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**SUSTAINABLE PLANNING INSTITUTE**

200 B Street, Suite C • Davis, California 95616 • Tel: (916) 297-3200 • Fax: (916) 297-3202

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## **CALFED Bay-Delta Program**

**PUBLIC AND PRIVATE LAND USE DECISIONS AND  
ECOLOGICAL STRESS IN THE DELTA: ASSESSMENT  
AND A STRATEGY FOR INTERGOVERNMENTAL ACTION**

**SUSTAINABLE PLANNING INSTITUTE**

200 B Street, Suite C  
Davis, CA 95616

28 July, 1997



# S U S T A I N A B L E P L A N N I N G I N S T I T U T E

200 B Street, Suite C • Davis, California 95616 • Tel: 1(916)297-3200 • Fax: 1(916)297-3202

28 July, 1997

Kate Hansel  
CALFED Bay-Delta Program  
1416 Ninth Street, Suite 1155  
Sacramento, Ca 95814

Dear Ms. Hansel:

The Sustainable Planning Institute is pleased to submit a proposal for the CALFED Bay-Delta Program. The Institute is well qualified and clearly positioned geographically and professionally to review and assess the issues of planning, conservation and restoration efforts in the San Joaquin/Sacramento River Delta.

We look forward to building associations and support for better ecological protection in the Delta and long-term sustainable strategies for habitat maintenance. Our project proposal stresses agency and community involvement from the beginning to assure success of consensus built strategies.

We look forward to the mutual rewards of working with you and the citizens of the Delta community.

Sincerely,

William Collins Ph.D., AICP  
President

## I. Executive Summary

### a. Project Title and Applicant Name

Public and Private Land Use Decisions and Ecological Stress in the Delta:  
Assessment and a Strategy for Intergovernmental Action

### b. Project Description and Primary Ecological Objectives

The proposed project will assess the effectiveness of the delta protection strategies employed by local governments, agencies and the Delta Protection Commission (DPC) since passage of the Delta Protection Act in 1992 and the adoption of a Management Plan in 1995. The study will assess public and private actions/decisions in both the primary and secondary delta to determine the success of current strategies. The project will then propose revisions to protection mechanisms and ecological management practices including local and regional agency coordination of delta planning and management.

### c. Approach/Tasks/Schedule

The project will form an interactive and participatory association with the DPC, local water agencies, city and county planning staff and other regional agencies active in the delta. It will review all planning and CEQA related decisions and actions in the delta regarding land use (agriculture, grazing, urbanization, land modification, recreation) since 1992 relevant to environmental quality and in view of the DPC objectives for delta protection. With completion of the assessment, the project will recommend a long-term, sustainable, interagency strategy to improve ecosystem planning and protection. Phases and tasks are divided into three general levels. Phase I will include the first two tasks of project organization and agency support building; Phase II, including task 2, is delta protection program assessment; Phase III includes Task 4, project strategy proposals. Each task will be further subdivided to work items. The project is designed to be undertaken over a two year period. The first phase will require 4 months, the second 12 months and the third, 8 months. The project will begin in September, 1997 and be completed in August 1999.

### d. Justification for Project and Funding by CALFED

Justification for the project includes many serious and continuing problems with degradation in the delta ecosystem. The problems are due to actions taken within the secondary zone of the delta or by agencies outside the management authority of DPC. They include unregulated activities in the delta and ineffectiveness or non-implementation of mitigations set as conditions for development approval by local agencies.

There are no budgets for this type of planning assessment within the framework of the regional agencies of the delta. It will be necessary to secure most, if not all, funding from CALFED.

### e. Budget Costs and Third Party Impacts

The total cost of the project is \$350,960 over two years. There are no third party impacts of the project. Third parties in the delta will be asked to participate in the program and to adopt the recommended strategy.

**f. Applicant Qualifications**

The Sustainable Planning Institute (SPI) is an environmental planning consulting firm within a larger corporate planning and biological services structure, the Regional Science Institute. SPI planners are AICP professionals and jointly have over 50 years experience in land use and environmental impact assessment planning.

**g. Monitoring and Data Evaluation**

The project will not directly initiate acquisition or construction of habitat systems. Its policy or strategy recommendations need be adopted and implemented. Monitoring will not be required nor will data for ecological systems be collected.

**h. Local Support/Coordination with Other Programs/Compatibility with CALFED Objectives**

There will close support and a working relationship with the Delta Protection Commission. Support and coordination will be organized with the five county jurisdictions, the many cities in the delta, local water agencies and State and federal agencies active in the delta.

**II. Title Page**

**a. Title of Project**

Public and Private Land Use Decisions and Ecological Stress in the Delta:  
Assessment and a Strategy for Intergovernmental Action

**b. Name of Applicant/Principal Investigators; Address; Phone/fax/E-mail; Organizational, Institutional, Corporate Affiliations of Applicant/Principal Investigators**

SUSTAINABLE PLANNING INSTITUTE  
200 B Street, Suite C  
Davis, CA 95616  
phone: (916) 297-3200; fax: (916) 297-297-3202; E-mail: sustain@pacbell.com  
Affiliated with the Regional Science Institute, Berkeley, CA and Sapporo, Japan  
Principal Investigators affiliated with the Sustainable Planning Institute, the Regional  
Science Institute and California State University - Chico

**c. Type of Organization and Tax Status**

Planning Consulting Firm - Incorporated

**d. Tax Identification Number**

911816360

**e. Technical and Financial Contact Person**

William Collins (above address)

**f. Participants/Collaborators in Implementation**

Delta Protection Commission  
Five County (San Joaquin, Sacramento, Yolo, Solano, Contra Costa) Planning  
Departments and Government, Delta Water Agencies

**g. RFP Project Group Type**

Other Services (Planning)

### III. Project Description

#### a. Project Description and Approach

The intent of the study is to assess the success of the Delta Protection Act of 1992 in protecting the degradation of the California Delta habitat and ecology. Its role in managing the effects of stressor land use activities: agriculture, grazing, mining, urbanization, recreation and state and federal actions have met mixed success.

The proposed investigation will study the degree to which local city and county government (These are the purview of the Delta Protection Commission. (DPC)), regional, State and federal actions have exceeded the protective covenants of the Act. Furthermore, it will contrast the effectiveness of preservation measures within the primary zone of the "legal" delta with those taken outside in the secondary zone.

The purpose is to assess the degree to which the Sacramento/San Joaquin Delta continues to become degraded and to forecast the direction of continued implementation of current protection policies.

There are several components to the proposed Delta assessment project. Each will be studied to assess immediate and long-term effects on Delta degradation.

##### Property Owner and Private Actions

Agriculture related activities related to large scale soil disturbance, habitat manipulation or toxic substance release; Informal construction activities related to recreation; Destructive grazing practices.

##### City/County Actions

City and County approvals of projects in the primary or secondary zones which may have the individual or cumulative effect of land, water or habitat degradation. These may include zoning changes, general plan amendments, use permit approvals, unmitigated EIR or negative declaration provisions, public infrastructure improvements and waste disposal.

##### County Water Agency and Local Water District Actions

Changes in water use or water management infrastructure

##### DPC Review of Local Actions

Outcomes of DPC review of city and county planning proposals and the effects of those decisions on city/county projects or programs in the delta primary zone; efficacy of DPC activities on water district and local government policies

##### Federal and State Actions outside the Authority of DPC

Land use projects and policies pursued in the delta by the US Army Corps of Engineers, California Water Project, State Lands Commission, Department of Recreation, Department of Fish and Game

##### Primary/Secondary Zone Inequities and Implications of Secondary Zone Actions

Actions leading to land conversion and urbanization in the secondary zone of the delta and their effects on the primary zone ecosystem

The approach of the proposed study will be empirical, the collection of first hand and published sources; interactive and consultative, close professional associations with agencies who have jurisdictions in the legal delta; and deductive, the setting out of recommended corrective actions, revised policies and programs to insure the long-term sustainability of the

delta ecosystem. The first two of these will be most exhaustive. It will require establishing working relationships with all relevant delta agencies and a survey of their actions since the passage of the Delta Protection Act.

The principal published materials to be used in the review are the Land Use and Resource Management Plan for the Primary Zone of the Delta and the upcoming Ecosystem Restoration Program Plan prepared by the DPC, all versions of city and five county general and specific plans and environmental documentation since the 1992 Delta Protection Act, State and federal agency delta management plans.

A primary working relationship will be established with the Delta Protection Commission which has the statutory authority for environmental management of the primary zone. Associations will be made with the boards of directors of the Association of County Water Agencies and their three districts. On-going working relationships will be made with the city and county planning staffs in each of those delta jurisdictions.

The approach is one of assessment of past actions and their monitoring and reporting effectiveness. It will reveal the success or failure of those policies and their implementation and of actions which fall outside the purview of delta ecosystem regulatory agencies or their jurisdictions.

#### **b. Location and Geographic Boundaries of the Project**

The project site includes the primary and secondary zones of the "legal" delta of the Sacramento and San Joaquin Rivers. It will include all unincorporated and portions of incorporated towns and their spheres-of-influence and portions of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo counties. (see attached map)

#### **c. Expected Benefits**

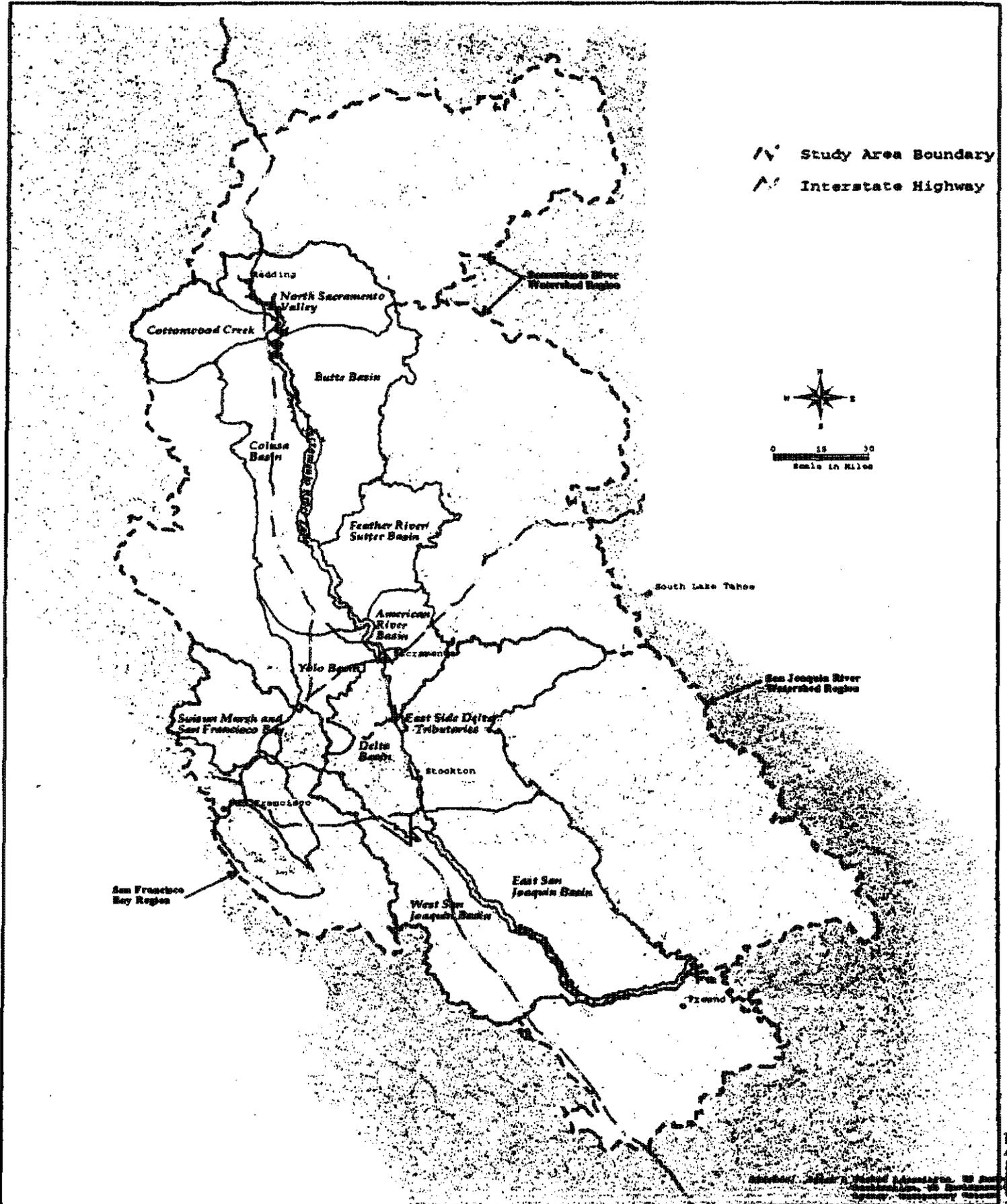
The benefits of this project will be to identify habitats which have been or are likely to suffer environmental damage due to unmanaged land use activities in the delta. Once identified they may be targeted for restoration or protection under some appropriate management mechanism. Habitats which have been damaged or face that prospect will be ranked by size, degree of support to declining native species populations and presence of priority species (by Implementation Strategy definition) and species diversity. Ecosystem protection value for soil stability, groundwater protection and wetland protection will similarly be ranked.

The proposal focuses on land use as the primary stressor to the delta ecosystem and as the most fundamental set of activities responsible for habitat loss and environmental degradation. Any program to reverse these outcomes or promote conservation and restoration must first rationalize the conflicts between current human activities and environmental loss and then reassess the direction of restoration programs.

A multiple set of land use stressors are at work in the delta. These include agricultural related practices (leading to habitat loss, increased runoff, soil erosion, soil surface compaction, water quality degradation, subsidence), grazing (habitat loss, soil surface compaction, soil erosion, water quality degradation), channel dredging and spoil deposition (water quality degradation), urbanization (habitat loss, wetland and flood plain loss, increased storm water runoff, water quality degradation), recreational use (waste disposal, water quality degradation, noise effects on wildlife, boat wake effects on bank erosion).

The continued degradation of the delta may be due to non-implemented mitigations, unmanaged effects outside the primary delta zone, non-coordinated actions of supra-delta agencies, non-viable long-term measures of the DPC or local governments or unregulated private actions.

# GEOGRAPHIC SCOPE OF RFP PROGRAMS AND PROJECTS



The project will propose reaffirmation of successful restoration and protection programs, propose redirection of those which have been ineffective and recommend corrective restoration strategies, programs or local government policies where there is incremental delta ecosystem damage.

**d. Background and Biological/Technical Justification**

There are several justifications for the project. They are the increasing incidences of ecosystem damage in the delta. Damage is found in agricultural land subsidence and the increased danger of flooding, continuing loss of habitat despite land acquisition, restoration and mitigation bank programs, increasing degradation of water due to urban area and agricultural contamination and the outcomes of activities by local individuals and outside agencies that cannot be regulated by the Delta Protection Commission. Lastly, with a January 1, 1999 sunset provision to the DPC there is no mechanism in place to insure ecological sustainability in the delta.

Specifically, actions now underway in the "legal" delta continue to degrade its condition. These include:

- Actions taken outside the jurisdiction of the primary zone (the secondary zone) which have damaging effects inside the delta primary zone.
- Actions taken by agencies outside the statutory power for delta protection by the Delta Protection Commission.
- Unregulated activities by private stressor practices.
- Non-optimal or limited benefits realized by present regulation, restoration, protection or mitigation activities.

Alternatives to the proposed project might include the following:

- Stronger and more comprehensive legislation to regulate all environmental damaging activity in the legal delta. (On the model of the Tahoe Basin Interstate Compact)
- Strengthened authority of the DPC, expanded jurisdiction to include the secondary zone of the delta and extended or permanent statutory status as a critical resource protection agency of the State.

The benefits that will accrue to completion of the study include the empowerment of local water service, city and county planning and other government agencies to continue more effective preservation and restoration. If not accomplished there will certainly be eventual imposition of additional regulation by the State. The goal of delta protection will somehow be realized. The proposal for improving the efficiency of the current vehicles of local agency cooperative planning and management is the preferred approach to that end.

**e. Proposed Scope of Work**

Project Tasks and deliverables

(1) Project Organization

- Finalize Project Elements, Scope and Agreement with CALFED
- Assemble Project Team and Define Work Element Responsibilities

Deliverables: Finalized Project Work Scope, Project Organization Outline, Work and Schedule Flow Chart

(2) Agency Scoping Participation and Support Role Definition

- Meet With DPC Staff to Build Primary Association
- Meet With Local Agency and District Boards and Staff (Primary Zone) to Solicit Cooperation and Their Participation in the Assessment and Policy Development Process
- Meet With Local Staff from Secondary Zone Agencies to Build Their Inclusion in the Planning Assessment Process
- Coordinate Project Objectives with Relevant State and Federal Agencies Active in the Delta

Deliverables: Agency List and Contact List, Proposed Agency Participation Roles and Responsibilities for Long Term Implementation of Recommendations

(3) Program Evaluation and Assessments

- Assessment of General and Specific Plan, Permit, and Program Adoptions
- Environmental Documentation for all Local Government and Regional Actions
- History of Project Approvals
- Environmental Mitigations, Restoration and Protection Mechanism Implementations

Deliverables: (a) Matrix of the Results of All Studied Documentation Assessed by: Responsible Agency, Date Action Adopted, Date Action Implemented, Evidence of Implementation (Active Monitoring Program, Construction, BMP, etc.), Significance of Protection (acres, species, water quality measures, etc.), Success Level of Implementation, Coordinating Agencies, Non-implemented Elements, Likelihood of Implementation and Date, Unidentified Environmental Stressors or Actions, Estimated Damages (acres lost, species threatened, water quality measures, etc.)

(b) Narrative of Bases for Successes or Failures to Enhance the Biotic, Land or Water Systems of the Delta; Agency Effectiveness, Coordination and Weaknesses in the Local or Regional Planning and Protection Process

(4) Project Proposals

With results of the assessment of delta protection programs and the matrix elaborating those local government project and policy specific assessments this project will propose measures to correct the losses or projected losses in delta habitat, species associations or water quality degradation.

Proposals may include:

- Project Condition-of-Approval Monitoring Mechanisms
- Region-Wide Delta Best Management Practices Strategies for Local Government Planners
- Identification of State Planning Law and CEQA Enforcement Mechanisms
- Proposals for Revised and More Effective Local Agency Policies and Programs
- Inter-Agency Planning Coordination Strategies
- New Statutory Directions of Delta Critical Resources Planning

Deliverables: Inter-governmental Delta Ecosystem Protection Strategy for Land Use Decisions

**f. Monitoring and Data Evaluation**

The project will *not* put in place any structures, restored habitat or propose biologic programs. There will no monitoring of the success of such actions. Rather, this project will assess the effectiveness of past and ongoing monitoring programs of public project decisions and those of agencies who manage the resources of the delta. It is a project intended to assess the efficiency of the planning and implementation process of delta protection strategies that have proliferated from the Delta Protection Act, the requirements of the California Environmental Quality Act and the Agricultural Preservation, Open Space and Conservation elements of city and county general plans.

**g. Implementability**

The project seeks to determine just to what degree there has been compliance with State Planning and zoning law, the requirements of the California Environmental Quality Act, the Delta Protection Act, local city and county general plan agricultural preservation, open space, conservation and land use elements, and the provisions of local water district and conservation district regulations. Proposals will be assessed in discussion with participating agencies to assure that they meet the manageable expectation for implementation by those agencies.

**IV. Costs And Schedule To Implement Proposed Program**

**a. Budget Costs**

**Sustainable Planning Institute**

<b>Project Phase and Task</b>	<b>Direct Labor Hours</b>	<b>Direct Salary and Benefits</b>	<b>Overhead</b>	<b>Materials</b>	<b>Miscellaneous</b>	<b>Total Cost</b>
<b>Phase I Task 1 (CALFED)</b>	160	\$4,280	0	0	0	\$4,280
<b>Phase I Task 2 (CALFED)</b>	1,440	\$30,520	\$6,000	\$500	\$1,500	\$38,520
<b>Phase II Task 3 (CALFED)</b>	7,680	\$176,440	\$24,000	\$3,000	\$2,000	\$205,440
<b>Phase III Task 4 (CALFED)</b>	3,840	\$84,220	\$16,000	\$2,000	\$500	<u>\$102,720</u>
						\$350,960

**PARTNERSHIP FUNDING**

There are no known associate funding sources for this type of assessment project. The contractor will investigate the possibility of support for Phase III from delta agencies.

**b. Schedule Milestones**

<b>PHASE I (Tasks 1 and 2)</b>	<b>Project Organization and Agency Support Building</b>	<b>4 months</b>	<b>(Sept. - Dec. 1997)</b>
<b>PHASE II (Task 3)</b>	<b>Delta Ecosystem Protection Program Assessment</b>	<b>12 months</b>	<b>(Jan. - Dec. 1998)</b>
<b>PHASE III (Task 4)</b>	<b>Project Proposals</b>	<b>8 months</b>	<b>(Jan. - Aug. 1999)</b>

**c. Third Party Impacts**

There will be no impacts on third parties. All proposals for policies, programs or strategies for delta protection will be in a form of positive impacts to governments and agencies.

**V. Applicant Qualifications**

The full staff of the Sustainable Planning Institute will be assigned to the project. This includes one full-time principal planner, one part-time senior planner, two full-time associate

## Sustainable Planning Institute

planners, one part-time research technician and two university interns. The Institute has associate staff at its sister GIS facility, the Regional Science Institute, in Berkeley and 10 planning and 15 biological services staff at its parent company office in Sapporo, Japan, the Regional Science Institute.

Local Davis staff of the Sustainable Planning Institute will be entirely responsible for project execution. They include:

**William F. Collins Ph.D., AICP - Project Manager**

Ph.D. in Geography and Regional Studies - University of Cincinnati

MCRP in City and Regional Planning - Harvard University

Professor of Land Use Planning and Rural Development, California State

University, Chico; Community, Land Use and Environmental Impact

Assessment Consultant; Multiple Community Plans and Environmental

Impact Reports including Lake Tahoe EIR/EIS

**Akihiko Machida - Senior Planner**

MCRP in City and Regional Planning - University of Kansas

Planning Specialist in Land Use and Public Policy

**Yoko Shintani MCRP - Associate Planner**

MCRP in City and Regional Planning - University of Kansas

Planning Specialist in Community, Land Use and Recreation Planning

**Donald Holtgrieve Ph.D., AICP**

Ph.D. in Geography - University of Oregon

Professor of Environmental Planning, California State University, Chico

Specialist in Environmental Impact Assessment, Habitat Conservation Planning

Multiple Planning Studies Including, Wetland Assessments, EIR/ EIS (Including Lake

Tahoe EIR)

**Joseph Ogasawara - Research Technician**

University of California, Davis

## VI. Compliance With Standard Terms and Conditions

All terms and conditions are agreeable and will be complied with by the applicant, the Sustainable Planning Institute. See attached. Small business preference is being claimed and the certification approval letter is now being processed.

NONDISCRIMINATION COMPLIANCE STATEMENT

COMPANY NAME

Sustainable Planning Institute

The company named above (hereinafter referred to as "prospective contractor") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective contractor agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, denial of family and medical care leave and denial of pregnancy disability leave.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized to legally bind the prospective contractor to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

William Collins

OFFICIAL'S NAME

28 July 1997

DATE EXECUTED

EXECUTED IN THE COUNTY OF

Yolo

PROSPECTIVE CONTRACTOR'S SIGNATURE

*[Handwritten Signature]*

PROSPECTIVE CONTRACTOR'S TITLE

President

PROSPECTIVE CONTRACTOR'S LEGAL BUSINESS NAME

William F. Collins