

COASTAL CONSERVANCY

Staff Recommendation  
December 13, 2007

**SOUTH BAY SALT POND RESTORATION PLANNING**

File No. 02-070  
Project Manager: Brenda Buxton

**RECOMMENDED ACTION:** Modification of the Conservancy's February 3, 2006 authorization by increasing by up to \$114,000 the disbursement to the San Francisco Estuary Institute (SFEI) to undertake work associated with the South Bay Salt Ponds Restoration Project and the South San Francisco Bay Shoreline Study.

**LOCATION:** San Francisco Bay, Santa Clara County

**PROGRAM CATEGORY:** San Francisco Bay Area Conservancy

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**EXHIBITS**

Exhibit 1: [February 3, 2006 Staff Recommendation](#)

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**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 modifies its February 3, 2006 authorization by increasing by up to \$114,000 the disbursement to the San Francisco Estuary Institute for technical studies related to mercury contamination in the South Bay from Conservancy funds authorized on September 8, 2005 for the South Bay Salt Ponds Restoration Project and the South San Francisco Bay Shoreline Study.”

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 proposed project remains consistent with Public Resources Code Sections 31160 *et seq.*, regarding the Conservancy's mandate to address the resource goals of the San Francisco Bay Area.
2. The proposed project remains consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.

3. San Francisco Estuary Institute is a nonprofit organization existing under the provisions the U.S. Internal Revenue Code Section 501(c)(3), whose purposes are consistent with Division 21 of the Public Resources Code.”
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**PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize the disbursement of an additional \$114,000 to the San Francisco Estuary Institute (SFEI) for SFEI’s study of mercury bioavailability in South San Francisco Bay as described in the attached February 3, 2006 staff recommendation (Exhibit 1). These funds will come from the \$3 million previously authorized by the Conservancy for the South Bay Salt Pond Restoration Project and South San Francisco Bay Shoreline Study (Shoreline Study). Additional funds are needed for several reasons. To better understand mercury bioavailability in the South Bay, SFEI’s scientists recommend that the amount of sediment and biota sampling and analysis be increased. In addition, some of the sample collection has been more difficult and time-consuming than originally anticipated. These two factors account for \$66,000 of the additional costs. Furthermore, in order to provide data for a regional water quality database and for regulatory agencies, SFEI will incur increased labor costs for data management and processing which accounts for \$27,000 in additional costs. Lastly, because of the complexity of and numerous parties involved in the study, SFEI is incurring more than \$21,000 in higher than expected labor costs for coordination.

The mercury study is a multi-entity effort that includes coordination and scientific analysis by SFEI, scientific analysis by U.S. Geological Survey (USGS), and in-kind technical support provided by Santa Clara Valley Water District. Additional funding is provided by Santa Clara Valley Water District (\$264,000), San Francisco Foundation (\$40,000), Regional Monitoring Program (\$25,000), and Resources Legacy Fund (\$50,789). With the proposed additional funding, the total for the mercury study will be \$631,000 including \$449,000 for SFEI and \$182,000 for USGS. An additional \$227,400 of in-kind support for the study is also being provided by from the Santa Clara Valley Water District.

A final phase of the study which would implement focused research to better understand the habitat-specific pathways of mercury methylation and bioaccumulation, estimated to cost \$152,000, is currently not funded. Funding of this additional work will depend on results of the analysis currently underway, project managers’ need for this information to implement of the South Bay Salt Pond Restoration Project, scientific recommendations, and the availability of funding from the Conservancy or other funders.

**Project History:** On February 3, 2006, the Conservancy authorized \$250,000 for SFEI’s mercury study as part of the South Bay Salt Pond Restoration planning and the Shoreline Study efforts. \$146,000 of these funds came from the \$3 million authorized for the South Bay Salt Ponds Restoration Project and the Shoreline Study. The Shoreline Study is a US Army Corps of Engineers (Corps) feasibility study that will facilitate the South Bay Salt Ponds Restoration project by completing the required analysis for the Corps to cost-share in the implementation of future projects identified in the Salt Pond Restoration Plan. Subsequent to the February 2006 authorization, the mercury study scope was expanded and study costs increased. The Santa Clara Valley Water District agreed to reimburse the Conservancy for up to \$264,000 for the mercury study pursuant to a Memorandum of Agreement (MOA) providing for reimbursement of these

funds by the District. \$131,217 of these funds, combined with \$50,789.00 from the Resources Legacy Fund, funded the portion of the mercury study conducted by the USGS. The remaining \$132,783 of the Santa Clara Valley Water District funding will be provided to the Conservancy by the District (pursuant to the MOA) for the SFEI portion of the mercury study.

**PROJECT FINANCING:**

This study will be carried out collaboratively by SFEI, USGS, and Santa Clara Valley Water District with funding from the sources shown below, in the revised project budget.

Coastal Conservancy	\$260,000
San Francisco Foundation	40,000
Regional Monitoring Program	25,000
Resources Legacy Fund	51,000
SCVWD	<u>264,000</u>
<b>Total Project Cost</b>	<b>\$631,000</b>

The additional \$114,000 from the Conservancy is anticipated to come from the Conservancy's September 8, 2005 authorization for the South Bay Salt Ponds Restoration Project and the Shoreline Study. This authorization used a FY 05-06 budget appropriation for the San Francisco Bay Area Conservancy Program from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50) which can be used for coastal watershed protection and associated planning pursuant to Chapter 4.5 of Division 21 of the Public Resources Code. In addition to \$264,000 in cash, the Santa Clara Valley Water District is providing \$227,400 worth of in-kind staff time towards this study. The San Francisco Foundation and the Regional Monitoring Program are providing the mercury study funds directly to SFEI.

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

The proposed project remains consistent with the requirements of Chapter 4.5 of the Conservancy's enabling legislation, Public Resources Code Sections 31160-31164, as discussed at length in the February 3, 2006 staff recommendation (Exhibit 1).

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

The proposed project remains consistent with goals and objectives of the Conservancy's Strategic Plan, as described in the February 3, 2006 staff recommendation (Exhibit 1).

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project remains consistent with the Conservancy's Project Selection Criteria and Guidelines, for all of the reasons specified in the February 3, 2006 staff recommendation (Exhibit 1).

**COMPLIANCE WITH CEQA:**

The proposed project remains statutorily exempt from the provisions of the California Environmental Quality Act (CEQA), for the reasons described in the February 3, 2006 staff recommendation (Exhibit 1).