



Proposition 1 Grant Program 2017-18 Staff Recommendation

I. Project Overview

Project Title	Bay Point Habitat Restoration Project		
Applicant	East Bay Regional Park District		
Project Number	Prop 1-1701		
Category	Implementation	Funding Request	\$2,100,000
County	Contra Costa	Total Project Cost	\$3,874,550
Score	89.1	Funding Recommended	\$2,100,000
Staff Recommendation	<p>Approve the Responsible Agency CEQA findings and complete necessary actions as Responsible Agency under CEQA.</p> <p>Approve findings for projects located outside the Delta and approve requested funds conditional upon submittal and approval of the items enumerated in the recommendation below.</p>		

II. Staff Recommendations

Delta Conservancy staff recommends that the Board consider the Initial Study and Mitigated Negative Declaration of Bay Point Regional Shore Use Plan prepared by the East Bay Regional Park District as the lead agency in accordance with the California Environmental Quality Act (CEQA), make the CEQA responsible agency findings, adopt relevant portions of the Mitigation Monitoring and Reporting Plan, and direct staff to file the Notice of Determination with the State Clearinghouse. All materials noted above are included with this report.

Delta Conservancy staff recommends that the Board approve findings for projects located outside of the Delta and approve funding for the Bay Point Habitat Restoration project (#Prop 1-1701) proposed by East Bay Regional Park District conditional upon the submittal and approval of the items enumerated below.

Conditions of Approval:

- (1) Revised budget that addresses personnel benefit rates.
- (2) Plan for addressing Contra Costa Mosquito & Vector Control District comments indicating design, implementation, and maintenance of the project should take into consideration recommendations to prevent creation of vector habitat.
- (3) Memo addressing the Delta Stewardship Council’s comments regarding how the project will include the information in the Delta Plan Mitigation and Monitoring Reporting Program to avoid or minimize actions that lead to the invasion of nonnative invasive species.

Conditional approvals must be resolved by August 1, 2018.

This project will take place outside of the legal Delta. Public Resources Code (PRC) section 32360.5 requires the Board make certain findings if it approves funding for activities outside the Delta. Staff recommends the Board find that: (1) the project implements the ecosystem goals of the Delta Plan by

restoring habitat that supports food webs and provides habitat for native species; (2) the project is consistent with the requirements of any applicable state and federal permits; (3) the Conservancy has given notice to affected local jurisdictions and has received no comments, and staff will work with the applicant to address any comments received from the Delta Protection Commission prior to entering into a grant agreement; (4) the Conservancy has given notice to the State conservancy covering the location of the project and has received no comments and (5) the project will provide significant benefits to the Delta by providing suitable habitat for threatened and endangered birds and fish as they make their way into and out of the Delta.

Staff has prepared the sections below based on staff's best understanding of the information provided in the application. The Conservancy has received comments on the proposal from the Professional Review Panel, the Delta Stewardship Council, and local governments and districts, water agencies, and tribes that responded to the local notification process. Prior to entering into a grant agreement, staff will work with the applicant to further refine the project's scope of work and to address any remaining comments.

III. Project Summary

The Bay Point Habitat Restoration project will restore ecological habitat at Bay Point Regional Shoreline Park. Approximately 44 acres of wetland and grassland and 5,595 linear feet of low order saline emergent marsh channel will be restored within a 56.6-acre project area, which was formerly filled and graded with now remnant settling ponds from previous sand mining operations. The project will hydrologically re-connect the site to the adjacent marsh and tidal slough complex; and, convert weedy low quality seasonal wetlands and ruderal land cover back to high value habitats including saline emergent marsh and associated tidal channels, grassland and upland transition zone. This project is located within Bay Point Regional Shoreline Park in Contra Costa County. See Attachment 1 for a project location map. The project site is in public ownership and is currently vacant. A portion of the funding to purchase the project site came from monies dedicated to wetland restoration from the Shell Oil Spill Litigation Settlement Trustee Committee that resulted from the Shell Oil spill in 1988. In accepting this Proposition 1 funding, the District will commit to restoring wetlands at the Bay Point Regional Shoreline that exceed the litigation settlement mitigation requirements.

Delta Conservancy funding will be used to perform earthwork, prepare the site, and to conduct habitat restoration, planting and weed control, as well as for project management and project maintenance and monitoring.

The project is proposed by East Bay Regional Park District, which has demonstrated that the project team has sufficient expertise, capacity, and partnerships to successfully carry out this project.

The proposal requests \$2,100,000 from the Delta Conservancy. Cost share is provided by East Bay Regional Parks District, Contra Costa County, California Department of Parks and Recreation, CA Department of Housing and Community Development and the National Parks Service, for a total contribution of \$1,774,550.

This project is ready to begin work as of October 2018. The CEQA process is complete for this project. This implementation project will provide benefits that align with Proposition 1 and State priorities, and that will be maintained for at least 15 years.

IV. Consistency with State Priorities

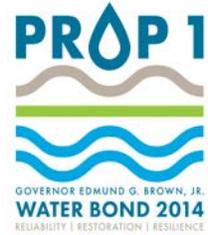
The project is consistent with and directly and specifically links to multiple actions and priorities identified in Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation and strategic plan, and the Delta Plan. The project's consistency with State plans is listed below.



SACRAMENTO - SAN JOAQUIN

DELTA CONSERVANCY

A California State Agency



Prop. 1

- 79732(a)(4): Protect and restore aquatic, wetland and migratory bird ecosystems including fish and wildlife corridors and the acquisition of water rights for in-stream flow.
- 79732(a)(10): Protect and restore coastal watersheds including but not limited to, bays, marine estuaries, and near shore ecosystems.
- 79732(a)(12): Assist in the recovery of endangered, threatened, or migratory species by improving watershed health, instream flows, fish passage, coastal or inland wetland restoration, or other means, such as natural community conservation plan and habitat conservation plan implementation.

California Water Action Plan

- Action 3: Achieve the Co-Equal Goals for the Delta.
- Action 4: Protect and Restore Important Ecosystems.

Delta Conservancy's enabling legislation

- Section 32301(i)(1): Protect and enhance habitat and habitat restoration.
- Section 32301(i)(3): Provide increased opportunities for tourism and recreation.

Delta Conservancy's Strategic Plan

- Goal 2: Fund and implement high priority projects that increase Delta ecosystem viability through sustaining critical habitat, restoring ecological function, improving water quality, protecting listed species, increasing ecosystem diversity, and managing for climate change; and continue to work collaboratively to define multi-benefit restoration.

Delta Plan

- ER P2: Restore Habitats at Appropriate Elevations.

V. Local Support

The proposal demonstrates strong local support from Contra Costa County Board of Supervisors Member Federal D. Glover, San Francisco Bay Area Water Trail, California State Assembly Member Timothy S. Grayson, San Francisco Bay Joint Venture, and United States House of Representatives Member Mark DeSaulner. The proposal details an approach to inform and consult with all affected parties and to avoid/reduce/mitigate conflicts with existing and adjacent land uses. The proposal includes a Contra Costa County resolution of support.

VI. Scientific

The proposal describes and references the scientific basis of the project and incorporates best available science. The proposal demonstrates efforts to develop an adaptive management approach and sufficient capacity and resources to implement it. The proposal addresses climate impacts/benefits and provides a mechanism for incorporating climate change considerations into the project. Outcomes and outputs utilize standard measures, are achievable and connect to objectives and goals. The proposal includes a clear process for measuring and monitoring progress towards stated outcomes and outputs and demonstrates an approach for collecting and managing data, and for reporting results beyond the applicant's organization.

Attachment 1. Project Map

