

**DELTA PROTECTION COMMISSION**

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June 2, 2003

Mr. Dan Castleberry, Manager  
CALFED Ecosystem Restoration Program  
650 Capitol Mall, 5<sup>th</sup> Floor  
Sacramento, CA 95814

Subject: Ecosystem Restoration Program (ERP) 2002 PSP Directed Actions

Dear Mr. Castleberry,

The Federal-State Management Group will be considering several Directed Actions for \$16.8 million in ERP funding at its meeting on June 10, 2003. The Delta Protection Commission's CALFED Subcommittee reviewed several revised applications for proposed projects in the Delta, and in accordance with comments submitted in December 2002 (enclosed), I am writing to iterate its conditional support for the following projects:

**Pacific Flyway Center Initial Planning: \$334,021 to Yolo Basin Foundation**

This project will provide a valuable public service and the opportunity to demonstrate the interrelationship of agricultural, recreational, and wildlife habitat land uses in the Delta. The planning process should include actions to minimize impacts to agriculture, and preparation of applicable environmental documentation should include appropriate mitigation measures.

**Big Break and Marsh Creek Water Quality and Habitat Restoration Program: \$357,146 to the California Coastal Conservancy**

This project would enhance the Marsh Creek riparian corridor, restore habitat without impacts to agriculture, and result in enhanced water quality in the western Delta. The original request from the proponent was for nearly \$3 million, to include restoration, but the recommendation of the ERP Selection Panel is that only planning and outreach efforts, coordinated with the recently funded Dutch Slough project, be conducted before restoration is initiated under this project. The Committee suggested in its December 2002 letter that this project should be managed in partnership with East Bay Regional Park District's Big Break Shoreline and regional trail system, and with the Dutch Slough project; the Selection Panel's recommendation is consistent with this suggestion.

**Restoring Ecosystem Integrity in the Northwest Delta, Phase II: \$1,563,506 to Solano Land Trust**

This project includes a study of the potential for habitat restoration on the Calhoun Cut Ecological Preserve, and the purchase of conservation easements on priority properties along Barker Slough in the vicinity of the Jepson Prairie Preserve. The Committee commented that this revised proposal is consistent with the Commission's recommendations that CALFED fund restoration of publicly owned lands prior to funding acquisition of privately owned agricultural land. The Committee also supported the proposed acquisition of easements along the Jepson Prairie-Prospect Island corridor, *contingent upon those easements allowing continued agricultural use*. The Committee's understanding at that time was that *agricultural* conservation easements would be used for this purpose.

In the Federal-State Management Group Item Summary dated 5/13/03, the description of this project includes the acquisition of "conservation easements to secure sensitive areas along ... Barker Slough". The revised proposal states that grazing, the existing land use, would continue on these easement properties. I am writing to request that the proposed conservation easements not result in the exclusion or retirement of agricultural use on the properties; appropriate environmental documentation should be prepared and any adverse impacts to agriculture identified and mitigated before any land use changes on these properties.

Thank you for the opportunity to review and comment on these Directed Actions. Please call with any questions about these comments.

Sincerely,



Margit Aramburu  
Executive Director

Cc: Patrick N. McCarty, Chairman, Delta Protection Commission  
Daniel Wilson, Chairman, DPC CALFED Committee

December 18, 2002

Dan Castleberry, Manager, CALFED Ecosystem Restoration Program  
1416 Ninth Street, 11th Floor  
Sacramento, CA 95814

Subject: Comments on Revised Applications for CALFED Ecosystem Restoration Grants

Dear Mr. Castleberry:

Thank you for inviting the Delta Protection Commission to submit comments on the revised applications for CALFED Ecosystem Restoration grants in the Delta. Unfortunately, due to the short turn-around time allotted for public comments, the full Commission has not had the opportunity to review the revised applications. However, at its last meeting, the Commission voted to delegate the Delta Protection Commission CALFED Committee to prepare and submit comments on behalf of the entire Commission.

The Delta Protection Commission's CALFED Committee met on Tuesday, December 17, 2002 to review and discuss the revised applications. **To summarize, the Committee found that all of the proposed projects would be consistent with the goals of the Commission's adopted Land Use and Resource Management Plan for the Primary Zone of the Delta (1995).**

The Committee had additional comments regarding each project, and opportunities to integrate agriculture, wildlife habitat, and recreation in each project as described below.

1. **PACIFIC FLYWAY CENTER INITIAL PLANNING: \$394,919**

Applicant: Yolo Basin Foundation

Location: Immediately West of the Legal Delta, Yolo County; the 69 acre site of the proposed Pacific Flyway Center was acquired by the Wildlife Conservation Board in August 2001 with funds from Proposition 40.

Ecozone: Yolo Basin

Type of Project: Education

Length of Time to Complete Project: Two Years

Ecosystem Restoration Goals: None

Project Description: The grant is for initial planning for the creation of the Pacific Flyway Center, an educational center and gateway, focused on the Central Valley wetlands habitat values, the floodway functions of the Yolo Bypass, the specific habitat resources of the Vic Fazio Yolo Wildlife area and other nearby habitat restoration projects in the North Delta Ecozone. The grant would fund site and program planning and development of a management plan.

The completed project would include habitat, trails, and a 12,000 square foot educational center. The Flyway Center would be developed in partnership with Department of Fish and Game. Its intended users include the general public and local schools. Yolo Basin Foundation and Department of Fish and Game are preparing a \$5 million grant application to the Wildlife Conservation Board for construction of the first phase of the project. The habitat component would be designed and constructed by the Corps of Engineers through a Section 206 Habitat Restoration project with a cost of up to \$5 million; those funds have already been approved.

Nearby CALFED Projects: CALFED has funded several studies in the Yolo Bypass with goal of learning more and educating the public about the value of the flooded agricultural lands as habitat for endangered fish and terrestrial species, including two grants for the Discover the Flyway Center, and grants to Department of Water Resources and Natural Heritage Institute to study the potential for fish habitat restoration.

#### **CONSISTENCY WITH LAND USE AND RESOURCE MANAGEMENT PLAN FOR THE PRIMARY ZONE OF THE DELTA:**

Land Use Policy P-1 states "The rich cultural heritage and strong agricultural base of the Delta shall be preserved and recognized in public/private facilities, such as museums within the existing communities."

Land Use Policy P-3 states: "New residential, recreational, commercial, or industrial development shall ensure that appropriate buffer areas are provided by those proposing new development to prevent conflicts between any proposed use and existing agricultural use. Buffers shall adequately protect integrity of land for existing and future agricultural uses. Buffers may include berms and vegetation, as well as setbacks of 500 to 1,000 feet."

#### **CONSISTENCY WITH CALFED ECOSYSTEM RESTORATION PROGRAM PLAN:**

The CALFED ERPP does not include goals or targets for educational projects.

***Committee Comments:*** *The proposed project will provide a valuable public service, and could provide an opportunity to demonstrate the inter-relationship and value of all land uses in the Delta: agriculture, wildlife habitat, and recreation. In addition, the proposed location, and the required travel from I-80 to the site, would allow for observation and better understanding of the role of the Yolo Bypass and its levees in*

*regional flood control. The planning process should include actions to minimize adverse impacts to agriculture and should include preparation on the appropriate environmental document. Appropriate mitigation measures should be included in the proposed project.*

**2. BIG BREAK AND MARSH CREEK WATER QUALITY AND HABITAT RESTORATION PROGRAM: \$2,998,049** (total project cost: \$5,344,143)

Applicant: Natural Heritage Institute

Location: Along Marsh Creek, south of Big Break, in the Cities of Oakley and Brentwood, Contra Costa County

Ecozone: Central and West Delta Ecozone

Type of Project: Habitat Restoration

Length of Time to Complete Project: Three Years

Ecosystem Restoration Goals: Tidal Marsh (29 acres), Dune Scrub (1 acre); Riparian Habitat (5,000 linear feet).

Project Description: Restore tidal marsh, floodplain, and Antioch dune habitat on the delta of Marsh Creek to restore fish and dune species.

The tidal marsh area would be approximately 29 acres on land owned by Ironhouse Sanitary District. No acquisition is required for this project.

The project would restore 5,000 linear feet of flood control channel in the City of Brentwood (out of the Legal Delta) with bio-filtration floodplains and wetlands to improve water quality.

The project location, Marsh Creek, is out of the Legal Delta and in the Secondary Zone of the Delta, and drains into the Primary Zone at Big Break. Big Break is owned by East Bay Regional Park District and is being developed as a regional shoreline park. There is an existing EBRPD bike path alongside Marsh Creek.

The project also includes surveys of species in Marsh Creek, water quality monitoring, creation of a native plant nursery for creek restoration, and a public outreach and education program.

Nearby CALFED Projects: CALFED has recently funded acquisition of approximately 1,200 acres at Dutch Slough site in Contra Costa County. The project includes acquisition of the property and development of a restoration plan. No other habitat restoration projects have been implemented in the area around Marsh Creek. The ERPP has also funded a feasibility study of ecosystem and water quality benefits associated with restoration of Franks Tract, Big Break, and Lower Sherman Lake and a Marsh Creek Watershed Stewardship Program.

## **CONSISTENCY WITH LAND USE AND RESOURCE MANAGEMENT PLAN FOR THE PRIMARY ZONE OF THE DELTA:**

Environment Policy P-1 states "Lands managed primarily for wildlife habitat shall be managed to provide several inter-related habitats. Deltawide habitat needs should be addressed in development of any wildlife habitat plan..."

Water Policy P-3 states "Water agencies at local, State, and federal levels shall work together to ensure that adequate Delta water quality standards are set and met and that beneficial uses of State water are protected consistent with the CALFED...Record of Decision..."

## **CONSISTENCY WITH CALFED ECOSYSTEM RESTORATION PROGRAM PLAN:**

The CALFED ERPP Habitat Restoration Targets and Programmatic Actions for the Sacramento-San Joaquin Delta Ecological Management Zone for Years 1-7 include:

- Fresh Emergent Wetlands (tidal) 8,000-12,000 acres Deltawide
- Riparian and Riverine Aquatic Habitat: 25 miles Deltawide

***Committee Comments:*** *The proposed project will enhance the Marsh Creek riparian corridor, allow for restoration of habitat without impacting agriculture, and will result in enhanced water quality in the waterways of the western Delta. The proposed project should be managed in partnership with the East Bay Regional Park District's Big Break Regional Shoreline, its regional trail system, and the public access and habitat enhancements proposed for the adjacent Dutch Slough site. The Committee recommended that new public access and education and/or interpretive information be included in the project to emphasize the relationship of the watershed to the Delta.*

### **3. RESTORING ECOSYSTEM INTEGRITY IN THE NORTHWEST DELTA; PHASE II: \$1,563,506**

**Applicant:** Solano Land Trust (formerly Solano County Farmlands and Open Space Foundation)

**Location:** Western Delta, Primary Zone in Solano County. Includes Department of Fish and Game (DFG)-owned Calhoun Cut Ecological Reserve, and lands between the Reserve north and south of Lindsey Slough to its confluence with Cache Slough.

**Ecozone:** North Delta

**Type of Project:** The project has two components:

- First, development of a plan to restore the DFG property to tidal action (no implementation is proposed in the current application). This component will cost approximately \$400,000
- Second, acquisition of easements on up to 1,100 acres to continue agricultural uses (grazing) and introduce best management practices to protect and enhance riparian habitat areas. This component will cost approximately \$1,150,000

**Length of Time to Complete Project:** Three Years

Ecosystem Restoration Goals: Goal of the overall project is to restore vital ecosystem function through the entire Lindsey Slough watershed by simultaneously maintaining compatible agricultural land uses. The expected outcome is a restored, protected corridor extending from Jepson Prairie to Prospect Island. The applicants propose to significantly increase the overall acreage of marsh and riparian habitats, double the restored acres of vernal pool/perennial grasslands and increase the abundance and local distribution of at risk and other native plant and animal species.

Project Description: Calhoun Cut planning project includes slough bathymetric study and hydrodynamic modeling, including background data searches, surveys, data compilation and report writing. The project originally proposed fee title acquisition of the 775-acre Pembco property. That aspect of the proposed project has been deleted. Instead, the proposal now seeks funding for conservation easements on land considered highest priority. The DPC also requested a complete inventory of existing habitats on the Preserve; in 2001, a detailed fish, invertebrate and habitat study was completed.

Nearby CALFED Projects: Earlier this fall, CALFED funded a portion of the original application in the amount of \$246,370, to start vernal pool restoration and stakeholder outreach in the Yolo Bypass with goal of learning more about the value of the flooded agricultural lands as habitat for endangered fish species. The Solano Land Trust completed a report entitled "Site Conservation Plan for the Jepson Prairie-Prospect Island Corridor" in November 2002; the Plan describes restoration opportunities in the corridor, and ranks land for protection in the corridor. This ranking will be used to guide negotiations for conservation easement with the requested funds.

**CONSISTENCY WITH LAND USE AND RESOURCE MANAGEMENT PLAN FOR THE PRIMARY ZONE OF THE DELTA:**

Land Use Policy P-8 states "Local governments shall encourage management of agricultural lands which maximize wildlife habitat seasonally and year-round..."

Environment Recommendation R-4 states "Feasible steps to protect and enhance aquatic habitat should be implemented as may be determined by resource agencies consistent with balancing other beneficial uses of Delta resources."

Environmental Recommendation R-5 states: "Publicly-owned land should incorporate, to the maximum extent feasible, suitable and appropriate wildlife protection, restoration and enhancement as part of a Deltawide plan for habitat management."

**CONSISTENCY WITH CALFED ECOSYSTEM RESTORATION PROGRAM PLAN:**

The CALFED ERPP goals for Years 1-7 include:

- Restore and Enhance Delta Slough Habitat: 50 miles Deltawide
- Wildlife-Friendly Agricultural Land: 40,000 to 75,000 acres Deltawide

***Committee Comments: The Committee supported the proposal for study of possible habitat restoration in the Calhoun Cut Ecological Preserve, and agreed that the proposal is consistent with recommendations of the Commission that CALFED fund restoration of publicly owned lands (prior to funding acquisition of privately-owned agricultural land). The Committee recognized the value of restoring lands in the Calhoun Cut Preserve due to its adjacency to the Jepsen Prairie Preserve and its habitat values. The Committee supports a vision of restored wetland habitat and a grazing program on the upland areas to aid control of invasive exotics and promote threatened, rare and endangered plants.***

***The Committee recognized that there might be opportunities for additional public access and education through an expansion of the Jepsen Prairie Preserve's docent program, and supports controlled, appropriate public access on lands enhanced through this grant.***

***The Committee supports the proposed acquisition of easements along the Jepsen Prairie-Prospect Island Corridor if the easements allow continued agricultural use in the corridor, and use of management practices that will meet the ecosystem restoration goals of the CALFED Ecosystem Restoration Program Plan.***

***Appropriate environmental document should be prepared and any adverse impacts to agriculture should be identified and mitigated.***

Please feel free to contact me if you have questions about the Committee's comments.

Sincerely,

Margit Aramburu  
Executive Director

Cc: Delta Protection Commission  
Grant Applicants  
Solano, Contra Costa and Yolo County Planning Departments