



ACTION ITEM

Sacramento Area Council of Governments (SACOG) Draft 2020 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) Comment Letter

Summary: Staff will present Delta Reform Act requirements for providing review and advice regarding regional transportation plans and sustainable communities strategies consistent with Water Code section 85212, as well as the Council's draft comment letter on the Sacramento Area Council of Governments' (SACOG) Draft 2020 Metropolitan Transportation Plan / Sustainable Communities Strategy (MTP/SCS), and Draft Environmental Impact Report (EIR). SACOG's Executive Director, James Corless, will make a presentation on the 2020 MTP/SCS and its relationship to the Delta. Because this represents a Council advisory function under Water Code section 85212, staff is seeking Council approval to submit the comments to SACOG.

Requested Action

The Council's authority pertaining to review of regional plans and sustainable communities strategies is defined in Water Code section 85212. Pursuant to this section, the Council is required to review and provide advice on the Draft 2020 MTP/SCS, which input shall include, but not be limited to, the ecosystem restoration needs of the Delta and whether the lands set aside for natural resource protection are sufficient to meet the Delta's ecosystem needs.

Today, staff is recommending that the Council approve a draft comment letter on the Draft 2020 MTP/SCS and Draft EIR (**Attachment 2** to this staff report).

Regional Planning Authority under the Delta Reform Act

The Delta Reform Act grants the Council specific authority to review and advise local and regional planning agencies regarding the consistency of local and regional planning documents (including sustainable communities strategies and alternative planning strategies) with the Delta Plan. The Council's comments may include, but are not limited to, the consistency of the local or regional planning document with the ecosystem restoration needs of the Delta, and whether lands set aside for natural protection are sufficient to meet the Delta's ecosystem needs.

The Delta Reform Act (Water Code section 85212) requires a metropolitan planning organization preparing a regional transportation plan that includes land within the Primary Zone or Secondary Zone of the Delta, to consult with the Council early in the planning process regarding the issues and policy choices relating to the Council's advice. (Cal. Water Code section 85212). This is important because Water Code section 85057.5(b)(4) exempts actions within the Secondary Zone of the Delta that a metropolitan planning organization (MPO) determines are consistent with a sustainable community strategy or alternative planning strategy that the State Air Resources Board has determined would achieve regional greenhouse gas emission reduction targets.

Such proposed actions are not covered actions regulated by the Council (Cal Water Code § 85057.5(b)(4)).

There are three MPOs with jurisdiction in the legal Delta and Suisun Marsh: SACOG, the San Joaquin Council of Governments (SJCOG), and the Metropolitan Transportation Commission (MTC). Federal and state laws require these agencies to prepare a regional transportation plan and a sustainable communities strategy (SCS) that must be updated every four years in coordination with each local government and cover at least a 20-year planning horizon. SACOG's regional transportation plan/SCS is discussed in more detail below. SJCOG last updated its regional transportation plan/SCS in 2018. Council staff submitted a comment letter in support of SJCOG's 2018 plan and its consistency with the Delta Plan. MTC's regional transportation plan, called Plan Bay Area 2050, will be updated in 2020 and Council staff anticipates scheduling meetings with MTC staff early next year to begin the discussion on our authority on regional plans and Delta Plan consistency requirements.

SACOG 2020 Metropolitan Transportation Plan / Sustainable Communities Strategy

SACOG is designated by the federal government as the MPO for the Sacramento region, which includes El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba Counties and the 22 cities they include. Portions of Sacramento and Yolo Counties include land within the Delta Primary Zone and Delta Secondary Zone. As an MPO, SACOG is charged with preparing a regional transportation plan that must be updated every four years in coordination with each local government. SACOG adopted an MTP/SCS for the Sacramento region in 2012, and updated the MTP/SCS in 2016.

The 2020 MTP/SCS represents the region's second update to the transportation investment and land use strategy designed to achieve regional greenhouse gas reduction targets. The MTP/SCS is a transportation investment and land use strategy for the Sacramento region that aims to help the region improve air quality, preserve open space and natural resources, and reduce greenhouse gas emissions. The Draft 2020 MTP/SCS and supporting documents are available at:

<https://www.sacog.org/post/public-review-draft-2020-mtpscs-and-eir-now-available>.

Update on Staff Activity

As noted above, pursuant to Water Code section 85212, the Council is required to review the Draft 2020 MTP/SCS for consistency with the Delta Plan and consult with SACOG. Council staff met with SACOG three times this year to discuss the Draft 2020 MTP/SCS (January 15, April 2, and August 19). During these early consultation meetings, SACOG shared the Preferred Land Use Scenario (which consists of future land use assumptions, a list of transportation improvements, a revenue forecast, and a pricing strategy) so that Council staff could evaluate the proposed growth and proposed transportation improvements' consistency with the Delta Plan. SACOG and Council staff also discussed how the MTP/SCS could be consistent with the Delta Plan, and support the Council's ability to achieve the co-equal goals. Council staff also submitted a comment letter on the Notice of Preparation (NOP) for the Draft 2020 MTP/SCS Draft

EIR, discussed below, and Council and SACOG staff discussed how the Council's comments were analyzed in the Draft EIR during a meeting in August 2019. Additionally, Council staff prepared a draft comment letter on the Draft 2020 MTP/SCS and associated Draft EIR (see **Attachment 2** to this staff report). The 45-day comment period for the Draft 2020 MTP/SCS and Draft EIR ends November 7, 2019.

NOP Comments

On June 21, 2019, Council staff submitted a comment letter on the NOP for the Draft 2020 MTP/SCS EIR (see **Attachment 1** to this staff report). In this comment letter, the Council requested that the EIR analyze the Draft 2020 MTP/SCS's impacts on new residential, commercial, and industrial development in the Delta, and particularly whether it would induce new residential, commercial, or industrial development in the Delta Secondary Zone that was not accounted for at the time of the Delta Plan's adoption. Delta Plan Policy **DP P1** states that new residential, commercial or industrial development must be limited to areas that city or county general plans designate for such development at the time of the Delta Plan's adoption.

The comment letter also requested that the EIR analyze the impact that recommended transportation projects in the Draft 2020 MTP/SCS may have on urban expansion, connections with rural areas, or other impacts to the Delta. The letter also requested that the EIR describe infrastructure besides the recommended transportation projects that would be necessary to support the strategy or the plans, programs, projects, or activities encompassed within it.

Finally, the comment letter requested that the EIR analyze whether the Draft 2020 MTP/SCS would induce growth in any of the areas that the Delta Plan has designated to meet the Delta's ecosystem restoration needs. SACOG addressed these comments in various sections of the 2020 MTP/SCS Draft EIR, as discussed below.

Draft 2020 MTP/SCS and Draft EIR Comments

Council staff has reviewed the Draft MTP/SCS and Draft EIR and prepared a draft comment letter to SACOG to provide input on the Draft 2020 MTP/SCS pursuant to Water Code section 85212, as well as the Council's comments on the associated Draft EIR (see **Attachment 2** to this staff report). The following section summarizes this review process and the resulting conclusions.

1. Consistency with Ecosystem Restoration Needs

The Delta Plan designates six priority habitat restoration areas that have the greatest potential for large-scale habitat restoration (Delta Plan, Chapter 4, pp. 136-138) and are therefore necessary to meet the ecosystem restoration needs of the Delta. The Draft 2020 MTP/SCS does not allocate urban growth in any of the designated priority habitat restoration areas (Draft MTP/SCS, Figure 3.5). Rather, the Draft MTP/SCS incentivizes

natural resource protection by encouraging urban growth in existing population centers and maximizing the efficiency of the existing transportation network. It does this by accommodating approximately two-thirds of the region's new housing and 85 percent of its job growth in existing downtowns, commercial corridors, and suburbs. The remaining projected growth is anticipated to occur in *Developing Communities*¹ and in scattered rural residential areas where no priority habitat restoration areas are designated. Therefore, the Draft 2020 MTP/SCS would not incentivize development in the areas necessary to meet the Delta's ecosystem needs as identified in the Delta Plan.

The Draft EIR finds that because the Draft 2020 MTP/SCS does not propose investments that would expand the capacity of the transportation network serving areas in the Delta designated as *Lands Not Identified for Development*², it would not induce "the type of population growth that would require development of more land for urban purposes" (p. 19-8).

Based on review of the Draft 2020 MTP/SCS and associated Draft EIR, staff recommends that the Council find that the MTP/SCS is not inconsistent with the ecosystem restoration needs of the Delta. The draft comment letter provided as Attachment 2 includes this recommended finding.

2. Consistency with the Delta Plan

Land Use Pattern

In its comments on the NOP, the Council requested that SACOG, in its EIR, analyze whether the 2020 MTP/SCS's would induce new residential, commercial, or industrial development in the Delta that was not accounted for at the time of the Delta Plan's adoption (see **Attachment 1** to this staff report). The Draft EIR finds that the proposed MTP/SCS accommodates projected growth in the areas identified in cities' and counties' general plans in 2013, consistent with the Delta Plan, and is not expected to induce additional growth beyond that accounted for in the Delta Plan.

Based on review of the Draft 2020 MTP/SCS and associated Draft EIR, staff recommends that the Council find that the MTP/SCS is not inconsistent with Delta Plan Policy **DP P1** that limits new urban development in the Delta. The draft comment letter provided as Attachment 2 includes this recommended finding.

¹ *Developing Communities* is a placetype identified in the Draft 2020 MTP/SCS as greenfield areas located at the edges of established communities.

² *Lands Not Identified for Development* is a placetype identified in the Draft 2020 MTP/SCS where no urban growth is assumed.

Transportation Investments

Appendix A of the 2020 MTP/SCS includes a variety of planned transportation investments within both urban and rural areas in the legal Delta. The recommended transportation projects are consistent with Delta Plan policies and recommendations. For example, there are a number of planned trail investments, which are consistent with Delta Plan Recommendation **DP R11** to protect and improve existing recreation opportunities while seeking ways of providing new, and better coordinated, opportunities. There are multiple separate trail projects, for instance, to improve the Clarksburg Branch Line Trail and Sycamore Trails within and immediately south of the City of West Sacramento.

The Delta Plan also recommends providing adequate infrastructure in the Delta. Recommendation **DP R5** states that "The California Department of Transportation, local agencies, and utilities should plan infrastructure, such as roads and highways, to meet needs of development consistent with sustainable community strategies, local plans, the Delta Protection Commission's *Land Use and Resource Management Plan for the Primary Zone of the Delta*, and the Delta Plan." A number of planned transportation investments would improve the capacity and safety of roads and highways in the Delta. For example, there are a variety of projects to expand, improve, and connect South River Road, which links the City of West Sacramento to legacy communities in the Delta. There are multiple projects to replace structurally-deficient bridges in the Delta, restore pavement, and redesign streetscapes to be more pedestrian- and bike-friendly. Roadway improvement projects in Rural Residential Communities in the Delta will improve agricultural and goods movement, travel, and improve accessibility for slow-moving farm equipment.

The Draft EIR also analyzes typical construction impacts associated with transportation improvements and proposes mitigation measures for construction such as reducing the visibility of construction-related activities and minimizing construction-related impacts to agricultural resources.

Based on review of the Draft 2020 MTP/SCS and associated Draft EIR, staff recommends that the Council find that the recommended transportation projects identified in the 2020 MTP/SCS are not inconsistent with Delta Plan policies and recommendations concerning transportation in the Delta. The draft comment letter provided as **Attachment 2** includes this recommended finding.

Staff Recommendation for Council Action

Today, staff is recommending that the Council approve the draft comment letter on the Draft 2020 MTP/SCS and Draft EIR (**Attachment 2** to this staff report). Following Council approval, staff will submit the letter to SACOG, inclusive of any comments received from the Council at today's meeting.

Fiscal Information

Not applicable.

List of Attachments

Attachment 1: Council's NOP Comment Letter, June 21, 2019

Attachment 2: Council's Draft 2020 MTP/SCS and Draft EIR Comment Letter

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