

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR  
RESTORATION PROJECTS  
CONCURRENCE NO. 21080.56-2025-076-R3**

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**Project:** Webb Tract Wetland Restoration Project  
**Location:** Contra Costa County  
**Lead Agency:** The Metropolitan Water District of Southern California  
**Lead Agency Contact:** Jennifer Harriger; [jharriger@mwadh2o.com](mailto:jharriger@mwadh2o.com)

**Background**

Project Location: The Webb Tract Wetland Restoration Project (Project) is located within the Sacramento-San Joaquin Delta (Delta), in Contra Costa County. The island is bounded by the San Joaquin River to the north and east, Fisherman's Cut to the west, Old River to the southeast, and False River and Franks Tract to the south. A levee system surrounds the perimeter of the island. The elevation of the island ranges from 15 feet above sea level along the highest points of the surrounding levee to 22 feet below sea level on areas of land within the interior of the levee. The Project area is owned by The Metropolitan Water District of Southern California (Lead Agency) and encompasses 3,842 acres of the island, focused on the eastern, western, and southern portions of the island, centered at 38.079478, -121.609376.

Project Description: The Lead Agency proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend and restore or provide habitat for California native fish and wildlife. The Project is designed to: benefit native Delta wildlife including waterfowl species such as northern pintail (*Anas acuta*), ruddy duck (*Oxyura jamaicensis*), and canvasback (*Aythya valisineria*); reverse land subsidence; and sequester carbon through the restoration and management of wetland and marsh vegetation. The Project will also benefit western pond turtle (*Actinemys marmorata*) by expanding suitable aquatic foraging habitat; tricolored blackbird (*Agelaius tricolor*) by increasing the extent of dense cattails and tules (*Schoenoplectus acutus*, *S. californicus*) needed to support nesting habitat; and giant garter snake (*Thamnophis gigas*) by increasing and connecting availability of aquatic foraging and refugia habitat.

The Delta, including Webb Tract, was historically composed of a vast network of complex wetland and riparian habitats, which supported a diverse suite of wildlife. Levee construction and land conversion have reduced wetlands that once covered and surrounded the Delta to small remnants. The Project will assist in the recovery of this historical wetland loss by restoring approximately 2,320 acres of habitat. This includes approximately 1,900 acres of

emergent wetland habitat, approximately 310 acres of transitional seasonal wetland habitat, and approximately 110 acres of open water habitat within emergent marsh areas. The remaining 1,522 acres of the Project area will support this recovery effort by including berm improvements, staging areas, and avoiding sensitive habitats and upland areas. The Project area does not include the levees that are present around the island's perimeter or sections of the central and northern portions of the island that are maintained in agricultural production

The restored wetlands will be composed of managed wetland units separated by berms constructed along existing high ground to balance cut and fill needs. Installation of new weir boxes, flap gates, and culverts throughout the berm and water conveyance system will facilitate perennial inundation and assist water flow and restoration function. Twelve existing siphons located on Webb Tract convey water from the Delta channels to the toe ditch located on the landward side of the exterior Webb Tract levee. A screw gate or weir and discharge pipe will be installed in the toe ditch to allow water to pass through the berms and conveyance system, allowing individual wetland units to fill. Any excess water from the wetland will drain into one of two existing internal canals located in the center of the island. A flap gate will be incorporated into the canals to prevent backflow into the restored wetlands. Water recirculation may be implemented as a component of water management on Webb Tract and could improve inundation of the wetland units and reduce the need for surface water diversions and the associated electricity usage needed to pump water off the island.

Restoration activities will involve excavation, grading, and the placement of fill to establish the managed wetlands. Approximately 710,000 cubic yards of fill will be sourced from within Webb Tract. Borrow areas will be strategically located to maximize the restoration of wetland acreage. These borrow areas will focus on locations with lower organic material content, making them more suitable for berm improvements. The excavated fill material will be used to create and repair berms. Additional leveling may be necessary to achieve optimal elevations for the restoration of emergent wetlands. Heavy equipment for these earthwork activities may include excavators, dump trucks, bulldozers, graders, scrapers, backhoes, and water trucks.

Initial and long-term management of the wetlands will provide a more resilient habitat structure for California's wetland-adapted native wildlife and may include paludiculture practices (e.g., removal of aboveground biomass) of native tule species to support subsidence reversal and improve carbon sequestration stimulated by increased vegetation growth and biomass accumulation; and propagation of floating peat blocks in open water habitat to create emergent wetland islands. Other long-term management efforts may involve repair or replacement of siphons, pumps, and levees; monitoring and adaptive management of access roads; maintenance or repair of berms and water conveyance structures; repair or replacement of fencing and signage; and removal of invasive vegetation. Additionally, island perimeter flood-protection levees are essential to the function and durability of the restored wetlands on Webb Tract and are designed to withstand 100 to 300-year flood events. Any ongoing levee protection and emergency response may include pumping flood waters off the island and repair of levee breaches to maintain the restored wetlands.

Tribal Engagement: On June 7, 2024, the Lead Agency contacted the California Native American Heritage Commission (NAHC), requesting a search of the NAHC's Sacred Lands File for the Project. Subsequently, on August 15, 2024, letters with details about the Project

were sent to 20 Tribes that were identified by the NAHC search. This resulted in engagement with two Tribes, which provided comments.

Additionally, the Lead Agency worked with the Ecocultural Working Group (a technical working group established for the Project) to host a hybrid meeting to coordinate with Tribes, which included engagement with five Tribal leaders representing three Tribes. Following the meeting, letters were sent to 48 Tribes who expressed an interest in the Project or in learning more about the Ecocultural Working Group. Coordination between the interested Tribes, the Ecocultural Working Group, and the Lead Agency has been continuous and ongoing during the Project's planning phase.

Interested Party Coordination: The Lead Agency has conducted outreach with numerous federal, state, and local agencies, and with the farming community. Two hybrid public meetings were held on July 10, 2024, and February 12, 2025, to gather public input on the Project and provide updated details and design information. Community members, interested parties, the Delta Conservancy, and Board of Supervisors members from Contra Costa and Sacramento Counties attended. Both meetings were recorded and have been subsequently posted on the Lead Agency's website.

Following the approach outlined in the Good Neighbor Checklist in the Delta Plan, the Lead Agency also contacted neighboring property owners, farmers, ranchers, county officials, and resource agencies to provide the opportunity to comment on the Project. Several meetings have also taken place with the Contra Costa County Mosquito and Vector Control District.

Engagement will continue through public meetings, presentations, newsletters, and participation in local conferences. Additionally, numerous letters of support have been provided for the Project, including from: the Delta Counties Coalition, Contra Costa County, the California Farm Bureau, Contra Costa Water District, Central Delta Water Agency, Ducks Unlimited, East Bay Regional Park District, Farmers' Rice Cooperative, Grassland Water District, Don Hankins PhD, Northern California Water Association, Reclamation District 2030 (McDonald Island), San Luis & Delta-Mendota Water Authority, State Water Contractors, The Nature Conservancy, the Environmental Defense Fund, and the Contra Costa Resource Conservation District.

Anticipated Project Implementation Timeframes:

Start date: March 2026

Completion date: December 2041

Lead Agency Request for CDFW Concurrence: On May 12, 2025, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the Lead Agency pursuant to Public Resources Code section 21080.56, subdivision (e) (Request). The Request seeks the CDFW Director's concurrence with the Lead Agency's determination on May 12, 2025, that the Project meets certain qualifying criteria set forth in subdivisions (a) to (d), inclusive, of the same section of the Public Resources Code (Lead Agency Determination). The CDFW Director's concurrence is required for the Lead Agency to approve the Project relying on this section of the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21000 et seq.).

## **Concurrence Determination**

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (A) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (B) the Project may have public benefits incidental to the Project's fundamental purpose; (C) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (D) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: <https://wildlife.ca.gov/Notices/CEQA>.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

## **Discussion**

- A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

The Project will restore and assist in the recovery of approximately 2,320 acres of managed emergent wetland, open water, and transitional seasonal wetland habitats. These wetlands will improve the biodiversity and abundance of waterfowl including many species of ducks, geese, wading birds, and shorebirds which commonly forage and loaf in wetland habitat across the Delta. Giant garter snake and western pond turtle will benefit from the mosaic of upland, transitional, and wetland habitats restored by the Project. Marsh vegetation, such as dense cattails or bulrushes, will establish, creating ideal nesting habitat for tricolored blackbirds. The expected subsidence reversal benefits associated with the managed emergent wetlands will improve and contribute to long-term habitat resiliency to assist in the recovery of California native fish and wildlife, and the habitat upon which they depend.

Although the Lead Agency expects that it may use the Project as the basis for carbon credits that the Lead Agency could use to either offset emissions under its Climate Action Plan or sell on the open market, the Project is not currently connected to any other projects that have regulatory mitigation obligations. Moreover, while the Lead Agency may benefit from the use or sale of such carbon credits, this does not detract from the underlying purpose of the Project and its project activities, which is to conserve habitat for native California wildlife and to contribute to the recovery of protected species.

- B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

The Project may result in incidental public health and safety benefits. Specifically, the Project's wetland habitat restoration activities are designed to reverse ground subsidence. The accumulation of biomass is expected to raise the elevation of the wetlands over time, which will subsequently reduce hydrostatic pressure on the surrounding levees. The Project would therefore reduce the risk of flooding on Webb Tract, which in turn would protect the Project area from catastrophic levee failure.

The Project is also incidentally expected to reduce greenhouse gas (GHG) emissions by keeping the Project area perennially inundated and using paludiculture practices, which will stop the oxidation of peat soils and sequester carbon in the wetland and vegetation biomass.

- C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

While the Lead Agency expects that it may use the Project as the basis for carbon credits that the Lead Agency could use to either offset emissions under its Climate Action Plan or sell on the open market, the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery above and beyond the mitigation value of such carbon credits.<sup>1</sup>

Long-term Net Benefits to Climate Resiliency: As a result of past land use practices, islands throughout the Delta continue to subside and emit GHGs. The Project will restore the island to managed wetlands, halting or reversing subsidence, sequestering

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<sup>1</sup> The Lead Agency also noted in its Lead Agency Determination that it may develop a mitigation banking program for special-status species within the Project area in the future. Because the Lead Agency did not provide sufficient information about this potential mitigation banking program in its May 12, 2025, Lead Agency Determination, this Concurrence does not cover the development of a mitigation banking program. The Lead Agency may submit a new lead agency determination requesting a Public Resources Code section 21080.56 concurrence from the CDFW Director for a project that includes the development of a mitigation banking program for special-status species within the Project area at any future time.

carbon, and reducing GHG emissions over time. It is estimated that 1,900 acres of wetlands would result in at least a 60 percent reduction in GHGs relative to the current land use. Additionally, the Project will utilize paludiculture practices, such as regular harvesting of wetland vegetation biomass, to manage the wetlands over time. Paludiculture will stimulate increased emergent wetland productivity, resulting in increased carbon sequestration rates by wetland plants. Furthermore, monitoring of paludiculture would help to improve current understanding of the effect of paludiculture on carbon sequestration and subsidence reversal rates. Conversion of levee-adjacent areas to wetlands is expected to reverse subsidence through the accretion of wetland biomass, and increase levee stability in the long-term, offsetting the effects of sea level rise and creating resilient wetland habitat for native wildlife in the Delta.

Long-term Net Benefits to Biodiversity: The Project will utilize the existing topographic landscape on Webb Tract to restore a complex wetland mosaic, enhancing landscape diversity and supporting native marsh vegetation and aquatic habitat essential for many native wildlife species. Additionally, the wetlands' proximity to upland transition, riparian, and riverine habitats would foster greater connectivity among different habitat types, improving the ecological resilience and native species biodiversity.

Perennial wetlands are crucial throughout the summer for resident waterfowl, including mallard (*Anas platyrhynchos*), gadwall (*Anas strepera*), ring-necked duck (*Aythya collaris*), cinnamon teal (*Anas cyanoptera*), redhead (*Aythya americana*), northern pintail, ruddy duck, and canvasback. Deep water and dense cover offer protection from predators and submerged aquatic vegetation such as sago pondweed (*Stuckenia pectinata*), horned pondweed (*Zannichellia palustris*), and water hyssop (*Bacopa monnieri*) provide essential food sources for many native species. Marsh and shallow perennial wetlands also provide crucial brood-rearing, molting, loafing, foraging, and nesting habitat for wading birds species such as American white pelican (*Pelecanus erythrorhynchos*), great egret (*Ardea alba*), great blue heron (*Ardea Herodias*), black-crowned night heron (*Nycticorax nycticorax*), as well as shorebirds, including western sandpiper (*Calidris mauri*), black-necked stilt (*Himantopus mexicanus*), and dunlin (*Calidris alpina*). Additionally, seasonal summer flood-up of the wetlands and creation of transitional and upland habitats will provide habitat complexity for songbirds and fur-bearing mammals such as otters (*Lontra canadensis*) and muskrats (*Ondatra zibethicus*).

Long-term Net Benefits to Sensitive Species Recovery: The Project will restore a complex wetland mosaic and support habitat complexity by creating and enhancing a range of wetland, transitional, and upland habitat types for sensitive species. Special status species that occur on site such as giant garter snake and western pond turtle will benefit from the mosaic of upland habitat and wetland units. Loss of large blocks of connected perennial wetland habitat and adjacent compatible agricultural land use has resulted in the decline of the giant garter snake population in the Delta. Habitat connectivity between perennial wetlands and upland habitat created by the Project will provide habitat connectivity and crucial foraging for giant garter snake across Webb Tract. The Project will also utilize the existing natural topographic variability on site to create perennial wetlands that have variable water depths, creating diverse high-

quality habitats essential to western pond turtles. The varied water depths within the wetland would create suitable conditions for feeding, shelter, and thermoregulation of western pond turtle at multiple life stages by creating shallow areas for hatchlings and juveniles and deeper zones for adults. The wetland impoundment berms, along with the existing upland habitats within wetlands, would also provide opportunities for pond turtle basking and nesting; and will support establishment of marsh vegetation such as dense cattails or bulrushes, providing nesting habitat for colonies of tricolored blackbirds.

Procedures for the Protection of the Environment: The Project will implement best management practices and resource protection measures during Project implementation. These measures and additional measures required following regulatory approvals are intended to protect the environment and include construction work windows; environmental monitoring and training; equipment and vehicles staging restrictions; material storage, disposal and spill response; wildfire and non-native species prevention; erosion control; revegetation; cultural resource protection; and species-specific protection measures.

Ongoing Management for the Protection of the Environment: A Long-Term Monitoring and Management Plan (LTMP) was developed to evaluate progress and inform management actions needed to maintain the ecological functionality of the restored wetlands. Monitoring metrics will address the main goals of the Project, including reducing and reversing land subsidence on Webb Tract, increasing habitat for native birds and wildlife species, and reducing GHG emissions through carbon sequestration. The Lead Agency will regularly monitor the Project area, including wetland unit berms, water control structures, access roads, water infrastructure, and wetland vegetation to determine where adaptive management and site maintenance are needed.

Maintenance to improve wetland function may include temporary draw down of inundated wetland units to conduct spot grading needed to maintain connectivity between wetland habitat; internal berm repair to address unforeseen erosion; repair, replacement, and additional construction of weir boxes and culverts to improve water circulation through the wetland; harvest of aboveground biomass for paludiculture or ecocultural practices to improve carbon sequestration; and harvest of peat blocks to create emergent wetland islands. Any proceeds from the Project's paludiculture practices will be used to fund ongoing monitoring, maintenance, and/or protection of the restored wetlands.

- D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

All Project construction activities are solely related to the restoration and management of wetland habitat in the Delta. Included construction elements such as site preparation, earthwork, and vegetation management will support the formation of emergent wetlands, open-water habitat, and transitional seasonal wetlands.

## Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.


In its request for a concurrence, the Lead Agency set forth potential bases for a determination that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. Although the CDFW Director agrees with the Lead Agency that the Project will provide such long-term net benefits, this Concurrence is not intended to be and should not be construed as an endorsement of every argument set forth in the Lead Agency's concurrence request.

Except for the use of the Project as the basis for carbon credits, this Concurrence does not analyze or consider the Project being used to satisfy any other avoidance, minimization, or mitigation requirement for a regulatory permit or approval, regulatory enforcement action or settlement, court order, or other enforceable legal obligation.

## Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

## CDFW Director's Certification

By:  \_\_\_\_\_

Charlton H. Bonham, Director  
California Department of Fish and Wildlife

Date: 7/22/2025 \_\_\_\_\_