

COASTAL CONSERVANCY

Staff Recommendation
December 11, 2003

STONYBROOK CREEK FISH PASSAGE

File No. 03-072
Project Manager: Brenda Buxton

RECOMMENDED ACTION: Authorization to disburse up to \$50,000 to the Center for Ecosystem Management and Restoration for conceptual design of barrier modifications to allow for anadromous fish passage in Stonybrook Creek, a tributary of Alameda Creek.

LOCATION: Unincorporated Alameda County (Exhibits 1 and 2)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: Project Location (Stonybrook Creek Watershed)

Exhibit 2: Alameda Creek Watershed Map

Exhibit 3: Letters of Support

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31164 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to the Center for Ecosystem Management and Restoration to prepare conceptual designs for modifications of two fish migration barriers in Stonybrook Creek, a tributary of Alameda Creek, subject to the condition that prior to the disbursement of any funds, the Executive Officer of the Conservancy shall approve in writing a work plan, budget and schedule, and any contractors or subcontractors to be employed in these tasks.”

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. The Stonybrook Creek Fish Passage project is consistent with the purposes and criteria set forth in of Chapter 4.5 of Division 21 of the California Public Resources Code (Sections 31160-31164) regarding the Conservancy’s mandate to address resource goals of San Fran-

cisco Bay Area; and with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.

2. The Center for Ecological Management and Restoration is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”
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PROJECT SUMMARY:

This authorization would allow the Center for Ecosystem Management and Restoration (CEMAR) to prepare conceptual designs for two road culverts that currently prevent fish migration in Stonybrook Creek, a tributary of Alameda Creek (Exhibit 1).

Alameda Creek, the largest tributary to southern San Francisco Bay, once had a significant steelhead fishery but 80 years of urbanization and construction of water diversion and flood control structures have ended these fish runs. However, small numbers of anadromous fish still continue to return to the lower portions of Alameda Creek, only to be prevented from reaching the rest of the watershed by the 12-foot-high “BART weir.” The plight of the steelhead has captured extensive local attention and spurred the creation of the Alameda Creek Fisheries Restoration Workgroup. Since 1999, Workgroup members, made up of local flood control agencies, water supply agencies, state resource agencies, and environmental groups, have been working on a series of projects that will remove or modify barriers to fish passage and improve instream habitat for Alameda Creek and some of its tributaries.

Stonybrook Creek is a high priority tributary of Alameda Creek for several reasons. Only 13 miles upstream from the San Francisco Bay, this stream constitutes the best available salmonid habitat in the Alameda Creek watershed downstream from the Sunol Valley. In 1999, when a radio-tagged steelhead fish was transported over the BART weir, it spawned in Stonybrook Creek; no doubt due to the presence of deep pools, perennial flows, suitable temperature, and dense tree canopy in this stream. This fish was prevented from reaching the upper Stonybrook by the Palomares Road culvert.

This proposed project would complete the necessary conceptual designs to modify the Palomares Road culvert and an addition road crossing to make an additional 3,000 linear feet of spawning and rearing habitat available. In the next five years, the Alameda Creek Workgroup expects that the BART weir fish passage project will be complete. Stonybrook Creek will then be an important part of the restoration of steelhead runs since it will be one of the first stream areas to offer high quality habitat for steelhead spawning and rearing. In order to make as much of Stonybrook’s habitat available as possible to returning steelhead once the BART weir project is complete, the design of the Stonybrook culvert modifications need to start as soon as possible.

This project would create conceptual designs and cost estimates for modifying two road crossings which are total barriers to fish migration at this time. In addition, CEMAR would undertake a public outreach program. As part of this program, CEMAR would inform streamside residents and businesses about steelhead restoration efforts, inventory additional fish passage barriers, and work with landowners to find a suitable location for a smolt trap for the upcoming Stonybrook Creek smolt study. The smolt study on Stonybrook will determine if juvenile trout are undergoing “smoltification,” *i.e.*, preparing to migrate to the ocean. This study is anticipated to be the

subject of a future staff recommendation that will further illustrate the importance of the Stonybrook watershed to Alameda Creek steelhead recovery.

CEMAR has provided technical and administrative support to the Workgroup for the last three years. With the Workgroup input and state Department of Fish and Game funding, CEMAR has just completed a Watershed Restoration Plan outlining the actions necessary to restore a steelhead run to Alameda Creek. The Alameda Creek Workgroup is made up diverse agencies with differing missions (water supply, resource regulation, resource restoration, flood control, etc.) and CEMAR's role has been to ensure coordination among the agencies, evaluate restoration project priorities, apply for additional grant funding, and undertake the technical studies necessary to restore steelhead to Alameda Creek.

Site Description: Stonybrook Creek is a 6.9-square-mile subwatershed of Alameda Creek (described below) and drains a semi-rural area with residences, ranch lands, and agriculture (Exhibit 1). This creek features suitable steelhead habitat and has a population of resident rainbow trout that genetic tests show to be descendants of oceangoing steelhead trout.

Alameda Creek drains nearly 700 square miles ranging from Mt. Diablo in the north to Mt. Hamilton in the south (Exhibit 2). The watershed includes the Livermore Valley cities of Livermore, Pleasanton, Dublin, and San Ramon but the main stem of Alameda Creek features mostly undeveloped grass and woodlands including several major regional parks managed by the East Bay Regional Parks District, the City of San Francisco Public Utilities Commission watershed lands, and The Nature Conservancy's Mt. Hamilton Preserve. While large parts of the Alameda Creek watershed are undeveloped, the creek has been extensively modified by water delivery infrastructure. The City of San Francisco Public Utilities Commission operates Calaveras and San Antonio dams. In the lower watershed, in the cities of Fremont and Newark, a flood control channel confines the lower 11 miles of Alameda Creek. The Alameda County Water District impounds and diverts water from this channel for groundwater recharge. The levees feature heavily used pedestrian and bicycle trails that connect with the Bay Trail at the Coyote Hills Regional Park. At the mouth of Alameda Creek are an extensive series of salt ponds. The salt ponds to the north of Alameda Creek are included in the State's Cargill acquisition.

Project History: The listing of steelhead as a threatened species and the continuing presence of steelhead in the lowest portion of the creek have renewed interest in protecting and enhancing steelhead in Alameda Creek. The Coastal Conservancy has been part of the Alameda Creek workgroup seeking to find solutions to fish passage problems in the watershed since 1998. The primary focus of the Workgroup is to remove barriers to fish migration, starting with the 12-foot-high BART weir in the flood control channel. At the Workgroup's request, the U.S. Army Corps of Engineers has begun evaluating construction of a fish ladder over the BART weir, funded by the Corps' 1135 Ecosystem Restoration Program. In addition, CEMAR is completing a Coastal Conservancy-funded study to evaluate re-grading the channel as a possible alternative to constructing a fish ladder (authorized Sept. 26, 2002). Whatever method is selected by the Workgroup to provide passage for returning steelhead, the Workgroup hopes to have construction completed or at least underway in the next five years.

Stonybrook Creek came to the attention of Workgroup members when a radio-tagged steelhead that had been transported over the BART weir, traveled to this tributary. Alameda County then undertook an investigation that identified thirteen total or partial barriers to fish passage in this tributary. The two road crossings that are the subject of this authorization were identified as total

passage barriers. However, modification of these two barriers would open up 3,000 linear feet of creek.

PROJECT FINANCING:

Coastal Conservancy	\$50,000
City of Fremont	40,000
Alameda Co. Fish and Wildlife Commission	<u>4,250</u>
Total Project Cost	\$94,250

The Coastal Conservancy would be funding \$50,000 of a \$94,250 project. Funds would come from the Conservancy's Salmon Habitat Restoration Program Fund. The City of Fremont's contribution is from mitigation funds set aside for impacts associated with a road construction project. Since on-site mitigation was not available, the Army Corps, NOAA Fisheries, and the city of Fremont agreed that conceptual design of Stonybrook fish barriers would be a suitable use of the mitigation fees. CEMAR administers this earmarked account.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed study would be undertaken pursuant to Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160-31164), which directs the Conservancy to address the resource and recreational needs of the San Francisco Bay Area in a coordinated, comprehensive, and effective way.

Under §31162, the Conservancy may undertake projects that will help achieve specified goals for the San Francisco Bay Area Conservancy Program. Consistent with §31162, the project will help to protect, restore, and enhance natural habitats of regional importance; implement the San Francisco Bay Plan and the Alameda County General Plan; and to promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes, such as Alameda Creek which flows through several regional parks and has a major pedestrian and bike trail immediately adjacent to the lower reaches.

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 10, Objective B** of the Conservancy's Strategic Plan, the proposed project will develop designs for two barrier modification projects in the Stonybrook Creek Watershed and restore 3000 feet of high quality habitat to migrating steelhead.

Stonybrook Creek is a tributary of Alameda Creek, which is specifically listed as a priority project area for the Conservancy in the **Goal Matrix** of the Conservancy's Strategic Plan.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** The proposed study would be funded by the Salmon Habitat Restoration Program Fund and, consistent with this funding source, will assist in opening up riparian habitat to anadromous fish.
3. **Support:** The proposed study is supported by a diverse group of stakeholders. In addition to the Coastal Conservancy, the Workgroup includes Alameda County Public Works Agency, NOAA Fisheries (formerly National Marine Fisheries Service), U.S. Army Corps of Engineers, California Department of Fish and Game, East Bay Regional Park District, Pacific Gas and Electric Company, representatives of local cities, and three water agencies: Alameda County Water District, the City of San Francisco's PUC, and Alameda County's Zone 7, as well as American Rivers and the Alameda Creek Alliance, a coalition of environmentalists, anglers, and recreational users. In addition, previous fish investigations on Stonybrook Creek by Alameda County have elicited a high degree of cooperation and support from landowners. See Exhibit 3 for letters of support.
4. **Location:** Stonybrook Creek is within the Alameda Creek watershed, the largest direct tributary to San Francisco Bay, and falls within the San Francisco Bay Area Conservancy's jurisdiction.
5. **Need:** The financial support and partnership of the Conservancy is critical for the success of this project. Other Workgroup members have committed their available funds to other aspects of the steelhead restoration project; the Conservancy can quickly fund this alternatives study which is necessary to prevent project delays.
6. **Greater-than-local interest:** Alameda Creek is the largest direct tributary of San Francisco Bay (excluding the rivers flowing through the Delta) and represents one of the best chances for recovery of a threatened species, the steelhead trout of the Central Coastal ESU. Recovery of this fishery resource is not only beneficial for the Alameda Creek watershed but also for the entire range of this species.

Additional Criteria

7. **Urgency and Readiness:** Work on modifying the fish barriers on Stonybrook Creek needs to start soon if this habitat is to be accessible to steelhead when the BART weir is modified for fish passage. In addition, matching funds for the conceptual design work are available now and CEMAR can start work immediately.
9. **Leverage:** As discussed in the "Project Financing" section above, the Coastal Conservancy's \$50,000 is match by \$44,250 from two other sources.
10. **Conflict Resolution and Cooperation:** Despite the long-running conflict among water diversions, flood control, and the habitat needs of a threatened species on Alameda Creek, the Workgroup members have been working together successfully for the last few years to restore steelhead to the stream by working on projects like this Stonybrook Creek conceptual design project.

11. **Innovation:** The conceptual designs for modifying the road crossings over Stonybrook Creek will incorporate state-of-the-art techniques for providing fish passage.
13. **Realization of prior Conservancy goals:** To date, the Conservancy has invested \$125,000 in habitat assessments and barrier removal studies in the Alameda Creek watershed; other agencies have contributed over \$500,000. The restoration of steelhead fisheries in Alameda Creek is a high priority for the Conservancy because suitable habitat conditions and public and agency support indicate a high likelihood of success.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

Most of the Alameda Creek watershed is outside of the jurisdiction of the San Francisco Bay Conservation and Development Commission. However, the Bay Plan does specifically state, “the benefits of fish and wildlife in the Bay should be insured for present and future generations of Californians,” and “specific habitats that are needed to prevent the extinction of any species, or to maintain or increase any species that would provide substantial public benefits, should be protected. . . .” This study is part of an effort to restore steelhead, a threatened species, to Alameda Creek and is consistent with these two policies.

Restoration of steelhead is also consistent with Alameda County’s General Plan. The General Plan has several management objectives for regions of environmental significance, such as Alameda Creek: the protection, conservation, and promotion of the water resources of Alameda County, the preservation of fish and wildlife habitats, and the protection of natural riparian environments are. Furthermore, the General Plan states “the long-term preservation of natural and semi natural riparian areas and their wildlife habitat shall be a guiding criterion in public decisions.”

COMPLIANCE WITH CEQA:

The project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) because it involves only feasibility or planning studies for possible future actions, as indicated in 14 Cal. Code of Regulations Section 15262. Upon approval, staff will file a Notice of Exemption.