

COASTAL CONSERVANCY

Staff Recommendation
June 18, 2020

SAN FRANCISCO ESTUARY INVASIVE SPARTINA PROJECT

Project No.: 99-054-03
Project Manager: Marilyn Latta

RECOMMENDED ACTION: Authorization to disburse up to \$800,000 to the California Invasive Plant Council to implement the planning, management, treatment, monitoring, and restoration activities of the San Francisco Estuary Invasive *Spartina* Project.

LOCATION: The baylands and lower creek channels of the nine counties that bound the San Francisco Bay.

PROGRAM CATEGORY: San Francisco Bay Conservancy Program

EXHIBITS

Exhibit 1: [May 16, 2019 Staff Recommendation](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Chapter 4.5 of Division 21 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$800,000 to the California Invasive Plant Council (grantee), to implement the planning, management, treatment, monitoring, and restoration activities of the San Francisco Estuary Invasive *Spartina* Project (ISP), subject to the following conditions:

1. The grantee shall submit for review and approval of the Conservancy’s Executive Officer:
 - a. A work plan, schedule and budget.
 - b. A list of applicable mitigation measures from the “Final Programmatic Environmental Impact Statement/Environmental Impact Report, San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program,” certified by the Conservancy on June 16, 2005.
 - c. Evidence that all necessary permits and approvals for the project have been obtained.
2. In carrying out any ISP activity, the grantee shall comply with all applicable mitigation and monitoring measures that are set forth in the approved site-specific plans, that are required by any permit, the applicable U.S. Fish and Wildlife Service Biological Opinion or any other

INVASIVE SPARTINA PROJECT

approval for the project, and that are identified in the “Final Programmatic Environmental Impact Statement/Environmental Impact Report, San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program” (EIS/R), certified by the Conservancy on June 16, 2005.

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. Disbursement of funds for the planning, management, treatment, monitoring, and restoration activities of the San Francisco Estuary Invasive *Spartina* Project is consistent with Public Resources Code Sections 31160-31165.
2. The proposed authorization is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The California Invasive Plant Council is a nonprofit organization existing under Section 501(c)(3) of the United States Internal Revenue Code.”

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize the disbursement of up to \$800,000 to the California Invasive Plant Council for planning, management, monitoring, treatment, restoration and permit compliance activities of the San Francisco Estuary Invasive *Spartina* Project (ISP). The \$800,000 will augment funding for ISP that the Conservancy authorized on May 16, 2019 for ISP activities planned for June 2019 through April 2021 (Exhibit 1). Staff estimates that \$800,000 is the minimum augmentation that will be needed to complete all ISP activities that were planned for June 2019 through April 2021. All funds authorized by the Conservancy in May 2019 are expected to be fully expended as of June 2021 but will be insufficient to complete all ISP activities planned for June 2019 through April 2021 without the recommended augmentation.

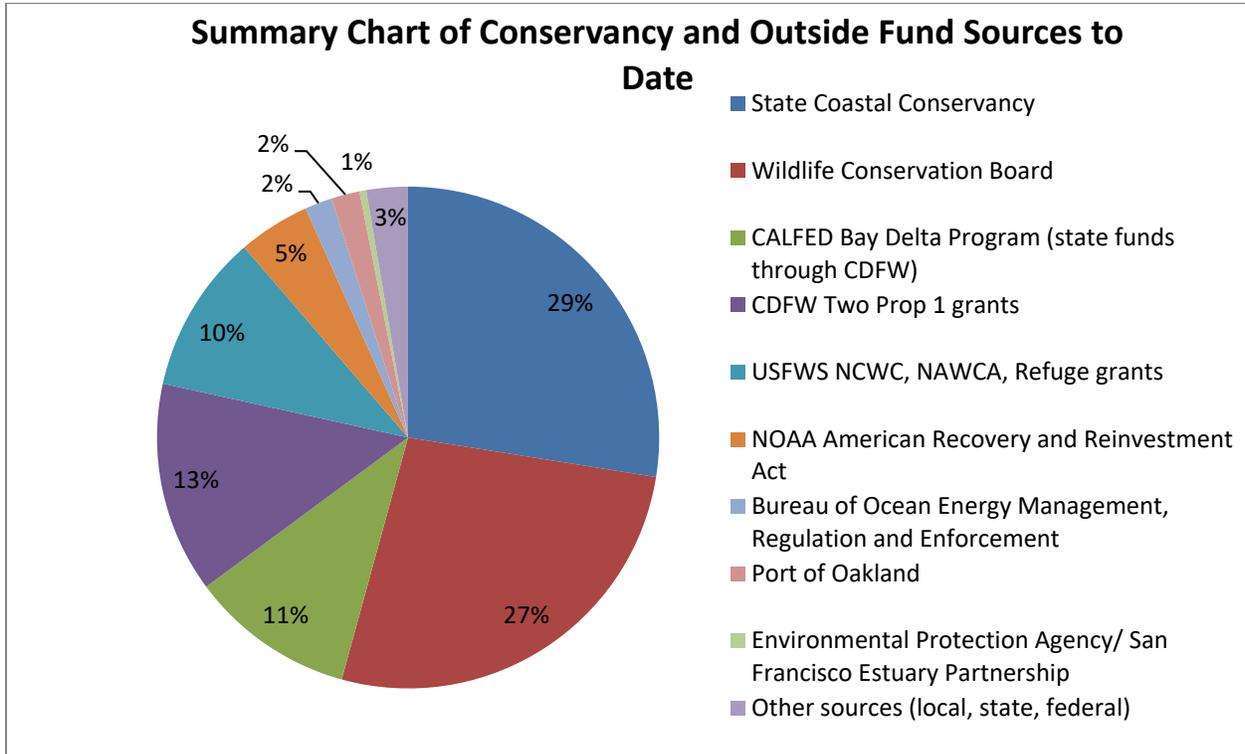
In the current phase of work since the May 2019 authorization, the Conservancy has put under contract and is in process disbursing \$800,000 of Conservancy funds and \$3,562,759 of funds granted to the Conservancy, including: a \$2,151,548 grant from the California Department of Fish and Wildlife, a \$943,711 grant from the United States Fish and Wildlife Service North American Wetlands Conservation Act, a \$400,000 grant from the Santa Clara Valley Water District, and \$67,500 in BCDC mitigation funds, for a grand total of \$2,951,548.

The ISP activities planned for June 2019 through April 2021 are ongoing and include planning, management, monitoring, restoration, and treatment for *Spartina* within 12 ISP regions throughout the 70,000-acre project area. A minimum of 45,000 native tidal marsh seedlings are being installed during two seasons (2019-20 and 2020-21), and 20 high tide refuge islands are being constructed and planted with native tidal marsh plant species.

INVASIVE SPARTINA PROJECT

PROJECT FINANCING

Coastal Conservancy	\$800,000
Proposed Authorization Total	\$800,000



Conservancy funding for this authorization is anticipated to come from a fiscal year 2018/2019 appropriation to the Conservancy from the “California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018” (Prop 68, Public Resources Code Division 46, Chapters 1-13, Sections 80000-80173). Chapter 8 of Prop 68 (Public Resources Code section 80110(b)(10)) allocates funds to the Conservancy to grant for projects that are eligible for funding under the San Francisco Bay Restoration Authority Act at Government Code Sections 66700-66706. Projects that are eligible for grants under the San Francisco Bay Restoration Authority Act are projects that restore, protect, or enhance tidal wetlands, managed ponds, or natural habitats on the shoreline in the San Francisco Bay area (Government Code section 66704.5). By addressing invasive spartina, which is threatening the wetlands of San Francisco Bay, the ISP activities will restore and protect wetlands on the shoreline of San Francisco Bay. Therefore, the ISP is eligible for grants under the San Francisco Bay Restoration Authority Act and under Chapter 8 of Prop 68.

In December 2019, the California Invasive Plant Council submitted a grant application to the San Francisco Bay Restoration Authority seeking \$4,000,000 to implement ISP activities planned for November 2020- October 2022. Based on this application, the ISP has been included in a list of projects recommended by Authority staff for funding in the Restoration Authority’s third grant round; it is anticipated to be considered for authorization in Fall 2020.

INVASIVE SPARTINA PROJECT

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

As detailed in the May 16, 2019 staff recommendation (Exhibit 1), the ISP remains consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.

CONSISTENCY WITH CONSERVANCY'S 2018 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with the objectives listed below for the Conservancy's 2018-22 Strategic Plan, the proposed project will further the Invasive *Spartina* Project by continuing progress towards zero-detection and promoting monitoring and management by landowners and other partners.

Consistent with **Goal 8, Objective B**, the project will plan high tide refuge islands and native revegetation projects in San Francisco Bay, advancing the planning and design of adaptation projects to increase resilience to sea level rise and other climate change impacts. Consistent with **Objective C**, the ISP will increase resilience to sea level rise or other climate change impacts using nature-based solutions and other multi-benefit strategies.

Consistent with **Goal 12**, the ISP will “protect and enhance natural habitats and connecting corridors, watersheds, scenic areas, and other open-space resources of regional importance in the Bay Area,” and the ISP project meets **Objective 12D**, “enhance tidal wetlands, managed wetlands, seasonal wetlands, upland habitat, and subtidal habitat,” and **Objective 12G**, “eradicate non-native invasive species that threaten important habitats in the San Francisco Bay Area.”

Consistent with **Goal 15, Objective C**, the ISP involves working “with partner organizations to achieve conservation, climate adaptation, and public access objectives through project facilitation, technical assistance, grant writing, workshops, webinars, and the development and sharing of scientific and management resources, including lessons learned from innovative, multi-objective projects.”

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed authorization, which provides additional funding for the ISP, remains consistent with the Conservancy's Project Selection Criteria and Guidelines, updated October 2, 2014, as described in the May 16, 2019 staff recommendation (Exhibit 1).

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

The ISP remains consistent with the San Francisco Bay Conservation and Development Commission's “San Francisco Bay Plan”, as described in the May 16, 2019 staff recommendation (Exhibit 1).

INVASIVE SPARTINA PROJECT

COMPLIANCE WITH CEQA:

As detailed in the May 16, 2019 Conservancy staff recommendation (Exhibit 1), at its June 16, 2005 meeting, the Conservancy authorized initial funding for treatment and eradication of invasive *Spartina* at 22 project sites and certified the “Final Programmatic Environmental Impact Statement/Environmental Impact Report, San Francisco Estuary Invasive *Spartina* Project: *Spartina* Control Program” (FEIS/R), prepared for the ISP pursuant to the California Environmental Quality Act (CEQA). Subsequently, the Conservancy has authorized funding for ISP activities each year through 2019. In general, over the duration of the ISP, the nature, duration, scope, location and site characteristics of treatment has not changed. Over time, some additional sites and sub-areas have been added as new plants were found but treatment and potential impacts have been reduced because of successful treatment in prior years.

The FEIS/R is a programmatic environmental impact report (Section 15168 of the CEQA Guidelines, 14 Cal. Code of Regulations, Sections 15000 et seq., hereafter “Guidelines”) in that it analyzes the potential environmental effects of implementing the ISP as a whole, rather than the effects of any one or more individual activities. The program-level FEIS/R identifies mitigation measures that will be applied to reduce or eliminate impacts at various treatment locations, under varying site characteristics and conditions, and using varying methods of treatment.

A subsequent activity that follows under a programmatic environmental impact report that has been assessed and certified pursuant to CEQA (such as the FEIS/R) must be examined in the light of that programmatic report to determine whether an additional environmental document must be prepared. If the agency proposing the later activity finds that the environmental impacts of the later activity and the required mitigation to reduce those impacts were already identified and considered under the program environmental report, the activity can be approved with no further environmental documentation. (CEQA Guidelines, Section 15168(c)). The Guidelines suggest the use of a written checklist or similar device to document the evaluation of the activity to determine whether the environmental effects of the operation were covered in the program environmental impact report.

Whenever additional funding for the ISP treatment has been sought, the Conservancy staff has assessed the proposed treatment using, as the “checklist” suggested by the CEQA Guidelines, site specific plans for each treatment site and mitigation matrices to identify the impacts and required mitigation needed to avoid or reduce those impacts. Based on that information, the Conservancy has concluded in each instance that the environmental effects associated with proposed treatment and the required mitigation to reduce those effects to less than significant level had been fully considered under the FEIS/R. For purposes of the June 2019- April 2021 ISP activities, for which funding was authorized on May 16, 2019 and will be augmented pursuant to this staff recommendation, staff has reached the same conclusion, as described in the May 16, 2019 staff recommendation.

Since the project activities proposed for this augmentation of funding have not changed since the May 16, 2019 authorization, no further environmental documentation is required under CEQA.