

Notice

Addendum for the Tule Red Tidal Restoration Project to the Suisun Marsh Plan Habitat Management, Preservation, and Restoration Plan Environmental Impact Statement/Environmental Impact Report (SCH#2003112039)

Introduction

In accordance with the California Environmental Quality Act (CEQA), the State and Federal Contractors Water Agency (SFCWA) has prepared an addendum to the *Suisun Marsh Habitat Management, Preservation, and Restoration Plan Environmental Impact Statement/Environmental Impact Report* (SMP EIS/EIR) to implement the Tule Red Tidal Restoration Project (proposed project). The SMP EIR (State Clearinghouse Number 2003112039) was certified by the California Department of Fish and Wildlife (CDFW) in December 2011. The SMP EIS Record of Decision was signed by the Bureau of Reclamation (Reclamation) and the United States Fish and Wildlife Service (Service) in April 2014. Copies of the EIS/EIR are available for review at http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=781.

The SMP EIS/EIR provides a comprehensive 30-year plan for the management of activities within the Suisun Marsh (Marsh), including tidal restoration activities. The SMP EIS/EIR programmatically evaluated the conversion of 5,000 to 7,000 acres of managed wetlands to tidal habitat over the next 30 years. The proposed project would be the first tidal restoration project within the Marsh that was planned for by the SMP and was programmatically evaluated in the SMP EIS/EIR. Accordingly, SFCWA prepared this addendum to the SMP EIS/EIR to document potentially significant environmental impacts.

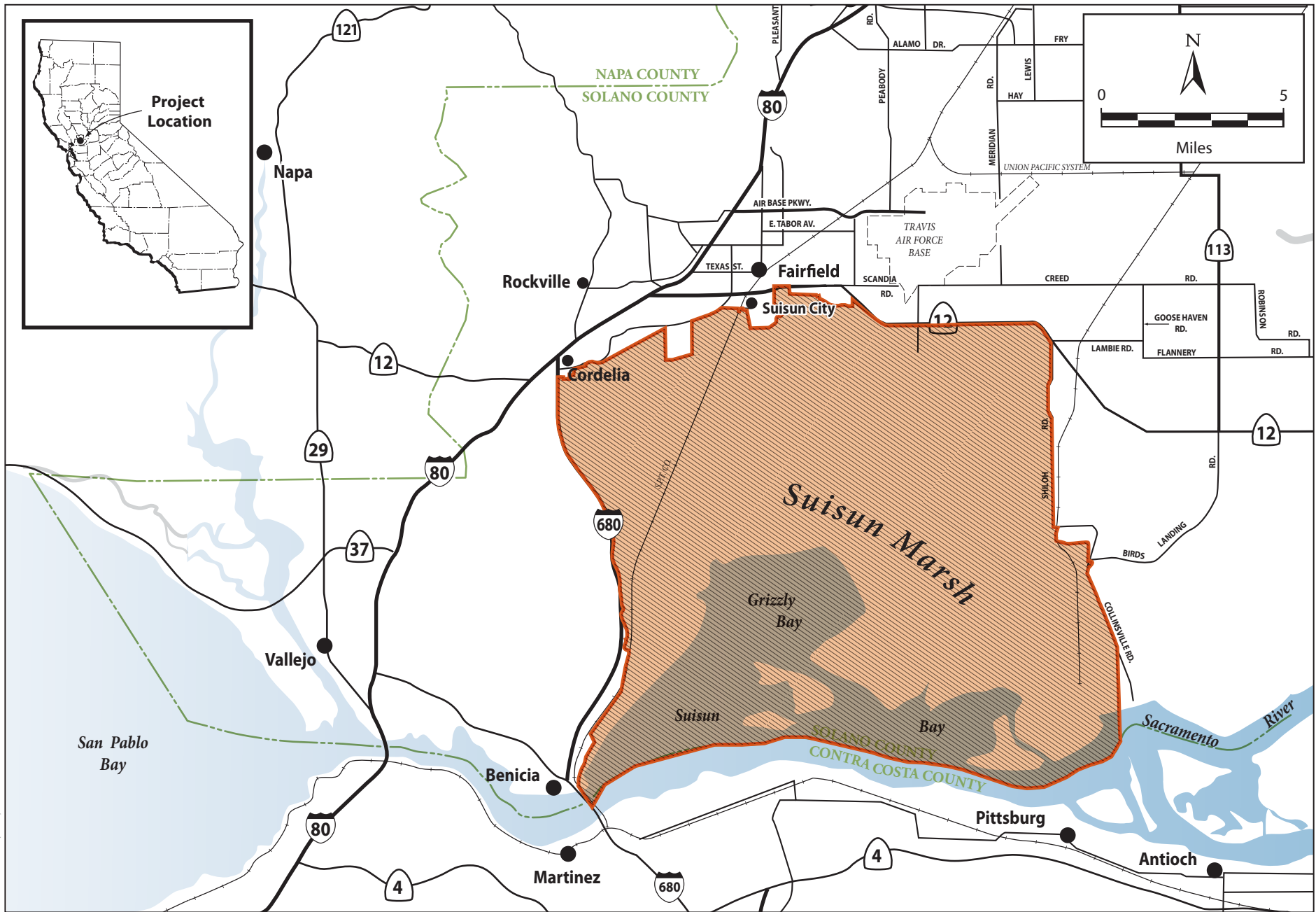
Notice and Availability

Although CEQA does not require circulation of an addendum (Section 15164 of the 2015 CEQA Guidelines), the purpose of this notice is to inform regulating and permitting agencies and interested parties of the proposed project, the addendum, and its relationship to the SMP and SMP EIS/EIR. The addendum and its appendices are available on the SFCWA website at: <http://www.sfcwa.org/2013/03/27/tule-red-restoration-project/>

Background

The Marsh historically was a tidal marsh system ranging in salinity, vegetation composition, and species utilization, based upon local geography and Sacramento and San Joaquin River inputs. In the late 1800s, the Marsh was diked for water management to support agriculture and duck club activities. Figure 1 shows the location of Suisun Marsh.

The SMP was prepared by the Suisun Principal Agencies (Principals), a group of agencies with primary responsibility for Suisun Marsh management. It is intended to balance the benefits of tidal wetland restoration with other habitat uses in the Marsh by evaluating alternatives that provide a politically acceptable change in Marsh-wide land uses, such as salt marsh harvest mouse habitat, managed wetlands, public use, and upland habitat. The SMP relies on the incorporation of existing science and information developed through adaptive management.



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Figure 1
Suisun Marsh Location

The Principals are the Service, Reclamation, CDFW, California Department of Water Resources (DWR), National Marine Fisheries Service (NMFS), Suisun Resource Conservation District (SRCD), and CALFED Bay-Delta Program (CALFED). The Principals consulted with other participating agencies, including the U.S. Army Corps of Engineers (Corps), the San Francisco Bay Conservation and Development Commission (BCDC), the San Francisco Bay Regional Water Quality Control Board (RWQCB), and the State Water Resources Control Board (State Water Board), in developing the SMP and preparing the SMP EIS/EIR.

SMP and the SMP EIS/EIR

The SMP is a comprehensive plan designed to address the various conflicts regarding use of Marsh resources, with a focus on achieving an acceptable multi-stakeholder approach to the restoration of tidal wetlands and the management of managed wetlands and their functions. As such, the SMP is intended to be a flexible, science-based management plan for the Marsh, consistent with the revised Suisun Marsh Preservation Agreement and CALFED. It also is intended to set the regulatory foundation for future actions within the Marsh. Multiple agencies were involved in preparing the SMP EIS/EIR, including all of the Principals. The EIS/EIR evaluated the SMP as the proposed project and documented all potentially significant environmental impacts that could result from implementing the SMP and activities associated with managed wetlands and tidal restoration.

Agency Involvement

The SMP EIS/EIR describes the agencies involved in preparing the SMP, the SMP EIS/EIR, and those expected to use the SMP EIS/EIR (Chapter 1). These agencies assume roles and responsibilities either through their agency's authority or through their participation in the NEPA and CEQA process. These agencies include:

- The Service and Reclamation as NEPA co-lead agencies primarily responsible for preparing the EIS and the Record of Decision.
- NMFS and the Corps as NEPA cooperating agencies primarily responsible for providing special expertise related to the project and holding jurisdiction over the project.
- CDFW as CEQA lead agency and trustee agency primarily responsible for preparing and certifying the EIR and for managing certain resources held in trust for the people of the state of California.

Table 1 summarizes additional responsible and trustee agencies.

Table 1. Additional Responsible and Trustee Agencies

| Agency | Jurisdiction |
|---|--|
| Trustee | |
| State Lands Commission | State-owned "sovereign" lands |
| Responsible | |
| California Department of Fish and Wildlife | Streambed alteration and impacts on state-listed species |
| Office of Historic Preservation | Historic and cultural resources |
| California Department of Water Resources | Delta Levees Program; SMPA funding; water management facilities |
| Suisun Resource Conservation District | Managed wetland management |
| California Air Resources Board | Air quality |
| Regional Water Quality Control Board (#5) | Pollutant discharges to water bodies |
| Bay Conservation and Development Commission | Dredging; any development activity that occurs below the 10-foot contour level |
| Solano County | Construction |

SMPA = Suisun Marsh Preservation Agreement.
Trustee Agency: those that have jurisdiction over certain resources held in trust for the people of California but do not necessarily have legal authority over approving or carrying out the project.
Responsible Agency: those that have a responsibility for carrying out or approving the project.

The SMP EIS/EIR provided a programmatic evaluation of the restoration of tidal habitat in the Marsh and associated activities on a wide variety of environmental resources. As part of the SMP, environmental commitments were included for restoration activities, to be incorporated in proposed restoration projects depending on site-specific considerations and the design of proposed restoration projects. The SMP EIS/EIR disclosed that impacts to most environmental resources as a result of tidal restoration activities were either less than significant or would not occur (i.e., no impact). To reduce significant impacts to a less-than-significant level, mitigation was incorporated with respect to effects of restoration activities on three environmental resources: air quality, cultural resources, and utilities and public service systems. The mitigation measures for air quality and utilities and public services reduced impacts to less-than-significant levels. However, it was determined that restoration activities would significantly and unavoidably impact known and as-yet-unknown cultural resources by damaging or destroying them.

Proposed Project

Westervelt Ecological Services (WES) is developing the proposed project on behalf of SFCWA, and in cooperation with DWR, and Reclamation. The proposed project is located adjacent to Grizzly Bay within the Suisun Marsh of Solano County, California and would convert approximately 420 acres of existing managed brackish wetlands to tidal habitat to directly benefit federally and state-listed Delta smelt, longfin smelt, and salmonids. The proposed project would introduce full, daily tidal exchange to an existing managed marsh duck club owned by WES and to a portion of the Grizzly Island Wildlife Area that is owned and operated by CDFW. The proposed project would partially fulfill the 8,000-acre tidal restoration obligations of the Fish Restoration Program Agreement (FRPA) in satisfaction of requirements in the 2008 U.S. Fish and Wildlife Service *Biological Opinion for Delta Smelt*; the 2009 NMFS *Biological Opinion for the Coordinated Operations of the State Water*

Project (SWP) and the Federal Central Valley Project (CVP); and the Longfin Smelt Incidental Take Permit for the SWP. The proposed project is also identified as a Priority Restoration project under the California Eco Restore (EcoRestore) program.

Location

The property on which the project is proposed is currently, and has been historically, managed as the Tule Red Duck Club. It is located in SMP Region 4 of the Marsh. The vast majority of the site is managed marsh with a small area of tidal marsh at the northern end of the site and along the bayside margin of the natural berm. Upland habitat is located along the uppermost tops of the levees on the east and south sides of the site. Figure 2 shows the proposed project location within the Suisun Marsh and Figure 3 shows the proposed project area.

Description

The proposed project would convert approximately 420 acres of existing managed brackish wetlands to tidal habitat. The proposed project is being designed to become a naturally self-regulating system that would not require active management or intervention, as the SMP intended for restoration projects. The proposed project would provide four primary habitat features: 1) a breach of the natural berm at the northern part of the project area to allow for full daily tidal exchange through the interior of the project site; 2) a network of tidal channels to regularly convey water across the marsh plain; 3) a series of tidal pannes/basins intended to retain water for periods of up to 2 weeks to maximize aquatic food production; and 4) a habitat berm created along the eastern perimeter of the property, which is designed to provide transitional and refugia habitat for sensitive species including the salt marsh harvest mouse. The four habitat features would support the interrelated resources and functions described in the SMP. The proposed project would incorporate the appropriate environmental commitments (or equivalent measures) and mitigation measures as identified in the SMP EIS/EIR.

Restoration Activities

Project restoration would occur in two phases. Phase 1 would consist of grading, revegetation, and associated activities on the landside of the natural berm and modification to the existing CDFW drain that discharges onto the project site. Phase 1 is scheduled to begin in 2016, pending receipt of project approvals and associated permits and authorizations, and funding. All construction activities would occur on the managed marsh portion of the site, and landward of the existing natural berm. It is estimated that approximately 300,000 cubic yards of soil would be moved and reshaped to develop the tidal channels, tidal pannes/basins, and habitat berm.

After Phase 1 is complete, the site would be managed for one to two years, to revegetate the disturbed soils and thereby minimize potential erosion during the subsequent Phase 2, when the site would be exposed to tidal action. Phase 2 would consist of the demolition of several on-site structures and breaching the natural berm and restoring tidal action to the site. The use of the project site has changed over time, and activities that were dependent on existing structures no longer occur at the project site or in the buildings; therefore, the buildings would be demolished because they are no longer in use. Then two existing water control structures (combination gates and bulkheads) would be removed and the existing natural berm adjacent to Grizzly Bay would be breached by excavating the primary tidal channel through the bayside berm out into the mudflats. The tidal connection to the project area would be at the north end of the project area. Phase 2 is scheduled to occur in 2017 or 2018.



Tule Red Boundary

Grizzly Island Wildlife Area

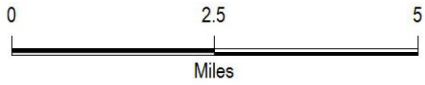
Grizzly Bay

Suisun Bay

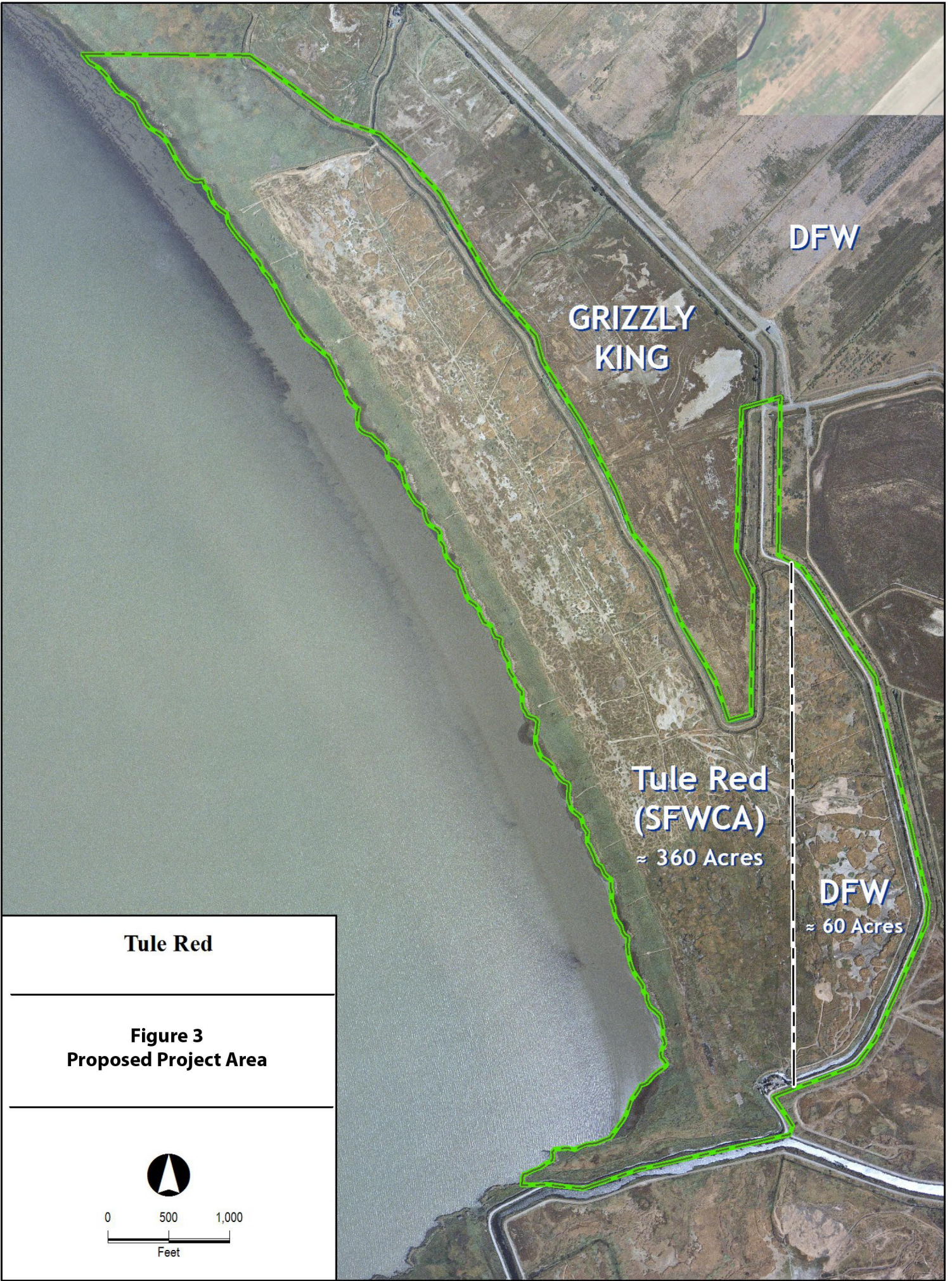
Honker Bay

Tule Red

**Figure 2
Proposed Project Location**

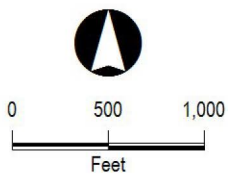


GISProject1\Tule Red\MXD\1505\AAAT Meeting\Figure 1 Tule Red Location Map 150521 v1.mxd



Tule Red

**Figure 3
Proposed Project Area**



Management and Monitoring

A Management and Monitoring Plan (MMP) will be prepared for the proposed project to address future land ownership, stewardship and monitoring activities, and funding agreements to ensure that habitats are protected, managed and maintained in perpetuity. The MMP will identify maintenance, monitoring, and management tasks including periodic biological monitoring, periodic mapping of the marsh and channels, weed control, inspections for erosion or settling of habitat level; and patrolling for trash and trespass. Long-term management of the project area would begin once the habitat berm vegetation is established.

Addendum

Although not required by CEQA, a notice of the preparation of an addendum was posted and circulated for 30-days to the State Clearinghouse, public agencies and interested stakeholders on October 9, 2015. The notice requested written comments regarding the scope of the addendum to ensure that the appropriate range of environmental issues related to the proposed project was identified and evaluated. A total of four comments were received. These comments are included in an appendix to the addendum. The comments were reviewed and information related to the comments was incorporated in the addendum

This addendum was prepared in accordance with CEQA [Public Resources Code] 21000 et seq.), and the State CEQA Guidelines (California Administrative Code [CAC] 15000 et seq.).

Section 15063(c)(3)(D) of the CEQA Guidelines states that earlier analyses may be used where, pursuant to the tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR. The scope, content and organization of the addendum to the SMP EIS/EIR meet the requirements of CEQA and the State CEQA Guidelines. The addendum describes the affected environmental resources and evaluates the potential changes in the impacts that were previously described in the SMP EIS/EIR with respect to constructing and operating the proposed project. The scope of analysis in the addendum addresses each of the environmental resource areas previously analyzed in the SMP EIS/EIR, and identified in Appendix G of the State CEQA Guidelines, as listed below.

- Water Quality, Surface Hydrology, and Water Supply (groundwater, flooding, and sediment transport)
- Biological Resources (fish, vegetation and wetlands, wildlife)
- Air Quality, Greenhouse Gases, and Climate Change
- Cultural Resources
- Land Use
- Aesthetics
- Agricultural Resources
- Geology, Soils, and Mineral Resources (levee stability)
- Hazards and Hazardous Materials (Public Health, Environmental Hazards and Transportation)
- Noise
- Recreation
- Transportation and Navigation
- Utilities and Public Services
- Population and Housing

The addendum evaluates impacts of the proposed project to determine whether potentially significant environmental impacts were previously disclosed in SMP EIS/EIR. Details from the proposed project description and the SMP EIS/EIR are used to evaluate impacts. The criteria for

determining the significance of environmental impacts in the addendum analysis are generally the same as those used in the SMP EIS/EIR and are consistent with those described in Appendix G of the State CEQA Guidelines. Table 2 summarizes the status of impact determinations and the need for mitigation measures by resource based on the analysis contained within this document and compared to the SMP EIS/EIR for restoration projects.

Table 2. Status of Impacts by Resource of the Proposed Project Compared to the Final SMP EIS/EIR for Restoration Projects

| Resource | Proposed Project Impact Findings ¹ | | | Required Mitigation in SMP? | Requires Substantially Different or New Mitigation Measures for Tule Red? |
|--|---|--------------------------|---|-----------------------------|---|
| | Same as SMP EIS/EIR | Changed from SMP EIS/EIR | Substantially More Severe than Disclosed in SMP EIS/EIR | | |
| Water Quality, Surface Hydrology, and Water Supply | LS | | — | No | — |
| Biological Resources – Fisheries | LS | | — | No | — |
| Biological Resources – Vegetation and Wetlands | LS | | — | No | — |
| Biological Resources – Wildlife | | LS | No | No | No |
| Air Quality, Greenhouse Gases, and Climate Change | LS with MM | | — | Yes | No |
| Cultural Resources | | LS | No | Yes | No |
| Land Use | LS | | — | No | — |
| Aesthetics | LS | | — | No | — |
| Agricultural Resources | | NI | No | No | — |
| Geology, Soils, and Mineral Resources | LS | | — | No | — |
| Hazards and Hazardous Materials | LS | | — | No | — |
| Noise | | NI | — | No | — |
| Recreation | | NI | No | No | — |
| Transportation and Navigation | | NI | — | No | — |
| Utilities and Public Services | | LS | No | Yes | No |
| Population and Housing | | NI | No | No | — |

NI = No Impact

LS = Less than significant impact

LS with MM = Less than significant impact with mitigation

¹ The impact determinations summarized in this table reflect the multiple thresholds analyzed in the addendum. Each resource was given the most severe impact determination.

Permitting Agencies

Several agencies would be involved in permitting activities for the proposed project. Table 3 summarizes these permitting agencies and their currently expected roles.


Table 3. Permitting Agencies

| Agency | Role |
|---|---|
| Corps | Issue a Section 404/10 permit under the Clean Water Act for activities within wetlands and waters of the U.S. |
| Coast Guard | Coordination with Corps on Section 10 of the Rivers and Harbors Act |
| U.S. Fish and Wildlife Service | Review compliance of proposed project with existing programmatic Biological Opinion for the Suisun Marsh Plan |
| National Marine Fisheries Service | Review compliance of proposed project with existing programmatic Biological Opinion for the Suisun Marsh Plan |
| State Historic Preservation Officer | Review compliance of proposed project with Section 106 of the National Historic Preservation Act |
| California Department of Fish and Wildlife | Issue site access agreement |
| State Water Resources Control Board | Issue construction general permit and approve Stormwater Pollution Prevention Plan |
| San Francisco Bay Regional Water Quality Control Board | Issue 401 Water Quality Certification/Waste Discharge Requirements |
| San Francisco Bay Conservation and Development Commission | Issue Suisun Marsh Permit |
| Delta Stewardship Council | Consistency determination with the Delta Plan |
| Solano County | Issue use permit and grading permit |
| Notes: | |
| Based on discussion with CDFW staff, a 1600 agreement is not required. | |
| Based on discussion with California State Lands Commission staff, the land proposed for restoration is within lands the State patented as tideland and subsequently sold. Therefore, the State does not claim jurisdiction to the land, and no lease is required. | |

Submitting Comments

SFCWA is providing a 30-day review of the addendum. Please send written comments regarding the addendum on or before March 4, 2016. Written comments should include in the subject line ***Addendum for the Tule Red Tidal Restoration Project*** and should be directed to:

State and Federal Contractors Water Agency
 Subject: Notice of Addendum for the Tule Red Tidal Restoration Project
 1121 L Street, Suite 806
 Sacramento, CA 95814
 Email: tbeltran@sfcwa.org

Signature of Lead Agency Representative: 

Date: 2/3/2016