



**Consideration of California Environmental Quality Act Responsible Agency Findings and Award of Proposition 68 Community and Economic Enhancement Grant for Pacific Flyway Center: Walk in the Marsh Staff Recommendation**

This agenda item presents for Board consideration a recommendation to make Responsible Agency Findings based on the City of Fairfield’s adoption of a Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA), and a recommendation to award Proposition 68 Community and Economic Enhancement Grant Program funding for the Pacific Flyway Center: Walk in the Marsh.

**PROJECT OVERVIEW**

<b>Applicant</b>	Pacific Flyway Fund
<b>Project ID</b>	P6809
<b>Project Type</b>	Implementation
<b>County</b>	Solano
<b>Funding Request</b>	\$1,486,050
<b>Total Project Cost</b>	\$1,486,050
<b>Funding Recommendation</b>	\$1,486,050

**RECOMMENDATION**

Conservancy staff recommends that the Board consider the Final Initial Study and Mitigated Negative Declaration for Pacific Flyway Center: Walk in the Marsh project prepared by the City of Fairfield as the Lead Agency in accordance with the California Environmental Quality Act, and adopt Resolution 2021-02 that makes Responsible Agency Findings that all necessary mitigation measures have been included in the project to eliminate any significant effects on the environment, and that no additional mitigation measures within the Board’s authority are necessary.

Contingent upon the Board’s adoption of Resolution 2021-02, Conservancy staff recommends that the Board approve up to \$1,486,050 in grant funding for the Pacific Flyway Center: Walk in the Marsh project (Project ID P6809) proposed by the Pacific Flyway Fund. Conservancy staff prepared the text below based on staff’s best understanding of the information provided in the application and meetings with members of the Pacific Flyway Fund project team. Staff followed the Community and Economic Enhancement Grant Program Grant Guidelines, approved by the Conservancy Board in December 2019, in working with the applicant and assessing this proposal.

**DESCRIPTION**

The proposed Pacific Flyway Center: Walk in the Marsh will build three miles of Americans with Disability Act-compliant hiking trails, boardwalks, and educational signage through restored wetlands in Suisun Marsh, along with a parking area, access road upgrades, a shade structure, decorative asphalt art, and a bike rack. Walk in the Marsh is part of a multi-phase effort to build the

Pacific Flyway Center (PFC) on a 560-acre site owned by the Pacific Flyway Fund (PFF), a nonprofit organization created for this purpose. Both the Walk in the Marsh and broader PFC project will educate the public about the importance of the Pacific Flyway while conserving diverse habitat mosaics of wetlands, uplands, and riparian areas for waterfowl and hundreds of other wildlife species. With easy access from Interstate 680, this project will allow people to experience and appreciate the Suisun Marsh and better understand its connection to the Sacramento-San Joaquin Delta.

Prior to, or concurrent with, construction of Walk in the Marsh, PFF will hire a contractor, through a competitive bid process, to construct the marsh element – newly created, restored, and enhanced wetlands – of Walk in the Marsh. The wetlands work is expected to cost more than \$2,000,000 and will be funded by PFF. While this work will be funded separately, PFF is hoping to hire one contractor to construct the marsh and the components included in this proposal concurrently. This will likely reduce costs and allow the work to proceed in a timely manner.

On November 26, 2018, the City of Fairfield, as the Lead Agency under CEQA, submitted a Notice of Determination based on the results of an Initial Study that found potential significant project impacts on air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise; determined all of the identified impacts can be reduced to insignificant levels through implementation of Mitigation Measures outlined in the Initial Study; and prepared a Mitigated Negative Declaration for the project to satisfy the requirements of CEQA. Conservancy staff, in fulfilling the Conservancy's role as a Responsible Agency, have reviewed these documents and findings, and staff recommends that the Board make Responsible Agency Findings concluding that all necessary mitigation measures have been included in the project to eliminate significant effects on the environment.

### **Severely Disadvantaged Community (SDAC)**

Proposition 68 requires that at least 20 percent of all funding be spent on projects that serve severely disadvantaged communities, which are defined as “a community with a median household income less than 60 percent of the statewide average” (PRC 45 Sec. 80008(a)(1)). The Pacific Flyway Center: Walk in the Marsh does not serve a severely disadvantaged community.

### **Cost Share**

The Pacific Flyway Fund, a nonprofit organization, will not contribute cost share. While the Pacific Flyway Fund does not have qualifying cost share during the funding term, it is notable that they have secured considerable commitments to advance the project to this stage.

### **CONSISTENCY WITH STATE AND LOCAL PRIORITIES**

The project is consistent with Proposition 68 and the Conservancy's enabling statute (Public Resources Code sections 32300-32381) and strategic plan. This project is consistent with priorities outlined in the Delta Stewardship Council's Delta Plan and the Delta Protection Commission's Economic Sustainability Plan.

### **LOCAL AND INSTITUTIONAL SUPPORT**

The Pacific Flyway Center, including the Walk in the Marsh, was approved by local voters in a special process. The PFC site was originally adjacent to, but outside, the City of Fairfield city limits. Realizing that support from the City of Fairfield and Solano County was crucial to provide essential services for operation of the Center, the PFC Board in 2016 drafted and qualified for the ballot an initiative (entitled Measure "T") to allow the Local Agency Formation Commission (LAFCO) to permit the City of Fairfield to annex the PFC site into the City. After an extensive public outreach effort funded largely by Pacific Flyway Fund, Measure T was passed with 78 percent of voters supporting the measure. Since then, the City of Fairfield has continued to provide support and assistance for the project. In the City's newsletter, the "Fairfield Development Pipeline Brochure", created by the City of Fairfield's Community Development Department, Economic Development Division, PFC is identified and prominently displayed as a future project of great interest to visitors to the City of Fairfield.

In addition to continued support from the City of Fairfield, the Pacific Flyway Center has received letters of support from a local school district and teachers; the University of California, Davis College of Agriculture and Environmental Sciences; National Audubon Society and three of its local chapters; California Waterfowl Association; Grasslands Water District; California Rice Commission; and a joint letter of support signed by California State Senators Bill Dodd, Jim Nielsen, Kevin Dahle, and Mike McGuire, and California State Assembly Members Cecilia Aguilar-Curry, James Gallagher, Anna Caballero, and Timothy Grayson. Additionally, a joint letter of support is included from Congressional Representatives Mike Thompson, John Garamendi, Mike DeSaulnier, Doris Matsu, Jared Huffman, and Ami Bera.

### **BACKGROUND**

Proposition 68 is the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Public Resources Code Division 45) that made \$12,000,000 available to the Conservancy for uses specified in its governing statute (Sacramento-San Joaquin Delta Conservancy Act, Public Resources Codes, Division 22.3). The Conservancy is using Proposition 68 funds to support projects in the Conservancy's Community and Economic Enhancement Grant Program. Unlike traditional grant programs, this program was designed to allow Conservancy staff to collaborate with project applicants to develop proposals that meet the Conservancy and Proposition 68 goals. When applicants submit concept proposals, staff review the proposal to assess viability and appropriateness with program goals. If the concept proposal is suitable, staff then guide applicants as they develop a full proposal for consideration of Proposition 68 funding.

### **SUGGESTED MOTION LANGUAGE**

Two separate motions are required.

Move to adopt Resolution 2021-02, which makes Responsible Agency Findings that all necessary mitigation measures have been included in the Pacific Flyway Center: Walk in the Marsh project.

Move to award funding up to \$1,486,050 to the Pacific Flyway Fund from the Proposition 68 Community and Economic Enhancement Grant Program for the Pacific Flyway Center: Walk in the Marsh project.

**Meeting Date: October 27, 2021**

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**Attachment: 1**

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FIGURE 1. MAP OF THE PACIFIC FLYWAY CENTER: WALK IN THE MARSH PROJECT AREA

