
EXHIBIT 3: June 25, 1998 Staff Recommendation

Redwood Landfill Marsh Restoration project planning. Preliminary design alternatives have already been developed by Marin Audubon Society, the USF&WS and California Department of Fish and Game (DFG) biologists. Caltrans is proposing to fund the completion of the wetland enhancement plan for the Redwood Landfill project. Caltrans funds would be used to augment planning funds provided by the USF&WS to conduct technical and engineering studies to refine the preliminary plan, and for Conservancy staff support.

Caltrans is interested in participating in this project to satisfy mitigation requirements for its proposed Sonoma Creek Bridge Retrofit and Barrier Placement Project (Retrofit Project.) The Retrofit Project is located on Highway 37 west of Vallejo. The Resources Agency, DFG, and the USF&WS endorsed the proposal by Caltrans to mitigate losses to tidal wetlands by contributing funding for the marsh restoration project at the Redwood Landfill. The Biological Opinion from the U.S. Fish and Wildlife Service, currently being prepared pursuant to Section 7 of the Endangered Species Act, includes restoration of wetlands at Redwood Landfill as part of the mitigation for the Retrofit Project.

Enhancement of the Redwood Landfill marsh would benefit several fish and wildlife species of concern including the California clapper rail (endangered,) the California black rail (threatened), and the salt marsh harvest mouse (endangered). In addition, beneficial effects to North Bay water quality and local flood control are anticipated.

Staff recommends that the Conservancy (1) accept and disburse funds from Caltrans for the completion of a resource enhancement plan for the northernmost 180 acres of the Redwood Landfill marsh property; and (2) authorize the Executive Officer to enter into an Interagency Agreement with Caltrans and DFG for the project. Approval of the resource enhancement plan, and authorization for any implementing actions by the Conservancy, would be the subject of a future staff recommendation.

The Conservancy has successfully completed several wetland enhancement projects with the Marin Audubon Society, including Redwood High School Marsh Enhancement and Gallinas Creek Marsh Restoration and Enhancement projects. The San Francisco Bay Joint Venture has also assisted in the development of the project and in identifying funding opportunities.

COASTAL CONSERVANCY

Staff Recommendation
June 25, 1998

REDWOOD LANDFILL MARSH ENHANCEMENT

File No. 97-042
Project Manager: Terri Nevins

STAFF

RECOMMENDATION: Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31104 and 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby (1) authorizes the acceptance and disbursement of funds provided by the California Department of Transportation (“Caltrans”), including disbursement of an amount not to exceed eighty-five thousand dollars (\$85,000) to the Marin Audubon Society, for the completion of a resource enhancement plan for the restoration of wetlands at Redwood Landfill, described in the attached Exhibit 2 of the accompanying staff recommendation; and (2) authorizes the Executive Officer to enter into an Interagency Agreement with Caltrans and the California Department of Fish and Game, consistent with this authorization and subject to such additional Conservancy authorizations as may be required, for the restoration of wetlands at Redwood Landfill.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. Acceptance of Caltrans funds is consistent with the authority of the Conservancy under Public Resources Code Section 31104 to accept financial support from public sources, and disbursement of these funds for preparation of a resource enhancement plan is consistent with the purposes and objectives set forth in Chapter 6 of Division 21 of the Public Resources Code (Sections 31251 *et seq.*) regarding enhancement of coastal resources;

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2. The proposed project is consistent with the guidelines and criteria set forth in the Conservancy's Resource Enhancement Program Announcement, as adopted March 21, 1985;
3. The project is consistent with the policies and maps of the San Francisco Bay Plan; and
4. The Marin Audubon Society is a nonprofit organization existing under the provisions of Section 501(c)(3) of the Internal Revenue Code and has among its principal charitable purposes the preservation of land for ecological purposes.”

STAFF DISCUSSION:

Project Description: The Coastal Conservancy is already working in partnership with the Marin Audubon Society to prepare a wetlands enhancement plan for the 180-acre Redwood Landfill marsh project. An Interagency Agreement among Caltrans, DFG, and the Conservancy is proposed to provide the framework and mechanism for Caltrans funding to complete the plan, and for possible future acquisition of the site and implementation of the plan. The Interagency Agreement would consist of two phases:

Phase 1—Completion of Planning, Environmental Review and Permitting

Phase 2—Property acquisition and project implementation

Staff is requesting authorization for the Executive Officer to enter into an Interagency Agreement for completion of Phase 1. Once the plan and environmental review is completed and purchase price and terms have been agreed to, staff will prepare a recommendation for Conservancy authorization to proceed with Phase 2.

A preliminary project design, based on input from U.S. Fish and Wildlife Service (USF&WS) and DFG biologists, has already been developed. The plan will build on this preliminary design to address technical issues relating to restoration of the 180-acre parcel to tidal marsh. The plan will be prepared in a format and timeline suitable for presentation to the agencies under the permit conditions for the Caltrans' Retrofit Project by August 31, 1998.

A “working group” composed of Caltrans, DFG, Marin Audubon Society, Conservancy staff, and the regulatory agencies for

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Caltran's mitigation requirement (*i.e.*, ACOE, EPA, DFG, USF&WS) will coordinate and oversee development of the plan.

The property has been offered for sale to the Marin Audubon Society. An appraisal has been prepared and negotiations to determine price and terms are progressing. The purchase price is expected to be less than \$500,000. Caltrans has indicated a willingness to pay up to half of the project costs including acquisition of the property. The Conservancy and Joint Venture will continue to work with the Marin Audubon Society in securing the balance of the funds needed to acquire and implement the proposed project. If acquired and restored, the property would be transferred to DFG for long-term management.

Project Financing: Preparation of Enhancement Plan

Source of funds:

USF&WS:

Planning	\$ 25,000
Conservancy Administration	5,000 *

Caltrans:

Planning	\$ 85,000
Conservancy Administration	<u>12,750 *</u>

TOTAL: \$127,750

* Technical assistance, coordination with federal and state agencies and project oversight.

Site Description: The project area consists of 180 acres total (approximately 115 acres of which are historic baylands), a one-half-acre seasonal wetland that was created to compensate for the loss of habitat resulting from landfill operations, and 65 acres of existing tidal wetlands. The site forms the northernmost section of the approximately 420-acre Redwood Landfill, which is the major landfill for Marin County. It is located on the Marin-Sonoma County border, along San Antonio Creek, adjacent to the 2,000-acre Petaluma Marsh Wildlife Area owned by the Department of Fish and Game. The project will restore 115 acres of historic tidal marsh for inclusion in the Petaluma Marsh system, thereby increasing its acreage, complexity, and value.

The Sonoma Creek Bridge Retrofit and Barrier Placement Project is located in the vicinity of the Sonoma Baylands and To-lay Creek projects along the Highway 37 corridor in the northern portion of San Pablo Bay. The salt marsh habitat at the

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Retrofit Project site supports special status species including the California clapper rail, California black rail, and salt marsh harvest mouse.

Project History: The entire Redwood Landfill project site was a tidal marsh until the 1960s, when a former owner constructed levees along its perimeter. The former owner's attempts to expand the landfill operations onto the project site were unsuccessful, largely due to environmental constraints. Oat hay was grown on the site until the early 1990s, when the property was sold.

The landfill site has changed ownership twice during the last eight years, and is currently owned by USA Waste. USA Waste has offered to sell the 180-acre project site to the Marin Audubon Society for the purpose of restoring the site to tidal action and subsequent transfer of the property to DFG for inclusion in the Petaluma Marsh Wildlife Area.

PROJECT SUPPORT: The project has widespread support, including the USF&WS, the DFG, Marin Audubon Society, San Francisco Bay Joint Venture, and the U.S. Army Corps of Engineers.

**CONSISTENCY WITH
CONSERVANCY'S
ENABLING LEGISLATION:**

In authorizing the acceptance and disbursement of funds to initiate this resource enhancement plan in September 1997, the Conservancy found the proposed project to be consistent with Chapter 6 of the Conservancy's enabling legislation, Public Resources Code Sections 31251-31270. Pursuant to Section 31251, the Conservancy may award grants to nonprofit organizations to undertake projects for the purpose of enhancement of coastal resources which ". . . because of improper location of improvements, natural or human-induced events, or incompatible land uses" have suffered loss of natural and scenic values. The proposed plan will address issues of human-caused impacts and subsequent degradation of coastal resources associated with the river, bay, and estuary.

Consistent with Section 31252, BCDC's Diked Historic Baylands Policy identifies the need for public action to resolve existing or potential resource protection problems on diked baylands.

Consistent with Section 31253, the level of Conservancy funding proposed for this project has been determined through con-

sideration of the total amount of funding available for coastal resource enhancement projects and the relative urgency of the project. It is important to undertake the necessary planning for wetland enhancement now, in order to meet Caltrans mitigation requirements.

The project is also consistent with Section 31006(a). The proposed project site is located on San Francisco Bay, within a diked historic bayland that significantly affects the environmental quality of the Bay.

CONSISTENCY WITH
CONSERVANCY'S
PROGRAM GUIDELINES:

The proposed project is consistent with the Resources Enhancement Program Guidelines and priority project criteria in the following respects:

Urgency: Caltrans proposal to fund the completion of the enhancement plan is linked to its permit requirements for the Retrofit Project. *If the wetland enhancement plan is not completed prior to August 31, 1998, the Retrofit permit schedule would fail and the funding opportunity would potentially be lost.* The \$25,000 grant authorized previously (September 1997) is currently being utilized to begin the enhancement plan document. However, additional funding represented by this staff recommendation is urgently needed to make sure that progress on the plan would continue without interruption.

In addition, if the enhancement plan is completed within the time frame described above, it is likely that at least half of the funds required for the acquisition and implementation would be available from Caltrans.

Design Excellence and Cost Effectiveness: The Marin Audubon Society will keep costs low by utilizing biological and technical expertise of State and federal agency biologists, in concert with a hydrological consultant to develop an enhancement plan for the Redwood Landfill site. Also contributing to the cost effectiveness of the project is the fact that the Marin Audubon Society, a volunteer organization, charges little to no overhead or service costs for its work in developing, implementing, and overseeing marsh enhancement projects.

Readiness to Act: Conservancy, Caltrans, DFG, and the Marin Audubon Society staff have met to discuss development of the enhancement plan and interagency agreement and all parties are eager to begin work. Marin Audubon Society is a nonprofit or-

ganization that has proven its ability to develop and implement enhancement projects, having completed four projects in recent years. Caltrans has committed to funding the completion of the plan and hopes to facilitate its completion within a time frame necessary for permitting the Retrofit Project.

The Retrofit Project is scheduled to begin construction in October 1998. In order for this to occur, the enhancement plan must be completed no later than August 31, 1998. Marin Audubon is aware of the time line conditions and has agreed that if the finding is made available in June, the plan can be completed prior to that deadline.

Significance: Approximately 85 percent of San Francisco Bay tidal wetlands have been filled, leveed, and/or lost to development. This project will utilize a cooperative approach involving state, local non-profit and private industry to achieve the enhancement of a significant acreage of former tidal marsh to tidal action. The project will expand a portion of the largest and most intact tidal marsh in the Bay within its historic boundaries.

Management: The Marin Audubon Society will manage preparation of the enhancement plan. The Marin Audubon Society has proven its ability to manage and coordinate enhancement projects through previous partnerships with the Conservancy. If subsequently acquired and restored, the property would be transferred to DFG for long-term management.

Model: The project plan will serve as a model for future public/private partnerships and enhancement efforts. It will provide additional data on the enhancement of tidal marshes on large sites through natural sedimentation. It may also provide a model for nonprofit conservation groups and state agencies such as Caltrans to find common ground and partner to restore habitat while mitigating unavoidable losses to habitat.

CONSISTENCY WITH
SAN FRANCISCO

BAY PLAN: The project site is shown on the San Francisco Bay Conservation & Development Commission (BCDC) Bay Plan Map 1 as a waterbird habitat of high value. It should be noted that Map 1 and the Petaluma Map 13 show this site as existing tidal marsh. The levees appear to have been constructed about the time BCDC was established in the mid-1960s.

The project is supported by the policies of BCDC's San Francisco Bay Plan Marshes and Mudflats, which state: ". . . to off-

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set possible additional losses of marshes due to necessary filling and to augment the present marshes (a) former marshes should be restored whenever possible through removal of existing dikes. . . . "

COMPLIANCE

WITH CEQA: The proposed authorization is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA), as provided in 14 California Code of Regulations Section 15262, in that involves only feasibility and planning studies for future actions which the Conservancy has not approved, adopted, or funded.