~~PRC Section 29702~~) (Wat. Code, Sect. 85000 et seq.) (Water Code Section 85000 et seq.) and the Delta Protection Act, (PRC Section 29702), which states that one of the basic goals of the State for the Delta is to "[p]rotect, maintain, and, where possible, enhance and restore the overall quality of the Delta environment, including, but not limited to, agriculture, wildlife habitat, and recreational activities."