

**MEETING OF THE  
STATE AND FEDERAL CONTRACTORS WATER AGENCY  
BOARD OF DIRECTORS**

*State Water Contractors Conference Room  
1121 L Street, Suite 1050  
Sacramento, CA 95814  
(916) 447-7357*

**Westlands Water District  
3130 N. Fresno St  
Fresno, CA. 93703**

**Del Puerto Water District  
17840 Ward Avenue  
Patterson, CA 95363**

**Santa Clara Valley Water District  
5700 Almaden Expressway  
San Jose, CA 95118-3686**

**Byron Bethany Irrigation District  
7995 Bruns Road  
Byron, CA 94514-1625**

Dial in number: **800-356-0123**  
Participant PIN is: **808493**

MEETING AGENDA

**September 19, 2019  
11:30 am**

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**1.0 CALL TO ORDER**

- 1-1 The Board will Consider Corrections or Additions to the Agenda of Items Requiring Immediate Action that have come to the Attention of the Board after Posting the Agenda
- 1-2 Public Comment – Opportunity for members of the public to address the Agency on matters within the Agency’s jurisdiction (as required by Gov. Code Section 54954.3(a))

**2.0 ACTION ITEMS (5 MIN)**

- 2-1 Consider approval of Board Meeting Minutes of June 14, 2019 – (Wallace)  
**Recommendation: That the Board approve of the above-mentioned minutes by minute order – Attachment**

### **3.0 INFORMATION REPORTS (30 MIN)**

3-1 Board Chair's report (Wallace)

3-2 Executive Director Report (DiGennaro) - Attachment

### **4.0 ADJOURNMENT**

**NOTE:**

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Agency Administrator in advance of the meeting to ensure availability of the requested service or accommodation. At the discretion of the Board, all items appearing on this agenda and all committee agendas, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

**SPECIAL BOARD OF DIRECTORS  
STATE AND FEDERAL CONTRACTORS WATER AGENCY  
DRAFT MEETING MINUTES  
June 14, 2019**

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**Directors Present:** Rick Gilmore, San Luis & Delta Mendota Water Authority  
Jose Gutierrez, Westlands Water District  
Frances Brewster, Valley Water District  
Randall Neudeck, Metropolitan Water District of Southern California  
Thomas Pate, SCWA- DSPC  
Craig Wallace, Kern County Water Agency

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**Staff Present:** Bruce DiGennaro, SFCWA staff  
Nancy Miller, Renne Sloan Holtzman Sakai LLP  
Julie Ramsay, SFCWA staff

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**CALL TO ORDER**

Call to order: President Wallace called the meeting to order at 1:34 pm.

*1-1 The Board will Consider Corrections or Additions to the Agenda of Items Requiring Immediate Action that have come to the Attention of the Board after Posting the Agenda*

**There were none.**

*1-2 Public Comment – Opportunity for members of the public to address the Agency on matters within the Agency’s jurisdiction (as required by Gov. Code Section 54954.3(a))*

**There were none.**

**ACTION ITEMS**

*2-1 Consider Approval of Board Meeting Minutes of March 19, 2018.*

**The board approved the above-mentioned minutes by unanimous vote**

*2-2 Consider approval of a resolution of intent to award and contract with The Dutra Group for Phase 2 construction of the Tule Red Habitat Restoration Project (DiGennaro)*

**The board approved the above-mentioned resolution by unanimous vote**

*2-3 Consider approval of a resolution regarding future SFCWA expenditures for in-lieu public access improvements associated with the Tule Red Habitat Restoration Project (DiGennaro)*

**The Board approved the above-mentioned resolution by unanimous vote**

*2-4 Consider cancelling all future regularly scheduled Board meetings, setting a September Board meeting and meeting on an as needed basis for the remainder of 2019.*

**The Board approved the above-mentioned action by unanimous vote and directed the Executive Director to set a September Board meeting date based on Board member availability.**

**ADJOURNMENT**

Director Wallace adjourned the meeting at 2:05 pm.

September 17, 2019

TO: Board of Directors

FROM: Bruce DiGennaro, Executive Director

RE: Executive Director's Report

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The following summarizes key activities since the Jun, 2019 board meeting:

**A. Tule Red**

**1. Construction**

- a. Per the board's resolution in June, staff contracted with The Dutra Group for Phase 2 construction, including the following:
  1. demolishing the clubhouse and removing all debris;
  2. completing the habitat berm in the area of the clubhouse
  3. installing an aeration structure on the CDFW outfall pump;
  4. removing the tidegates and bulkheads; and
  5. breaching the natural berm.
- b. Start of construction was delayed due to nesting birds, but was initiated on September 9, 2019
- c. The contractor is on schedule to breach the levee on October 15, 2019, per contract terms.

**2. Breach Ceremony**

- a. A ceremony is planned for October 15, 2019 (see attached draft invitation and press release).
- b. A program of speakers is being developed.

**3. BCDC Permit**

- a. On July 17, 2019, staff requested a formal permit amendment from BCDC to focus public access improvements on the Montezuma Slough Fishing Pier, with \$150,000 of matching funds provided for future improvements to the Island Slough Fishing Pier.
- b. On August 14, 2019, BCDC requested additional information and a permit amendment fee of \$600.
- c. On September 10, 2019 staff provided requested information and the fee payment.
- d. Copies of the above referenced correspondence with BCDC are attached.

**4. Title Transfer and Long-term Management**

- a. The final step in completing the restoration project, and perfecting the mitigation credits will involve permanent protection of the site and financial assurance of long-term operation and maintenance costs.
- b. CDFW has indicated that they would be willing to take fee title, but need assurance from DWR that there are adequate funds in place for long-term management of the site before they will agree to take ownership.
- c. DWR has indicated that existing funds and staff are in place to provided long-term management.
- d. Staff are working with FWS and other agency staff to draft an MOU and Site Specific Agreement to support title transfer.
- e. Title transfer is anticipated to occur in January or February 2020.

**B. CalPERS Termination**

1. Staff have requested data from CalPERS.
2. Once requested data are provided, McCloud Watts will perform independent calculations of the SFCWA liability.
3. Based on the analysis, the SFCWA Board can select a termination date, after which CalPERS will calculate a final liability number.

C. **Assets and Liabilities** – A copy of SFCWA’s current assets and liabilities is attached.



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# TULE RED

## BREACH CEREMONY

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# YOU ARE INVITED!

Join local, state, federal, and private industry leaders to celebrate the completion of this MULTI BENEFIT Project, and view the final breaching of levees to return tidal brackish water to the Tule Red Restoration Project.

**DATE:** Tuesday, October 15, 2019

**TIME:** 10 AM

**PLACE:** Tule Red Restoration Site

Please wear field appropriate attire as the event will be held outside- rain or shine.

## DIRECTIONS TO TULE RED:

from Sacramento

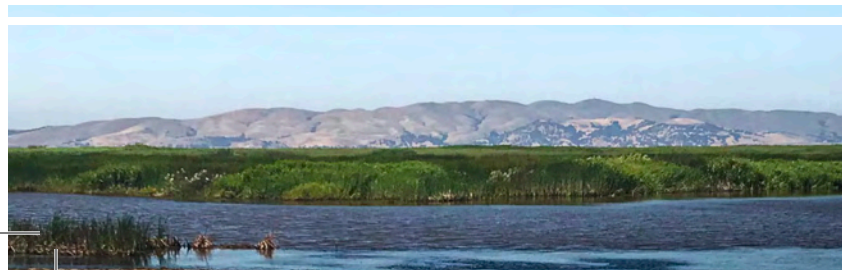
- 
- Take 80 W, then take exit 44A for Suisun Parkway toward Abernathy Road/CA-12/Rio Vista, **~41 miles**
  - Turn left on Chadbourne Rd., **0.3 miles**
  - Turn left to merge onto CA-12 E toward Suisun City/Rio Vista, **3.5 miles**
  - Turn right onto Grizzly Island Rd., **5.4 miles**
  - Continue right at the launch ramp to cross the bridge and stay on Grizzly Island Rd., **3.6 miles**
  - Turn right at Grizzly Island Wildlife Area Headquarters and continue past the resource agency housing. Ignore posted requirements to sign in.
  - Proceed to end of paved road and then turn left, **1.6 miles**
  - Continue on dirt road until you see the parking area on the left, **0.8 miles**
  - Guests will walk from the parking area into the site, **0.5 miles**

## To RSVP PLEASE CONTACT:

(or for special accommodations)

Sarah Correa

[scorrea@westervelt.com](mailto:scorrea@westervelt.com)



**October 15, 2019**

**Grizzly Bay, Calif.** – Local, state, federal, and private industry leaders will meet on Tuesday October 15<sup>th</sup> to celebrate the completion of a unique tidal wetland restoration project in the Delta. The event will include the breaching of levees to return tidal brackish water to several hundred acres for the sake of dwindling native fish populations.

More than a century after people began building earthen dikes to block off portions of the Suisun Marsh to create duck hunting clubs, the Tule Red project in Solano County has now opened nearly 420 acres of wetlands to daily tides. With reworked berms and new channels and basins, the project creates habitat to harbor wildlife and boost food production for several threatened or endangered fish species including the Delta smelt, longfin smelt, and Chinook salmon.

The Tule Red Restoration Project is a joint effort by the State and Federal Contractors Water Agency (SFCWA), Westervelt Ecological Services (WES) and the Department of Water Resources (DWR). WES is the landowner and project manager on behalf of SFCWA. SFCWA is a joint powers authority comprised of the public water agencies that contract for delivery of water from the State Water Project and the Central Valley Project. SFCWA is pursuing Tule Red and other habitat restoration projects to assist DWR with meeting existing permit requirements under the U.S. Endangered Species Act. Under directives from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, DWR is obligated to restore at least 8,000 acres of tidal wetlands in the Sacramento-San Joaquin Delta for the benefit of fish impacted by the water project operations. Public water districts around California that depend upon the delivery of Delta water from the State Water Project will pay for the project.

The Tule Red project also advanced the California EcoRestore program, which seeks a target of least 30,000 acres of habitat within the Delta and Yolo bypass ecosystem.

“Human intervention altered the Delta profoundly over the last 150 years, and with projects like Tule Red, we can intervene to turn back the clock,” said former California Natural Resources Secretary John Laird. “When we welcome tides back to a few hundred acres of Suisun Marsh, we reverse the trends that eliminated 95 percent of the tidal wetlands in the Bay-Delta, the largest estuary in the Western Hemisphere.”

Under an agreement with SFCWA, WES has provided ongoing land stewardship, restoration design, permitting, and construction oversight services. The California Department of Fish and Wildlife, which currently owns and manages a portion of the site will take over management of the remainder with ongoing funding from DWR for operations and maintenance. Construction on the Tule Red project began in 2016.

“As stewards of our public water supplies, the agencies that form the State and Federal Contractors Water Agency are pleased to be on the front lines of restoring the Bay-Delta ecosystem and we look



forward to developing additional projects that benefit native species”, said Jason Peltier, former Chairperson of the State and Federal Contractors Water Agency.

The 420-acre project site in the Grizzly Bay region of Suisun Marsh is a long-time duck club commonly known as the Tule Red Hunting Club. Before it was diked to create fresh and brackish water habitat favored by game ducks in the mid-1900’s, this property was tidal habitat. A significant portion of Grizzly Island was also diked around the same time to create agricultural production, grazing and dairy operations. The Suisun Marsh, south of Fairfield, is the largest contiguous brackish water marsh on the west coast of North America. The 116,000-acre marsh represents more than 10 percent of the remaining natural wetlands area in the state and this Project makes a big contribution towards restoring Suisun Marsh natural functions.

The Tule Red project is now completed, marked by the breaching a natural berm to allow for full daily tidal exchange through the interior of the project site and creation of a network of channels to convey water across the marsh plain. The project is designed to not only provide habitat for Delta and longfin smelt and other native fishes, but also to reestablish important ecological processes that will maximize production of the microscopic plants and animals at the base of the food web that nourish native fish in Grizzly Bay and beyond. One of the factors that has led to the precipitous decline of Delta smelt and other native species is lack of food resources such as zooplankton and phytoplankton which the project is designed to export within the larger Delta tidal system.

To learn more about California EcoRestore and other habitat restoration projects underway in the Delta, go to <http://resources.ca.gov/ecorestore/>.



**State & Federal Contractors  
Water Agency**

*1121 L Street, Suite 806, Sacramento, CA 95814*

Pascale Suomoy  
Bay Conservation Development Commission  
375 Beale Street, Suite 510  
San Francisco CA 94105

September 10, 2019

**Re: Application for Amendment No. Five to BCDC Permit No. 2016.002.00md**

Dear MS. Suomoy,

This letter is to address your request for more information detailed in your August 14, 2019 letter to Westervelt Ecological Services LLC (WES) and State and Federal Contractors Water Agency (SFCWA). The items requested are addressed below.

1. **Applicant Signatures.** Please find the enclosed signed copy of the "Property Ownership and Application Information" form to process this amendment.
2. **Processing Fee.** Please find enclosed a check in the amount of \$600 to cover the application processing fee.
3. **Justification for In-Lieu Public Access.** This letter confirms that providing public access on the restoration site over and above the off-site public access improvements currently proposed for the Tule Red tidal restoration project (Project) has been determined to be infeasible. The restoration site is relatively remote from existing public access points, and is constrained by surrounding land uses, especially hunting, and by the purpose for which the Project was established.

Beginning with the purpose of the Project, which is for compliance with a legal settlement (2008 Biological Opinions for the Federal and State Water systems operations). The nature of the values being provided (compensatory mitigation) and the USFWS biological opinion for the Project itself, conflicts with providing on-site public access. Although the site is primarily designed to provide values to listed fish species (Delta smelt and salmonids), the restoration design was required to provide high tide/storm tide refugia with a habitat berm to avoid impacts to other special-status species (salt marsh harvest mouse, clapper rail, least tern). These species would be negatively affected by any kind of on-site trail or walkway developed that would introduce human activity (trash, off-leash dogs, trespass within the preserve). For this reason, a public trail or viewing platform within the boundaries of the conservation area and its effects are incompatible with the

purpose of the habitat berm and would likely be considered a “take” (harm, harass, degrade habitat, etc.) by the agencies that permitted the Project.

The Project site is adjoined by public and private hunting areas including the Grizzly King duck club (privately owned and operated) and the Grizzly Island Wildlife Area public hunting zone. Elk hunting begins in August on the surrounding Grizzly Island Wildlife Area, and access to the Project area via gravel road is restricted from August until the beginning of duck season (mid-October) to a few hunters with drawn permits. Once waterfowl season starts, access is similarly limited past the Grizzly Island Wildlife Area headquarters and check station to licensed and permitted waterfowl and pheasant hunters. The waterfowl seasons run from October through the end of January of each year, further limiting the opportunity for the general public to access these interior regions of the Suisun Marsh. Considering the cost of developing and maintaining public access that is available for only half of the year seems to be a poor investment. A better option is to develop or improve access points with year-round availability.

Year-round public access is currently provided to a wide variety of facilities within the Suisun Marsh (as detailed in the Suisun public access study completed by DWR) including several boat launches, trail systems, and fishing piers. Boat launches exist off Highway 680 in the western portion of the marsh, in Suisun City on Suisun Slough in the northern portion of the marsh, and at Belden’s Landing in the central portion of the marsh. Trails exist along Highway 12 and at Rush Ranch, accessed by paved roads and operated by the Solano County Land Trust. Fishing piers are maintained at Belden’s landing, Hill Slough Wildlife area, Island Slough, and on Montezuma Slough. These year-round facilities accommodate current and future public access requirements.

4. **Public Access Improvement Timeline.** The remaining in-lieu public access improvements will be completed by December 31, 2019. The repairs to the Montezuma Slough fishing pier have been engineered, put out to bid, and Dutra Inc. has successfully won the job. Dutra is under contract and work is scheduled to begin the first week in September to be completed by October 30, 2019. A draft of the interpretive sign has been completed, and is now in circulation with CDFW (they will ultimately have to maintain this sign). The draft design will be sent to you for review by BCDC in early September.

**Public Access Funds-Island Slough Fishing Pier.** SFCWA and WES have completed reconnaissance level surveys of the structure and determined that a complete replacement is necessary. The \$150,000 paid by SFCWA are to be used as matching funds for completion of this structure. The California Department of Fish and Wildlife owns and operates the Island Slough fishing pier and is obligated to maintain it in compliance with an earlier BCDC permit. CDFW staff will submit an application to the State of California Wildlife Conservation Board for matching funds to completely replace the structure and bring the parking and facilities into ADA compliance. A letter of support from BCDC would go a long way in support of this funding and ultimate completion of this project.

Thank you for your consideration and assistance in completion of this project.

Sincerely,

A handwritten signature in blue ink, reading "Bruce DiGennaro", enclosed in a thin black rectangular border.

Bruce DiGennaro  
Executive Director  
State and Federal Contractors Water Agency

# San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 415 352 3606

State of California | Gavin Newsom – Governor | [info@bcdc.ca.gov](mailto:info@bcdc.ca.gov) | [www.bcdc.ca.gov](http://www.bcdc.ca.gov)

August 14, 2019

State and Federal Contractors Water Agency  
1121 L Street, Suite 806  
Sacramento, CA 95814  
ATTN: Mr. Bruce DiGennaro

and

Westervelt Ecological Services, LLC  
600 North Market Boulevard, Suite 3  
Sacramento, CA 95834  
ATTN: Mr. Robert Capriola

**SUBJECT:** Application for Amendment No. Five to BCDC Permit No. 2016.002.00md.

Dear Mr. DiGennaro and Mr. Capriola:

Thank you for your letter dated and received in this office on July 17, 2019, requesting an amendment to BCDC Permit No. 2016.002.00md to revise the public access requirements for the Tule Red Wetland Restoration project described in Special Conditions II.B. In our review of the request, additional information is required to file the request complete. Please provide the following information:

1. **Applicant Signatures.** It is necessary that all permittees requesting the amendment submit a signed application. Please complete and sign and submit Box 1 (pages 1 and 2) of the attached BCDC application. Please note that if you are authorizing a representative to act on your behalf you must also sign Box 1 (page 1) of the application.
2. **Processing Fee.** Your application appears to qualify for a non-material amendment to a major permit. During the conference call held on June 27, 2019 we discussed that the basis of the permit amendment fee would be the difference between the initial estimate for the Montezuma Pier repairs (\$146,000) and the costs of the repairs provided in the bid documents(\$263,000), which is \$117,000. Please submit the \$600 application fee reflective of the cost difference to enable to continuation of the application.
3. **Justification for In-Lieu Public Access.** As discussed, please provide a written explanation describing why providing public access on the Tule Red site is infeasible at this time.




4. **Public Access Improvement Timeline.** The previous amendment to Permit No. 20016.002.00md granted an extension of completion time for public access improvements to the Montezuma Slough fishing pier and the installation of the Tule Red interpretive sign. Please provide an updated schedule for these improvements indicating that they will be completed by December 31, 2019.

Until the aforementioned information is submitted and reviewed for adequacy, your application will be held as incomplete. In addition, please consider the following information in planning your project:

**Public Access Funds.** As discussed during aforementioned conference call, you committed to applying for a grant to support CDFW's repairs to Island Slough fishing pier, using the remaining \$150,000 as funding leverage for the proposed improvements. Please provide us with an update and intended targeted grant program. We would be pleased to provide a letter of support for your application at the appropriate time. If the proposed grant application is not ultimately funded, the \$150,000 would remain an in lieu public access fund for use in an appropriate location.

If you have any questions regarding this letter or any other issue pertaining to this application, please do not hesitate to contact me at 415/352-3669 or via email at [pascale.soumoy@bcddc.ca.gov](mailto:pascale.soumoy@bcddc.ca.gov).

Sincerely,



PASCALE SOUMOY  
Environmental Scientist

cc:

Mr. Greg Martinelli, California Department of Fish and Wildlife  
Mr. Dan Riordan, Department of Water Resources  
Ms. Ling Chu, Department of Water Resources

Enclosure:

PS/cj

# Box 1

## Property Ownership and Applicant Information (must be completed by all applicants)

### a. APPLICANT:

Owns project site

Leases project site

Homeowner Association owns/will own

Other Property Rights: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

APPLICANT'S REPRESENTATIVE:  None

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

I hereby authorize \_\_\_\_\_  
to act as my representative and bind me in all matters concerning this application.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date (mm/dd/yyyy)

### b. CO-APPLICANT:

Owns project site

Leases project site

Homeowner Association owns/will own

Other Property Rights: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

CO-APPLICANT'S REPRESENTATIVE:  None

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

I hereby authorize \_\_\_\_\_  
to act as my representative and bind me in all matters concerning this application.

\_\_\_\_\_  
Signature of Co-Applicant

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date (mm/dd/yyyy)

### c. PROPERTY OWNER: Same As Applicant or Co-Applicant OWNER'S REPRESENTATIVE: None

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

I hereby authorize \_\_\_\_\_  
to act as my representative and bind me in all matters concerning this application.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date (mm/dd/yyyy)

**(Box 1, Property Ownership and Applicant Information, continued)**

d. Provide documentation of property interests, such as a copy of a grant deed, lease or easement, and Conditions Covenants and Restrictions, for a homeowner's association, that demonstrates that the owner or applicant has adequate legal interest in the property to undertake the proposed project. See Commission regulations Appendix F for complete details.

**e. DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:**

The following contributions of more than \$250 were made by the applicant or applicant's representative to a BCDC commissioner or commissioner's alternate in the preceding twelve months to support the commissioner's or alternate's campaign for election to a local, state or federal office.

Contribution Made To:	Contribution Made By:	Date of Contribution:
_____	_____	_____
_____	_____	_____

No such contributions have been made.

**f. CERTIFICATION OF ACCURACY OF INFORMATION AND AUTHORIZATION TO INSPECT:**

*I hereby certify under penalty of perjury that to the best of my knowledge the information in this application and all attached exhibits is full, complete, and correct, and I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for denying the permit, for suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper to the Commission. I further agree that the Commission staff may, with 24 hours notice, inspect the project site while this application is pending.*

■ _____ Signature of Applicant or Applicant's Representative	_____ Date ( mm/dd/yyyy)
■ _____ Signature of Co-applicant or Co-applicant's Representative	_____ Date ( mm/dd/yyyy)
■ _____ Signature of Co-applicant or Co-applicant's Representative	_____ Date( mm/dd/yyyy)
■ _____ Signature of Co-applicant or Co-applicant's Representative	_____ Date ( mm/dd/yyyy)



July 17, 2019



**State & Federal Contractors  
Water Agency**

*1121 L Street, Suite 806, Sacramento, CA 95814*

Pascale Soumoy  
San Francisco Bay Conservation & Development Commission  
455 Golden Gate Avenue, Suite 10600  
San Francisco, CA 94102-6080  
Email: pascale.soumoy@bcdc.ca.gov

**RE: Permit No. 2016.002.00md issued on August 23, 2016 (the "Permit")**

Dear Pascale:

The State and Federal Contractors Water Agency and Westervelt Ecological Services, LLC (collectively the "Permittees") are formally requesting an amendment to the above referenced permit, specifically with regards to provisions for public access.

The current permit proposes repairs to two off-site fishing piers owned by CDFW in Island Slough and Montezuma Slough, along with a study of public access (completed), signage and funds for future improvements.

In light of new information regarding the condition of the Island Slough Fishing Pier, public safety concerns and recent bids received for repairing the Montezuma Slough Fishing Pier, the Permittees respectfully request the following amendments to the existing permit:

1. Remove requirements to repair the Island Slough Fishing Pier; and
2. Apply the \$150,000 paid to the Coastal Conservancy for future public access improvements towards renovating or relocating the Island Slough Fishing Pier.

All other aspects of the permit regarding public access improvements would remain the same, including repairs to the Montezuma Slough Fishing Pier (per designs approved by BCDC) and required signage. Attached are suggested language adjustments to the existing permit shown in red.

Under the requested amendment outlined above, the total cost for complying with the public access components of the BCDC permit, including design and construction would be:

Public Access Study	\$200,000
Montezuma Slough Fishing Pier	\$263,000
Signage	\$ 13,000
Coastal Conservancy Payment	<u>\$150,000</u> (for Island Slough Fishing Pier)
	\$626,000

Please contact me at (401) 835-1185 if you have questions, or would like to discuss the proposed amendment further.

Sincerely,

A handwritten signature in blue ink, reading "Bruce DiGennaro", enclosed in a thin black rectangular border.

---

Bruce DiGennaro

cc: Craig Wallace  
Greg Martinelli  
Robert Capriola  
Dan Riordan  
Ling Chu

**Proposed Amendments to Permit No. 2016.002.00md**

*(Note: Proposed amendments are shown in red below. Other strikeouts shown reflect amendments previously approved by BCDC)*

A. **Public Access.** Prior to completing the work in the Tule Red restoration site or no later than December 31, ~~2018~~ 2019, unless otherwise noted, the permittees shall conduct the public access improvements (1) through (5) below. In the event that the pier improvements cannot be completed as required below, the permittees shall propose and seek authorization to complete alternative comparable public access improvements. The permittees shall provide plans for review and approval and obtain or facilitate the application for all required permits for the improvements and repairs to the fishing piers and other public access activities.

~~1. **Island Slough Fishing Pier.** Repair and improve CDFW-owned, Island Slough wooden fishing pier. Work would include restoring the pier to stable and safe condition with additional improvements per Americans with Disabilities Act (ADA) requirements.~~

**21. Montezuma Slough Fishing Pier.** Repair and improve a CDFW-owned Montezuma Slough aluminum fishing pier. Repairs would include raising and stabilizing the pier; levee repair and stabilization; and reconnecting pier with the adjacent walkway, with additional improvements per ADA requirements.

**32. Tule Red Interpretive Sign.** Near the restored Tule Red site, adjacent existing public access and visible to public, install a 4 foot by 6 foot information sign depicting specifics about the Tule Red restoration project, site features and other public access opportunities in the vicinity. The design and information contained in the interpretive sign shall be subject to review and approval by or on behalf of the Commission.

**43. Parking Lot Signage.** By ~~December~~ May 31, 2017, the permittees shall improve the adjacent public parking lot signage to clarify that the parking lot is available for public use. Sign improvements shall be reviewed and approved by or on behalf of the Commission.

**54. Maintenance.** The public access structures and their improvements required herein shall be permanently maintained by and at the expense of the permittees or its assignees. Such maintenance shall include, but is not limited to, repairs to all paths leading to the piers, pier surfaces, maintenance of the public access amenities such as periodic cleanup of litter and other materials deposited within the access areas, removal of any encroachments into the access areas, and assuring that the public access signs remain in place and visible. Within 30 days after notification by staff the permittees shall correct any maintenance deficiency noted in a staff inspection

of the site and shall obtain approval by or on behalf of the Commission of any maintenance that involves more than in-kind repair and replacement.

**65. Suisun Marsh Comprehensive Public Access Study and Public Access Funding**

- a. To better inform public access decisions that will likely arise from future restoration activities in the area, and selection of the public access improvements specified in (b) through (c) ~~(d)~~ below, the permittees shall prepare and submit a public access study to the Commission. The study shall be initiated in the Fall of 2016, and include scope and schedule for review; a draft report will be submitted by ~~September 30, 2017~~ July 30, 2018; and a final report submitted by December 31, ~~2017~~ 2018. The comprehensive study shall include stakeholder involvement; identify current and future public access opportunities within Suisun Marsh; and provide a suite of options that would improve public access as future restoration and development projects are pursued in the Suisun Marsh.
- b. By December 31, 2017 the permittees shall contribute \$150,000 to the California Coastal Conservancy's Coastal Trust Fund (Public Trust Fund) to be held for future Suisun Marsh public access improvements.
- c. The funds shall be used to contribute to improvements to the existing CDFW-owned Island slough Fishing Pier public access on Tule Red Restoration site in the form of trail, signage or parking improvements. If the above described study finds that public access at Tule Red is not appropriate, the permittees shall propose additional in lieu public access improvements at another site located within Suisun Marsh for review and approval by or on behalf of the Commission.
- d. ~~The permittees shall apply for BCDC authorization no later than December 31, 2019 to construct the additional public access improvements through amendment to this permit, or by a separate permit as needed.~~